

David City Public School Board of Education  
Regular Board Meeting  
Monday, July 10, 2023 7:00 PM  
Board Meeting Room at the High School  
750 D St.  
David City, NE 68632-1724

1. Call Meeting to Order
  - 1.1. Pledge of Allegiance
  - 1.2. Open Meetings Statement
  - 1.3. Attendance/Absence Approval
2. Public Forum
3. Agenda Approval
4. Consent Agenda
  - 4.1. Approve minutes of the regular meeting.
  - 4.2. Approve Claims Against the District
  - 4.3. Financial Reports
5. Board Committee Reports
6. Administrative Reports
  - 6.1. Dr. Denker
7. Old Business
  - 7.1. Discuss recent legislation.
8. New Business
  - 8.1. Discuss, consider, and take action on new and updated board policies.
9. Personnel

10. Future Discussion Items

11. Adjournment

David City Public School Board of Education  
Regular Board Meeting  
Monday, June 12, 2023, 7:00 PM  
Board Meeting Room at the High School  
750 D St. David City, NE 68632-1724

Notice of the meeting was given in advance by publication and posting to meet the legal requirements for public notice of meeting. The meeting notice was published in the Banner Press, a publication established for general circulation within the district and posted on the front door of each school building and the David City Post Office. Notice of this meeting was given in advance to all members of the Board of Education. A current copy of the agenda for said meeting was available in the Superintendent's office and the district's website. All proceedings of the Board of Education, except as may be hereinafter noted, were taken while the convened meeting was open to the attendance of the public.

1. Call Meeting to Order

Stephanie Summers called the meeting to order at 7:00 p.m.

- 1.1 Pledge of Allegiance

Attendees stood to recite the Pledge of Allegiance.

- 1.2 Open Meetings Statement

Stephanie Summers informed attendees that a copy of the Open Meetings Law was posted and available for inspection.

- 1.3 Attendance/Absence Approval

All board members were present. All administrators were present. No student board members were present at this meeting.

2. Staff and Student Involvement

3. Public Forum

Charlotte Tebbe shared her concern about not being able to view or have the proper time allotted prior to the board meeting to review information or policies regarding the public hearing information discussed later in the meeting. Charlotte suggests that the public should be granted more time to review policies or handbooks prior to a meeting if an actual public hearing is to be held. She also mentioned having the past policy and potential adopted policy linked together so the information can be easily cross-referenced. Charlotte mentioned that the city council meetings are also held the second and fourth Wednesday of the month, which will conflict if a community member is wanting to be involved with the school board and city council. She also mentioned that having the board meetings on Wednesday evening will conflict with any family or church event that individuals want to participate in.

4. Agenda Approval

Marcus Thoendel motioned to approve the agenda. Kasey Kuhlman seconded the motion. Motion passed 6-0.

5. Consent Agenda

5.1 Approve minutes of regular meeting

5.2 Approve Claims Against the District

5.3 Financial Reports

Donnie Moravec motioned to approve agenda items 5.1 through 5.3. Marcus Thoendel seconded the motion. Motion carried 6-0.

6. Board Committee Reports- None

7. Administrative Reports

7.1 Dr. Denker

Dr. Denker mentioned the roof in Bellwood is going to be redone over the summer because of the severe leaks in a couple locations. The roof in Bellwood is under warranty and the construction crew was there this week getting organized. Dr. Denker also mentioned the tile floor that is being replaced in the new commons at the high school.

7.2 Mr. Couch

Aaron Rerucha asked Mr. Couch a couple questions regarding his report about attendance issues and how the ideas mentioned in Mr. Couch's report regarding attendance and mentorship possibilities seem like a great step in the right direction. Aaron Rerucha also asked Mr. Couch about his viewpoints and thoughts about the wellness policy the board is looking to adopt later in the meeting. Mr. Couch and everyone agreed it is a good policy, we just need to work together at all levels and have everyone on the same page. I.e) what is an acceptable or healthy snack or beverage for a class party? Etc.

7.3 Mr. Lindsley

7.4 Ms. Romshek

7.5 Mr. Happ

7.6 Ms. Daniels

7.7 Mr. Valentine

8. Old Business

9. New Business

9.1 Discuss, consider, and take action on girls wrestling co-op with East Butler and Shelby-Rising City starting the winter of 2023.

Kasey Kuhlman motioned for the girls wrestling team to co-op with East Butler and Shelby-Rising City starting the winter of 2023. Marcus Thoendel seconded the motion. Motion passed 5-1. Aaron Rerucha voted no.

- 9.2 Discuss, consider, and take action of student handbooks for 2023-2024.  
Kasey Kuhlman motioned to accept the student handbooks for the 2023-2024 school year.  
Donnie Moravec seconded the motion. Motion carried 6-0.
- 9.3 Discuss, consider, and take action on employee handbooks for 2023-2024.  
Marcus Thoendel motioned to accept the employee handbooks for 2023-2024. Justin Krafka seconded the motion. Motion carried 6-0.
- 9.4 Hold public hearing to discuss, consider, and receive input on Policy 5416 Wellness. The public will be given the opportunity to present information and opinions on the proposed policy.  
The public hearing started at 7:59. The public made sure that there were not any changes from last year to this year's wellness policy. Aaron Rerucha made sure that when the policy states 'health science' it is referring to actual scientific information and does not begin reaching into gender pronoun preferences, gender ideology, etc. Aaron's concern is when a policy such as this comes from the federal or state level sometimes that is how they slip these issues in. The public hearing ended at 8:11.
- 9.5 Discuss, consider, and take action on Policy 5416 Wellness to either alter the policy and adopt as altered or to reaffirm the current policy.  
Donnie Moravec motioned to reaffirm the 5416 Wellness Policy. Marcus Thoendel seconded the motion. Motion carried 6-0.
- 9.6 Hold public hearing to discuss, consider, and receive input on Policy 5501 Student Fees. The public will be given the opportunity to present information and opinions on the proposed policy. The public hearing began at 8:12. A brief discussion about updating our meal prices was discussed. The public hearing concluded at 8:18.
- 9.7 Discuss, consider, and take action on Policy 5501 Student Fees to either alter the policy and adopt as altered or to reaffirm the current policy.  
Stephanie Summers made a motion to update our meal prices. Donnie Moravec seconded the motion. Motion carried 6-0.
- 9.8 Hold public hearing to discuss, consider, and receive input on Policy 6400 Parental Involvement. The public will be given the opportunity to present information and opinions on the proposed policy.  
The public hearing began at 8:20. Dave McPhillips questioned Stephanie Summers about her stance on Parental Involvement when testifying at the state capitol. A lengthy conversation ensued on this topic. Dave McPhillips reiterated that the Parental Involvement Policy is for districts within the entire state and not just David City. He questioned why a testimony against this policy felt warranted. More conversation between the public and board ensued. Aaron Rerucha asked for a couple examples of how this policy would carry out if a student or parent asked to be removed from a classroom teaching on evolution for example. It was stated that these issues have arisen in the past and sufficient alternative teaching lessons were granted to those students. The public hearing ended at 8:39.

9.9 Discuss, consider, and take action on Policy 6400 Parental Involvement to either alter the policy and adopt as altered or to reaffirm the current policy.

Justin Krafka made a motion to reaffirm the Policy 6400 Parental Involvement. Kasey Kuhlman seconded the motion. Motion carried 6-0.

#### 10. Personnel

10.1 Discuss, consider, and take action on new teacher contracts for 2023-2024 school year. Marcus Thoendel motioned to accept the new teacher contracts with Jamie Badstieber and Joe (Bob) Orta for the 2023-2024 school year. Donnie Moravec seconded the motion. Motion carried 6-0.

10.2 Discuss, consider, and take action on staff resignations.

Dr. Denker informed the board that Carrie Thoendel the school nurse in Bellwood has resigned her position.

#### 11. Future Discussion Items

11.1 Recent Legislation-July

11.2 Policy Revisions per attorney and Annual Attendance and Discipline Policy Review- July

#### 12. Adjournment

The meeting adjourned at 8:44 p.m. Marcus Thoendel motioned to adjourn and Donnie Moravec seconded the motion.

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Aaron Rerucha, Secretary

# Claims Against the District

July 2023

Payment Vendor	Invoice Amount	Comment
Amazon Capital Services	\$247.48	Supplies
Amplify Education	\$2,179.08	Science Consumables
Anna Kouba	\$125.76	Mileage
ASCAP	\$16.25	License
B&H Photo-Video	\$636.43	Monitors
Barcel Landscape Products	\$392.00	Mulch
Butler County Health Care Center	\$2,469.46	SPED Contracted Services
Butler County Welding	\$70.03	Custodial
Callaway Rolloffs	\$232.36	Waste
Cash-Wa Distributing	\$2,204.64	Summer Meals
Cenex Fleetcard	\$286.58	Fuel
Chadron Public Schools	\$1,870.08	SPED Services
David City Ace Hardware	\$1,072.03	Custodial
Dietze Music House	\$1,084.26	Instrument Repair
Eakes Office Solutions	\$39.59	EGoldFax
Edutek Solution	\$1,995.00	Software
ESU #7	\$245.00	Interpreting/MANDT Training
ESU #7	\$4,200.00	Tech Consortium
ESU #7	\$250.00	Structured Teaching Training
ESU #7	\$2,840.00	SRS - SPED
ESU #7 Special Education	\$82,841.92	2 months SPED Services
ESU Coordinating Council	\$966.00	Movie License
ETA hand2mind	\$32.86	Magnets
Filewave	\$1,365.00	Renewal
Fireguard	\$5,668.73	Contracted Service
Frog Street Press	\$3,650.00	Training
Frontier Cooperative	\$90.63	Fuel
Heins, Tiffany	\$1,105.75	Tuition Reimbursement
Hiland Dairy Foods	\$776.04	Summer Milk
Holiday Inn - Kearney	\$514.80	Meeting
John Deere Financial	\$745.59	Repairs
Jones Group	\$1,011.00	Auto Insurance
Kobza Motors, Inc	\$136.42	Vehicle Repair
Krings, Cassandra	\$1,085.40	Early Childhood ESY
Kurita America Inc.	\$351.75	Contracted Services
Lunch Fund Transfer	\$75,000.00	Transfer to Lunch Fund
MacGill & Co.	\$136.96	Nurse Supplies
McGraw-Hill School Education Group	\$8,016.00	Math Curriculum
Menards, Inc.	\$626.00	Custodial Supplies

Mid-American Research Chemical Corp	\$252.50	Custodial Supplies
NASB	\$350.00	Conferences
Natus Medical Inc	\$295.00	Audiometers
Nebraska Assn for Curr., Instruct. & Assess	\$40.00	23/24 Dues
Nebraska Council of School Admin	\$650.00	Conference/Workshops
Nebraska Safety Center	\$450.00	Level 1
Nebraska.gov/NIC Nebraska	\$10.00	DHHS Background Checks
Neujahr Home Center	\$1,945.60	Flooring
Nice Kars	\$4,387.30	Bus Repair
NIMCO, Inc.	\$62.25	Counseling Supplies
Northside Inc.	\$719.77	Fuel
One Source	\$49.50	Background Checks
Payflex Systems	\$150.00	Admin Fees
Perry, Guthery, Haase & Gessford	\$148.12	Legal Services
Pitney Bowes	\$81.93	Bellwood Postage Meter
Pro-Ed Inc	\$171.47	OT Materials
Rehmer Auto Parts	\$41.30	Custodial
Remind 101, Inc.	\$2,699.39	Subscription
Rerucha Ag & Auto Supply	\$6.36	Bus
rSchoolToday	\$450.00	Renewal
Sack Lumber Company	\$96.41	Custodial
Shred-It/Stericycle	\$610.86	Recycling
Sterling Computers Corp	\$64,919.60	Chromebooks
SYSCO Lincoln	\$1,368.56	Summer Meals
Teacher Innovations, Inc.	\$684.00	Subscription
Teaching Strategies	\$1,138.50	Subscription
TK Elevator Corp	\$383.19	Contracted Services
Trane	\$2,337.99	Service Call
U & I Sanitation	\$570.00	Sanitation
Unger, Bob	\$50.00	NCA Membership
US Bank	\$1,284.17	June Charges
Verizon Wireless	\$420.62	Bus Wifi & Jet Packs
Village of Bellwood	\$56.00	Utilities
Voyager Sopris Learning	\$502.70	Social Studies Books
WEX Bank	\$75.00	Fuel
Windstream Corporation	\$877.88	Telephone & internet
Wolfe, Wendy	\$145.11	Early Childhood ESY
Woodriver Energy	\$1,553.29	Natural Gas
<b>Sub-Total</b>	<b>\$296,611.25</b>	

<b><u>Mid-Month Checks &amp; Direct Withdrawls</u></b>		
Aurora Cooperative	\$11.99	Custodial Supplies
Butler Public Power District	\$1,209.20	Electricity

David City Utilities	\$16,516.73	Utilities
Five Points Bank	\$4,810.32	Copier Lease
Hampton Inn	\$1,105.00	NCE Conference
Heartland Communications	\$4,551.00	Contracted Services
Liminex	\$1,677.50	Subscription
Amazon	\$7,126.37	Supplies
Rasmussen Mechanicals Services	\$10,000.00	Deposit on hot storage tank
Spectrum	\$309.62	TV/Internet
<b>Sub-Total</b>	<b>\$47,317.73</b>	
<b><u>US Bank Card</u></b>		
Family Dollar	\$14.10	Bus Supplies
Credit	-\$30.00	Conference Credit
Learning Techniques	\$630.00	Instructional Supplies
Fill your summer	\$26.95	Instructional Supplies
Webroot Yearly Plan	\$5.00	Subscription
El Centenario	\$43.32	New Teacher Meeting
Conference Meals	\$80.14	Conference Meals
ED Puzzle	\$12.50	Instructional Supplies
Grade Transferer	\$29.88	Subscription
Sam's	\$222.76	Summer Food
Buncey By Capstone	\$100.00	Subscription (Elem)
Cenex	\$49.34	Fuel
Wieser	\$35.99	Subscription (HS Science)
Walmart	\$64.19	Rolling Carts
Walmart	\$150.00	Instructional Supplies
	<b>Sub-Total</b>	<b>\$1,284.17</b>
<b>Grand Total</b>	<b>\$345,213.15</b>	



CASH RECEIPTS  
June 2023

<b>01-1110</b>	<b>Local Property Taxes</b>	
6/8/23	Saunders County	\$7,216.64
6/15/23	Platte County	\$26.95
6/15/23	Butler County	\$911,359.40
<b>01-1370</b>	<b>Pre-School Tuition</b>	
6/16/23	Burnett	\$300.00
<b>01-1510</b>	<b>Interest</b>	
6/30/23	Bank of the Valley	\$449.50
<b>01-1910</b>	<b>Rent of School Facilities or Properties</b>	
6/16/23	Ockander, J	\$40.00
<b>01-2210</b>	<b>ESU Receipts</b>	
6/23/23	ESU #7	\$300.00
<b>01-3110</b>	<b>State Aid</b>	
6/30/23	State of NE	\$13,098.00
<b>01-3120</b>	<b>SPED SA FFR Reimbursement</b>	
6/14/23	State of NE	\$127,821.00
<b>01-4505</b>	<b>Title I</b>	
6/14/23	State of NE	\$38,642.00
<b>01-4518</b>	<b>IDEA Enrollment/Poverty</b>	
6/14/23	State of NE	\$38,875.00
<b>01-4521</b>	<b>IDEA Proportionate Share</b>	
6/14/23	State of NE	\$7,906.00
<b>01-4708</b>	<b>Medicaid Direct Services (MIPS)</b>	
6/5/23	State of NE - MIPS DS SN22	\$4,365.20
5/8/23	State of NE - MIPS DS DF 23	\$3,992.59
<b>01-4969</b>	<b>Title IV</b>	
6/14/23	State of NE	\$3,972.00
<b>01-5300</b>	<b>Sale of School Property</b>	
6/9/23	Students (Used Laptop/Chromebooks)	\$940.00
<b>01-5690</b>	<b>Non-Revenue Receipts</b>	
6/9/23	Price, W (Laptop Repairs)	\$25.00
6/9/23	Hays, T (Copies)	\$35.00
6/9/23	Students (Lost Books)	\$12.00
6/16/23	Allen, H (Copies)	\$10.25

6/16/23	Zrust (Laptop Repair)	\$100.00
6/16/23	Schuyler Community Schools (insurance)	\$1,096.72
6/29/23	National Pen (Reimbursement)	\$283.90
<b>01-9000</b>	<b>Non Program Receipts</b>	
6/23/23	Lunch PR Reimburse	\$22,450.19
	<b>TOTAL</b>	<b>\$1,183,317.34</b>

GENERAL FUND ACCOUNT

2022-2023

Bank of the Valley - Account #260977

<b>9/1/2022</b>	<b>Starting Balance NOW Acct</b>			<b>\$240,438.36</b>
	Customer Deposits	\$34,814.92		
	Direct Deposits	\$2,229,329.56		
	Interest	\$430.57		
	Transfer from ICS-Sweep Acct	\$813,000.00		
	Transfer to ICS-Sweep Acct		\$2,248,948.20	
	NSF Checks		\$75.00	
	Utilities/BCPPD		\$25,520.64	
	Five Points Bank (copiers)		\$4,810.32	
	Paypal		\$0.00	
	Payroll Settlement		\$408,167.29	
	Payroll Expenditures (direct)		\$154,549.55	
	Checks Paid		\$235,511.84	
	<b>CREDIT TOTAL</b>	\$3,077,575.05		
	<b>DEBIT TOTAL</b>		\$3,077,582.84	
	<b>Ending Balance</b>			<b>\$240,430.57</b>

<b>9/1/2022</b>	<b>Starting Balance - ICS Acct</b>			<b>\$4,317,880.91</b>
	Transfer from General Fund	\$2,237,169.74		
	Transfer to General Fund		\$815,000.00	
	Interest	\$5,494.76		
<b>9/31/2022</b>	<b>Ending Balance</b>			<b>\$5,745,545.41</b>

<b>10/1/2022</b>	<b>Starting Balance NOW Acct</b>			<b>\$240,430.57</b>
	Customer Deposits	\$36,188.12		
	Direct Deposits	\$396,682.11		
	Interest	\$577.29		
	Transfer from ICS-Sweep Acct	\$1,069,000.00		
	Transfer to ICS-Sweep Acct		\$360,971.83	
	Utilities/BCPPD		\$22,954.48	
	Five Points Bank (copiers)		\$4,810.32	
	Safe Deposit Rental		\$30.00	
	Payroll Settlement		\$393,965.64	
	Payroll Expenditures (direct)		\$154,549.55	
	Checks Paid		\$565,018.98	
	<b>CREDIT TOTAL</b>	\$1,502,447.52		
	<b>DEBIT TOTAL</b>		\$1,502,300.80	
	<b>Ending Balance</b>			<b>\$240,577.29</b>

<b>10/1/2022</b>	<b>Starting Balance - ICS Acct</b>			<b>\$5,745,545.41</b>
	Transfer from General Fund	\$360,761.66		
	Transfer to General Fund		\$1,069,000.00	
	Interest	\$6,962.73		
<b>10/31/2022</b>	<b>Ending Balance</b>			<b>\$5,044,269.80</b>

<b>11/1/2022</b>	<b>Starting Balance NOW Acct</b>			<b>\$240,577.29</b>
	Customer Deposits	\$36,329.04		
	Direct Deposits	\$138,993.14		
	Interest	\$558.96		
	Transfer from ICS-Sweep Acct	\$1,004,000.00		
	Transfer to ICS-Sweep Acct		\$131,363.76	
	Utilities/BCPPD		\$17,900.24	
	Five Points Bank (copiers)		\$4,810.32	
	Payroll Settlement		\$427,034.61	
	Payroll Expenditures (direct)		\$279,189.27	
	Checks Paid		\$319,601.27	
	<b>CREDIT TOTAL</b>	<b>\$1,179,881.14</b>		
	<b>DEBIT TOTAL</b>		<b>\$1,179,899.47</b>	
	<b>Ending Balance</b>			<b>\$240,558.96</b>

<b>11/1/2022</b>	<b>Starting Balance - ICS Acct</b>			<b>\$5,044,269.80</b>
	Transfer from General Fund	\$131,467.11		
	Transfer to General Fund		\$1,004,000.00	
	Interest	\$6,671.93		
<b>11/30/2022</b>	<b>Ending Balance</b>			<b>\$4,178,408.84</b>

<b>12/1/2022</b>	<b>Starting Balance NOW Acct</b>			<b>\$240,558.96</b>
	Customer Deposits	\$45,888.10		
	Direct Deposits	\$349,518.82		
	Interest	\$577.34		
	Transfer from ICS-Sweep Acct	\$865,000.00		
	Transfer to ICS-Sweep Acct		\$190,044.86	
	Utilities/BCPPD		\$16,658.18	
	Five Points Bank (copiers)		\$4,810.32	
	Payroll Settlement		\$420,757.38	
	Payroll Expenditures (direct)		\$274,409.93	
	Checks Paid		\$354,285.21	
	<b>CREDIT TOTAL</b>	<b>\$1,260,984.26</b>		
	<b>DEBIT TOTAL</b>		<b>\$1,260,965.88</b>	
	<b>Ending Balance</b>			<b>\$240,577.34</b>

<b>12/1/2022</b>	<b>Starting Balance - ICS Acct</b>			<b>\$4,178,408.84</b>
	Transfer from General Fund	\$176,881.31		
	Transfer to General Fund		\$865,000.00	
	Interest	\$5,961.95		
<b>12/31/2022</b>	<b>Ending Balance</b>			<b>\$3,496,252.10</b>

<b>1/1/2023</b>	<b>Starting Balance NOW Acct</b>			<b>\$240,577.34</b>
	Customer Deposits	\$33,670.47		
	Direct Deposits	\$2,156,281.41		
	Interest	\$473.75		

	Transfer from ICS-Sweep Acct	\$921,000.00		
	Transfer to ICS-Sweep Acct		\$2,033,838.35	
	Utilities/BCPPD		\$15,887.85	
	Five Points Bank (copiers)		\$4,810.32	
	Payroll Settlement		\$411,761.41	
	Payroll Expenditures (direct)		\$270,316.06	
	Checks Paid		\$374,915.23	
	<b>CREDIT TOTAL</b>	\$3,111,425.63		
	<b>DEBIT TOTAL</b>		\$3,111,529.22	
	<b>Ending Balance</b>			<b>\$240,473.75</b>

<b>1/1/2023</b>	<b>Starting Balance - ICS Acct</b>			<b>\$3,496,252.10</b>
	Transfer from General Fund	\$2,034,418.22		
	Transfer to General Fund		\$921,000.00	
	Interest	\$6,858.88		
<b>1/31/2023</b>	<b>Ending Balance</b>			<b>\$4,616,529.20</b>

<b>2/1/2023</b>	<b>Starting Balance NOW Acct</b>			<b>\$240,473.75</b>
	Customer Deposits	\$34,867.52		
	Direct Deposits	\$1,186,311.61		
	Interest	\$412.07		
	Transfer from ICS-Sweep Acct	\$685,000.00		
	Transfer to ICS-Sweep Acct		\$902,212.94	
	Utilities/BCPPD		\$16,241.95	
	Five Points Bank (copiers)		\$4,810.32	
	Payroll Settlement		\$421,923.93	
	Payroll Expenditures (direct)		\$270,514.27	
	Checks Paid		\$290,940.74	
	<b>CREDIT TOTAL</b>	\$1,906,591.20		
	<b>DEBIT TOTAL</b>		\$1,906,644.15	
	<b>Ending Balance</b>			<b>\$240,420.80</b>

<b>2/1/2023</b>	<b>Starting Balance - ICS Acct</b>			<b>\$4,616,529.20</b>
	Transfer from General Fund	\$913,178.89		
	Transfer to General Fund		\$576,000.00	
	Interest	\$8,570.06		
<b>2/28/2023</b>	<b>Ending Balance</b>			<b>\$4,962,278.15</b>

<b>3/1/2023</b>	<b>Starting Balance NOW Acct</b>			<b>\$240,420.80</b>
	Customer Deposits	\$28,748.84		
	Direct Deposits	\$385,722.36		
	Interest	\$459.15		
	Transfer from ICS-Sweep Acct	\$1,080,000.00		
	Transfer to ICS-Sweep Acct		\$357,118.40	
	Utilities/BCPPD		\$17,533.66	
	Five Points Bank (copiers)		\$4,810.32	
	Payroll Settlement		\$416,060.77	

	Payroll Expenditures (direct)		\$283,570.40	
	Checks Paid		\$415,798.45	
	<b>CREDIT TOTAL</b>	\$1,494,930.35		
	<b>DEBIT TOTAL</b>		\$1,494,892.00	
	<b>Ending Balance</b>			<b>\$240,459.15</b>

<b>3/1/2023</b>	<b>Starting Balance - ICS Acct</b>			<b>\$4,962,278.15</b>
	Transfer from General Fund	\$350,614.85		
	Transfer to General Fund		\$1,189,000.00	
	Interest	\$9,188.40		
<b>3/31/2023</b>	<b>Ending Balance</b>			<b>\$4,133,081.40</b>

<b>4/1/2023</b>	<b>Starting Balance NOW Acct</b>			<b>\$240,420.80</b>
	Customer Deposits	\$32,032.77		
	Direct Deposits	\$944,590.21		
	Interest	\$444.45		
	Transfer from ICS-Sweep Acct	\$864,000.00		
	Transfer to ICS-Sweep Acct		\$697,686.85	
	Utilities/BCPPD		\$15,826.42	
	Five Points Bank (copiers)		\$4,810.32	
	Payroll Settlement		\$424,739.29	
	Payroll Expenditures (direct)		\$270,597.94	
	Checks Paid		\$426,799.20	
	<b>CREDIT TOTAL</b>	\$1,841,067.43		
	<b>DEBIT TOTAL</b>		\$1,840,460.02	
	<b>Ending Balance</b>			<b>\$241,066.56</b>

<b>4/1/2023</b>	<b>Starting Balance - ICS Acct</b>			<b>\$4,133,081.40</b>
	Transfer from General Fund	\$704,190.40		
	Transfer to General Fund		\$861,000.00	
	Interest	\$8,585.09		
<b>4/30/2023</b>	<b>Ending Balance</b>			<b>\$3,984,856.89</b>

<b>5/1/2023</b>	<b>Starting Balance NOW Acct</b>			<b>\$241,066.56</b>
	Customer Deposits	\$36,225.40		
	Direct Deposits	\$2,361,650.91		
	Interest	\$459.30		
	Transfer from ICS-Sweep Acct	\$1,021,000.00		
	Transfer to ICS-Sweep Acct		\$2,291,119.33	
	Utilities/BCPPD		\$15,899.48	
	Five Points Bank (copiers)		\$4,810.32	
	Payroll Settlement		\$407,766.28	
	Payroll Expenditures (direct)		\$261,902.84	
	Checks Paid		\$438,444.62	
	<b>CREDIT TOTAL</b>	\$3,419,335.61		
	<b>DEBIT TOTAL</b>		\$3,419,942.87	
	<b>Ending Balance</b>			<b>\$240,459.30</b>

<b>5/1/2023</b>	<b>Starting Balance - ICS Acct</b>			<b>\$3,984,856.89</b>
	Transfer from General Fund	\$2,276,387.08		
	Transfer to General Fund		\$1,024,000.00	
	Interest	\$10,549.27		
<b>5/31/2023</b>	<b>Ending Balance</b>			<b>\$5,247,793.24</b>

<b>6/1/2023</b>	<b>Starting Balance NOW Acct</b>			<b>\$240,459.30</b>
	Customer Deposits	\$25,593.06		
	Direct Deposits	\$1,157,274.78		
	Interest	\$449.50		
	Transfer from ICS-Sweep Acct	\$922,000.00		
	Transfer to ICS-Sweep Acct		\$1,017,024.46	
	Utilities/BCPPD		\$17,725.93	
	Five Points Bank (copiers)		\$4,810.32	
	Payroll Settlement		\$411,371.40	
	Payroll Expenditures (direct)		\$263,719.32	
	Checks Paid		\$390,675.71	
	<b>CREDIT TOTAL</b>	\$2,105,317.34		
	<b>DEBIT TOTAL</b>		\$2,105,327.14	
	<b>Ending Balance</b>			<b>\$240,449.50</b>

<b>6/1/2023</b>	<b>Starting Balance - ICS Acct</b>			<b>\$5,247,793.24</b>
	Transfer from General Fund	\$1,028,011.89		
	Transfer to General Fund		\$922,000.00	
	Interest	\$11,588.26		
<b>6/30/2023</b>	<b>Ending Balance</b>			<b>\$5,365,393.39</b>

\$4,558,319.27

# Monthly Expenditure Report

July 2023

Account Code	July 2023	Budget (YTD)	Actual (YTD)	Encumbrance (YTD)	Available (YTD)	% of Budget
01100 - Regular Instruction	\$424,599.61	\$5,340,291.00	\$4,332,838.43	\$18,225.74	\$989,226.83	81.13
01115 - Career Academy Prog (Rule 47)	\$2,068.68	\$21,219.00	\$16,754.86	\$0.00	\$4,464.14	78.96
01125 - Reg. Instructional Prog (Flex)	\$5,571.16	\$68,016.00	\$61,281.96	\$0.00	\$6,734.04	90.10
01150 - Limited English Proficiency Prog	\$8,402.04	\$170,744.00	\$134,208.16	\$0.00	\$36,535.84	78.60
01160 - Poverty Prog	\$8,117.16	\$102,998.00	\$89,297.67	\$0.00	\$13,700.33	86.70
01190 - Early Childhood Educational Prog	\$17,429.80	\$302,626.00	\$254,318.89	\$143.99	\$48,163.12	84.04
01200 - SPED Instructional Prog - SA	\$108,378.06	\$2,196,483.00	\$1,580,704.54	\$21.27	\$615,757.19	71.97
01291 - SPED Instructional Prog - Ages 3-5	\$46,997.97	\$272,694.00	\$151,957.21	\$0.00	\$120,736.79	55.72
01292 - SPED Instructional Prog - B-2	\$1,790.63	\$35,520.00	\$5,316.30	\$0.00	\$30,203.70	14.97
02120 - Guidance Services	\$17,115.37	\$231,462.00	\$177,243.19	\$0.00	\$54,218.81	76.58
02130 - Health Services	\$5,776.27	\$190,074.00	\$155,770.03	\$277.86	\$34,026.11	81.95
02141 - Psychological Serv SPED SA	\$9,478.72	\$128,358.00	\$104,362.87	\$0.00	\$23,995.13	81.31
02142 - Psychological Serv SPED Age 3-5	\$0.00	\$1,500.00	\$639.23	\$0.00	\$860.77	42.62
02143 - Psychological Serv SPED B-2	\$0.00	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00
02151 - Speech Path & Deaf Serv SPED SA	\$18,225.40	\$264,778.00	\$210,293.24	\$0.00	\$54,484.76	79.42
02152 - Speech Path & Deaf Serv SPED Age 3-5	\$3,795.95	\$37,527.00	\$4,904.68	\$0.00	\$32,622.32	13.07
02153 - Speech Path & Deaf Serv SPED B-2	\$1,910.75	\$9,729.00	\$6,115.82	\$0.00	\$3,613.18	62.86
02161 - Occupational Therapy - SPED SA	\$2,081.96	\$27,500.00	\$17,304.82	\$0.00	\$10,195.18	62.93
02162 - Occupational Therapy - SPED Age 3-5	\$0.00	\$4,500.00	\$3,275.46	\$0.00	\$1,224.54	72.79
02163 - Occupational Therapy - SPED B-2	\$170.50	\$4,500.00	\$1,653.54	\$0.00	\$2,846.46	36.75
02171 - Physical Therapy SPED School Age	\$375.08	\$14,000.00	\$3,137.76	\$0.00	\$10,862.24	22.41
02172 - Physical Therapy SPED Age 3-5	\$0.00	\$3,500.00	\$62.00	\$0.00	\$3,438.00	1.77
02173 - Physical Therapy SPED Birth-2	\$0.00	\$1,250.00	\$91.70	\$0.00	\$1,158.30	7.34
02181 - Vision Services SPED School Age	\$443.05	\$7,350.00	\$4,443.63	\$0.00	\$2,906.37	60.46
02182 - Vision Services SPED Age 3-5	\$0.00	\$750.00	\$0.00	\$0.00	\$750.00	0.00
02183 - Vision Services SPED Birth-2	\$0.00	\$750.00	\$0.00	\$0.00	\$750.00	0.00
02190 - Student Support Services	\$33,892.04	\$495,355.00	\$405,449.70	\$0.00	\$89,905.30	81.85
02211 - School Improvement	\$4,502.65	\$67,651.00	\$50,774.89	\$0.00	\$16,876.11	75.05
02212 - Instruction and Curriculum Dev	\$216.95	\$11,000.00	\$1,614.20	\$0.00	\$9,385.80	14.67
02220 - Library/Media Services	\$19,703.99	\$275,290.00	\$234,285.07	\$176.08	\$40,828.85	85.10
02290 - Staff Support	\$0.00	\$17,500.00	\$9,301.48	\$0.00	\$8,198.52	53.15
02310 - Board of Education	\$500.00	\$107,000.00	\$48,542.88	\$0.00	\$58,457.12	45.37
02320 - Executive Administration	\$18,338.31	\$232,418.00	\$207,051.82	\$0.00	\$25,366.18	89.09
02330 - District Legal Services	\$148.12	\$20,000.00	\$22,585.93	\$0.00	(\$2,585.93)	112.93
02410 - Office of the Principal	\$58,681.08	\$883,998.00	\$730,017.79	\$45.00	\$153,935.21	82.58
02510 - Fiscal Services	\$9,985.30	\$245,052.00	\$165,550.92	\$0.00	\$79,501.08	67.56
02610 - Operation of Buildings	\$31,343.34	\$1,036,843.00	\$679,429.37	\$3,402.58	\$354,011.05	65.53
02620 - Maintenance of Buildings	\$32,804.68	\$544,788.00	\$359,238.32	\$34,050.99	\$151,498.69	65.94

02710 - Vehicle Operation - Regular Education	\$7,822.52	\$367,850.00	\$278,479.84	\$0.00	\$89,370.16	75.70
02712 - Vehicle Operation - School Age SPED	\$1,843.68	\$130,899.00	\$66,253.84	\$0.00	\$64,645.16	50.61
02713 - Vehicle Operation - Below Age 5 SPED	\$0.00	\$2,500.00	\$380.00	\$0.00	\$2,120.00	15.20
02730 - Vehicle Servicing and Maintenance	\$4,950.70	\$198,500.00	\$154,793.90	\$10.97	\$43,695.13	77.98
03300 - Community Services Operations	\$4,536.05	\$20,000.00	\$9,499.23	\$0.00	\$10,500.77	47.50
03535 - High Ability Learners	\$822.48	\$22,473.00	\$10,473.81	\$50.00	\$11,949.19	46.61
03599 - Other State Categorical Prog	\$0.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00	0.00
06200 - Title I, Part A ESSA	\$9,095.99	\$117,828.00	\$103,846.83	\$0.00	\$13,981.17	88.13
06310 - Title II, Part A ESSA	\$4,537.37	\$29,922.00	\$25,172.36	\$0.00	\$4,749.64	84.13
06406 - IDEA Preschool (619) Base Allocation	\$0.00	\$3,039.00	\$3,039.00	\$0.00	\$0.00	100.00
06408 - IDEA Part B 6404 & 6410	\$0.00	\$187,186.00	\$206,824.30	\$0.00	(\$19,638.30)	110.49
06412 - IDEA Part B Proportionate Share	\$3,953.17	\$46,683.00	\$41,999.42	\$0.00	\$4,683.58	89.97
06969 - Title IV, Part A ESSA	\$0.00	\$10,000.00	\$9,978.00	\$0.00	\$22.00	99.78
06998 - ESSERS 3	\$8,410.55	\$473,874.00	\$219,118.03	\$0.00	\$254,755.97	46.24
08000 - Transfers (Outgoing)	\$0.00	\$30,000.00	\$0.00	\$0.00	\$30,000.00	0.00
<b>Grand Total</b>	<b>\$938,817.13</b>	<b>\$15,037,268.00</b>	<b>\$11,359,936.16</b>	<b>\$56,404.48</b>	<b>\$3,620,927.36</b>	<b>75.55</b>

**DEPRECIATION FUND**

**2022-2023**

**Bank of the Valley, Account Number 207050**

		Credits	Debits	Balance
<b>09/01/22</b>	<b>Starting Balance</b>			<b>\$1,502,206.12</b>
97/2022	DCPS - General Fund	\$ 75.96		\$1,502,282.08
9/13/2022	Mohawk		\$1,654.40	\$1,500,627.68
9/19/2022	Brite Inc/US Marketboard		\$20,132.65	\$1,480,495.03
9/30/2022	Interest	\$822.08		\$1,481,317.11
<b>9/30/2022</b>	<b>Balance</b>			<b>\$1,481,317.11</b>
10/31/2022	Interest	\$1,006.48		\$1,482,323.59
<b>10/31/2022</b>	<b>Balance</b>			<b>\$1,482,323.59</b>
11/14/2022	Eakes		\$16,826.50	\$1,465,497.09
11/14/2022	Dietze Music		\$2,235.00	\$1,463,262.09
11/14/2022	Brite Inc/US Marketboard		\$10,436.35	\$1,452,825.74
11/14/2022	School Specialty		\$7,521.75	\$1,445,303.99
11/30/2022	Interest	\$1,092.32		\$1,446,396.31
<b>11/30/2022</b>	<b>Balance</b>			<b>\$1,446,396.31</b>
12/31/2022	Interest	\$1,167.02		\$1,447,563.33
<b>12/31/2022</b>	<b>Balance</b>			<b>\$1,447,563.33</b>
1/31/2023	Interest	\$1,959.17		\$1,449,522.50
<b>1/31/2023</b>	<b>Balance</b>			<b>\$1,449,522.50</b>
2/14/2023	Omaha Stage Equipment		\$44,754.00	\$1,404,768.50
2/24/2023	Heartland Communications		\$32,274.00	\$1,372,494.50
2/28/2023	Interest	\$2,434.70		\$1,374,929.20
<b>2/28/2023</b>	<b>Balance</b>			<b>\$1,374,929.20</b>
3/14/2023	Markerboard		4557.64	\$1,370,371.56
3/22/2023	Hotsy Equipment		\$4,845.00	\$1,365,526.56
3/31/2023	Interest	\$2,619.39		\$1,368,145.95
<b>3/31/2023</b>	<b>Balance</b>			<b>\$1,368,145.95</b>
4/28/2023	Interest	\$2,530.14		\$1,370,676.09
<b>4/30/2023</b>	<b>Balance</b>			<b>\$1,370,676.09</b>
5/16/2023	Amazon		\$1,348.16	\$1,369,327.93
5/17/2023	Frog Street Press		\$15,988.41	\$1,353,339.52
5/22/2023	Savvas Learning Company		\$2,321.99	\$1,351,017.53
5/31/2023	Interest	\$2,601.76		\$1,353,619.29
<b>5/31/2023</b>	<b>Balance</b>			<b>\$1,353,619.29</b>
6/7/2023	Cengage Learning		\$2,091.60	\$1,351,527.69
6/7/2023	Houghton Mifflin		\$7,553.08	\$1,343,974.61
6/7/2023	Matheson Gas		\$4,080.00	\$1,339,894.61
6/12/2023	School Specialty		\$938.04	\$1,338,956.57
6/20/2023	McGraw-Hill Education		\$100,506.23	\$1,238,450.34
6/23/2023	School Specialty		\$12,056.08	\$1,226,394.26
6/30/2023	Neujahr Home Center		\$36,277.56	\$1,190,116.70
6/30/2023	Interest	\$2,432.59		\$1,192,549.29
<b>6/30/2023</b>	<b>Balance</b>			<b>\$1,192,549.29</b>

EMPLOYEE BENEFIT FUND				
2022-2023				
Bank of the Valley -- Account Number 262121				
Date		Credits	Debits	Balance
<b>9/1/2022</b>	<b>Starting Balance</b>			<b>\$218,764.59</b>
9/2/2022	Auto Withdrawal		\$1,666.64	\$217,097.95
9/19/2022	Auto Withdrawal		\$98.77	\$216,999.19
9/22/2022	Lifeworks		\$3,786.36	\$213,212.82
9/23/2022	Employee Deposit	\$2,842.49		\$216,055.31
9/23/2022	Ewert, Jessica	\$65.00		\$216,120.31
9/26/2022	Auto Withdrawal		\$219.18	\$215,901.13
9/28/2022	BCBS - Gestring		\$867.80	\$215,033.33
<b>9/30/2022</b>	<b>Balance</b>			<b>\$215,033.33</b>
10/4/2022	Auto Withdrawal		\$597.75	\$214,435.58
10/6/2022	BCBS		\$680.81	\$213,754.77
10/11/2022	Auto Withdrawal		\$77.59	\$213,677.18
10/18/2022	Auto Withdrawal		\$107.58	\$213,569.60
10/21/2022	Employee Deposit	\$2,842.49		\$216,412.09
10/25/2022	Lukert, M	\$680.81		\$217,092.90
10/25/2022	Auto Withdrawal		\$1,010.80	\$216,082.10
10/25/2022	BCBS - Gestring		\$867.80	\$215,214.30
<b>10/31/2022</b>	<b>Balance</b>			<b>\$215,214.30</b>
11/1/2022	Auto Withdrawal		\$1,551.07	\$213,663.23
11/8/2022	Auto Withdrawal		\$307.84	\$213,355.39
11/15/2022	Auto Withdrawal		\$419.81	\$212,935.58
11/18/2022	Employee Deposit	\$2,842.49		\$215,778.07
11/22/2022	Auto Withdrawal		\$1,465.95	\$214,312.12
11/29/2022	Auto Withdrawal		\$587.84	\$213,724.28
<b>11/30/2022</b>	<b>Balance</b>			<b>\$213,724.28</b>
12/5/2022	Auto Withdrawal		\$269.95	\$213,454.33
12/6/2022	BCBS - Gestring		\$867.80	\$212,586.53
12/20/2022	Auto Withdrawal		\$1,235.57	\$211,350.96
12/22/2022	Employee Deposit	\$2,842.49		\$214,193.45
12/28/2022	BCBS - Gestring		\$867.80	\$213,325.65
<b>12/31/2022</b>	<b>Balance</b>			<b>\$213,325.65</b>
1/3/2023	Auto Withdrawal		\$1,587.66	\$211,737.99
1/10/2023	Auto Withdrawal		\$81.03	\$211,656.96
1/17/2023	Auto Withdrawal		\$3,662.49	\$207,994.47
1/20/2023	April Janak	\$57.00		\$208,051.47
1/20/2023	Employee Deposit	\$2,842.49		\$210,893.96
1/24/2023	Auto Withdrawal		\$675.00	\$210,218.96
1/25/2023	BCBS - Gestring		\$867.80	\$209,351.16
1/31/2023	Auto Withdrawal		\$35.00	\$209,316.16
1/31/2023	Interest Earned	\$218.62		\$209,534.78
<b>1/31/2023</b>	<b>Balance</b>			<b>\$209,534.78</b>
2/14/2023	Auto Withdrawal		\$480.25	\$209,054.53
2/17/2023	Employee Deposit	\$2,842.49		\$211,897.02
2/21/2023	Auto Withdrawal		\$317.71	\$211,579.31
2/28/2023	Auto Withdrawal		\$1,183.88	\$210,395.43

2/28/2023	Interest Earned	\$360.79		\$210,756.22
<b>2/28/2023</b>	<b>Balance</b>			<b>\$210,756.22</b>
3/1/2023	BCBS - Gestring		\$867.80	\$209,888.42
3/7/2023	Auto Withdrawal		\$463.23	\$209,425.19
3/14/2023	Auto Withdrawal		\$400.32	\$209,024.87
3/20/2023	Employee Deposit	\$2,842.49		\$211,867.36
3/21/2023	Auto Withdrawal		\$346.16	\$211,521.20
3/28/2023	Auto Withdrawal		\$131.33	\$211,389.87
3/31/2023	BCBS - Gestring		\$867.80	\$210,522.07
3/31/2023	Interest Earned	\$401.71		\$210,923.78
<b>3/31/2023</b>	<b>Balance</b>			<b>\$210,923.78</b>
4/11/2023	Auto Withdrawal		\$1,249.98	\$209,673.80
4/18/2023	Auto Withdrawal		\$82.54	\$209,591.26
4/24/2023	Employee Deposit	\$2,342.49		\$211,933.75
4/25/2023	Auto Withdrawal		\$100.41	\$211,833.34
4/27/2023	BCBS - Gestring		\$867.80	\$210,965.54
<b>4/30/2023</b>	<b>Interest Earned</b>	<b>\$389.22</b>		<b>\$211,354.76</b>
5/2/2023	Auto Withdrawal		\$35.00	\$211,319.76
5/9/2023	Auto Withdrawal		\$281.56	\$211,038.20
5/12/2023	Lukert, M	\$680.81		\$211,719.01
5/19/2023	Employee Deposit	\$2,342.49		\$214,061.50
5/23/2023	Auto Withdrawal		\$55.00	\$214,006.50
5/30/2023	Auto Withdrawal		\$35.00	\$213,971.50
5/31/2023	Interest Earned	\$406.11		\$214,377.61
<b>5/31/2023</b>	<b>Balance</b>			<b>\$214,377.61</b>
6/6/2023	Auto Withdrawal		\$185.13	\$214,192.48
6/9/2023	BCBS - Gestring		\$867.80	\$213,324.68
6/20/2023	Auto Withdrawal		\$1,096.85	\$212,227.83
6/21/2023	Employee Deposit	\$2,342.49		\$214,570.32
6/29/2023	BCBS - Gestring		\$867.80	\$213,702.52
<b>6/30/2023</b>	<b>Interest Earned</b>	<b>\$395.58</b>		<b>\$214,098.10</b>

# Bank Statement Reconciliation

Description

Adjustment Date

Adjustment Amount

David City Public Schools Dist. 06/01/2023 through 06/30/2023

Checking

## Bank Statement Reconciliation Summary

Statement Balance	\$ 320,449.83
- Outstanding checks	\$ 4,187.09
+ Outstanding Deposits	\$ 0.00
+ Outstanding Adjustments	\$ 0.00
- Outstanding Investment Transfers	\$ 0.00
Total	\$ 316,262.74
+ Investments	\$ 0.00
Book Balance	\$ 316,262.74

## Statement Adjustment

Statement Adjustment	-\$ 45.00
Description	NSF M. Smith

# Current Cash Balance

Sorted by Site ID, Group ID, Activity ID.  
From 06/01/2023 to 06/30/2023.

Site ID	Site Name	Beginning Cash	Receipts	Disbursements	Adjustments	Cash Balance
Group ID	Group Name					
Activity ID	Activity Name					
<b>DavidCit David City Public Schools Dist. #56</b>						
<b>A</b>	<b>Academic Clubs</b>					
110	Academic Booster Club	18,063.82	600.00	0.00	0.00	18,663.82
	<b>A Totals:</b>	18,063.82	600.00	0.00	0.00	18,663.82
<b>B</b>	<b>Athletics</b>					
210	Athletics - Miscellaneous	26,737.82	516.50	10,668.64	0.00	16,585.68
215	Athletics - Entry Fees	5,257.00	0.00	0.00	0.00	5,257.00
220	Athletics - Referees	-20,975.00	0.00	0.00	0.00	-20,975.00
225	Girls Basketball Support	6,256.26	25.00	650.00	0.00	5,631.26
230	Boys Basketball Support	6,265.15	1,354.00	1,175.00	0.00	6,444.15
235	HS Football Support	427.26	0.00	0.00	0.00	427.26
240	Track Support	2,533.87	0.00	0.00	0.00	2,533.87
245	Volleyball Support	7,820.86	1,856.00	1,783.00	0.00	7,893.86
250	Middle School Volleyball Support	2,235.30	0.00	0.00	0.00	2,235.30
255	Wrestling Support	587.42	0.00	0.00	0.00	587.42
260	Cross Country Support	182.24	0.00	0.00	0.00	182.24
265	Golf Support	-18.44	0.00	0.00	0.00	-18.44
270	Softball Support	59.70	0.00	0.00	0.00	59.70
	<b>B Totals:</b>	37,369.44	3,751.50	14,276.64	0.00	26,844.30
<b>C</b>	<b>Bellwood</b>					
310	BE-Miscellaneous-Staff	1,202.75	0.00	0.00	0.00	1,202.75
315	BE-Fundraiser	972.67	0.00	0.00	0.00	972.67
320	BE-Student Council/PBIS	1,122.34	0.00	43.81	0.00	1,078.53
330	BE-Blue Valley Christmas	572.56	0.00	0.00	0.00	572.56
335	BE - Emergency Fund	1,708.46	0.00	0.00	0.00	1,708.46
	<b>C Totals:</b>	5,578.78	0.00	43.81	0.00	5,534.97

# Current Cash Balance

Sorted by Site ID, Group ID, Activity ID.  
From 06/01/2023 to 06/30/2023.

Site ID Group ID	Site Name Group Name	Activity ID	Activity Name	Beginning Cash	Receipts	Disbursements	Adjustments	Cash Balance
<b>D</b>	<b>Clubs &amp; Organizations</b>							
410	Cheer/Dance Squads			1,231.80	0.00	1,150.25	0.00	81.55
415	Zero-K Science Club			2,091.03	0.00	0.00	0.00	2,091.03
420	Wellness/EHA			2,142.75	0.00	0.00	0.00	2,142.75
422	Breakfast Program			4,974.59	0.00	0.00	0.00	4,974.59
425	FFA			7,000.86	0.00	297.96	0.00	6,702.90
430	FCCLA			2,818.99	0.00	315.00	0.00	2,503.99
435	HS-Library			0.00	0.00	0.00	0.00	0.00
440	National Honor Society			952.06	0.00	31.10	0.00	920.96
445	Yearbook			1,742.24	0.00	0.00	0.00	1,742.24
450	Student Council			1,086.37	0.00	0.00	0.00	1,086.37
455	STAY-U			1,199.17	0.00	40.21	0.00	1,158.96
460	Scoop - Journalism			1,216.78	0.00	0.00	0.00	1,216.78
465	Weight Club			10,989.68	0.00	1,423.66	0.00	9,566.02
470	Quiz Bowl			966.27	0.00	49.61	0.00	916.66
475	MS House Projects			1,166.39	0.00	0.00	0.00	1,166.39
480	Esports			2,447.76	0.00	0.00	0.00	2,447.76
485	Ambassadors			2,711.47	0.00	0.00	0.00	2,711.47
490	Life skills			1,188.45	0.00	0.00	0.00	1,188.45
	<b>D Totals:</b>			<b>45,926.66</b>	<b>0.00</b>	<b>3,307.79</b>	<b>0.00</b>	<b>42,618.87</b>
<b>E</b>	<b>Elementary</b>							
510	Backpack Program			47,985.75	500.00	143.76	0.00	48,341.99
515	DCE-Library			0.92	0.00	0.00	0.00	0.92
520	DCE-Miscellaneous-Staff			2,702.75	0.00	50.35	0.00	2,652.40
525	DCE-Student Council			1,992.69	0.00	0.00	0.00	1,992.69
535	DCE-PBiS			919.23	0.00	0.00	0.00	919.23
	<b>E Totals:</b>			<b>53,601.34</b>	<b>500.00</b>	<b>194.11</b>	<b>0.00</b>	<b>53,907.23</b>
<b>F</b>	<b>Fine Arts</b>							
610	Music - Band/Choir			1,081.47	0.00	0.00	0.00	1,081.47
625	Speech			7,173.49	0.00	53.20	0.00	7,120.29
630	One-Act			2,143.37	0.00	0.00	0.00	2,143.37
	<b>F Totals:</b>			<b>10,398.33</b>	<b>0.00</b>	<b>53.20</b>	<b>0.00</b>	<b>10,345.13</b>
<b>G</b>	<b>Graduating Classes</b>							
740	Class of 2020			0.00	0.00	0.00	0.00	0.00
745	Class of 2021			0.00	0.00	0.00	0.00	0.00
750	Class of 2022			0.00	0.00	0.00	0.00	0.00
755	Class of 2023			1,511.27	0.00	515.54	0.00	995.73
760	Class of 2024			1,664.92	0.00	0.00	0.00	1,664.92
765	Class of 2025			2,526.71	0.00	0.00	0.00	2,526.71
770	Class of 2026			1,991.21	0.00	0.00	0.00	1,991.21
771	Class of 2027			1,000.00	0.00	0.00	0.00	1,000.00
772	Class of 2028			0.00	0.00	0.00	0.00	0.00
	<b>G Totals:</b>			<b>8,694.11</b>	<b>0.00</b>	<b>515.54</b>	<b>0.00</b>	<b>8,178.57</b>

# Current Cash Balance

Sorted by Site ID, Group ID, Activity ID.  
From 06/01/2023 to 06/30/2023.

Site ID Group ID	Site Name Group Name	Activity ID	Activity Name	Beginning Cash	Receipts	Disbursements	Adjustments	Cash Balance
<b>H</b>								
Miscellaneous								
	825		Misc. Reimburse.	0.00	0.00	0.00	0.00	0.00
	830		Scholarship/Memorials	96,834.95	0.00	0.00	0.00	96,834.95
	835		Horticulture	29.69	0.00	0.00	0.00	29.69
	840		Industrial Technology	682.34	0.00	0.00	0.00	682.34
	845		Concessions	19,808.25	0.00	75.75	0.00	19,732.50
	850		CTE (Careeer Technical Educ.)new 8/27/19	1,633.80	0.00	0.00	0.00	1,633.80
<b>H Totals:</b>				118,989.03	0.00	75.75	0.00	118,913.28
<b>J</b>								
Staff								
	1010		Staff Courtesy	1,324.85	0.00	0.00	0.00	1,324.85
	1020		HS-Staff Work Area (Lounge)	1,016.20	0.00	44.04	0.00	972.16
	1030		HS-Staff Philanthropy Fund	19,674.00	2.80	0.00	0.00	19,676.80
<b>J Totals:</b>				22,015.05	2.80	44.04	0.00	21,973.81
<b>K</b>								
Southern NE Conference								
	2010		Southern Nebraska Conference	9,396.76	0.00	0.00	0.00	9,396.76
<b>K Totals:</b>				9,396.76	0.00	0.00	0.00	9,396.76
<b>DavidCity Activity Totals:</b>				330,033.32	4,854.30	18,510.88	0.00	316,376.74
<hr/>								
			Begin Balance					
			Transfers					
			Receipts	4,854.30	18,510.88			
			Disbursements					
			Adjustments					
			End Balance					
			DavidCity Checking:					
			DavidCity Investment:					
			DavidCity Bank Balances:	330,033.32	4,854.30	18,510.88	0.00	316,376.74
<hr/>								
<b>Report Activity Totals:</b>				330,033.32	4,854.30	18,510.88	0.00	316,376.74

LUNCH FUND ACCOUNT				
2022-2023				**Budget: \$700,000
Bank Of The Valley, Account 207068				
9/1/2022	Starting Balance			\$ 189,766.17
		Revenue	Expenses	
	Customer Deposits	\$17,792.54		
	General Fund Transfer			
	Online Deposits	\$5,662.24		
	State of NE	\$24,696.35		
	Amazon		\$126.98	
	Cash-Wa Distributing		\$16,167.98	
	Culligan		\$34.50	
	Custom Countertop Inc		\$1,926.70	
	Dale's Food Pride LLC		\$103.41	
	David City Public Schools		\$22,580.84	
	Hiland Dairy Foods Co LLC		\$4,320.07	
	Hiland Dairy Foods Co LLC		\$130.91	
	Hubert Company		\$191.14	
	Jackson Services Inc		\$126.39	
	Merrily Schmid		\$11.40	
	Nikki Goeschel		\$15.15	
	SYSCO Lincoln		\$5,782.21	
	US Foods - Division #2365		\$6,505.41	
	<b>CREDIT TOTAL</b>	<b>\$48,151.13</b>		
	<b>DEBIT TOTAL</b>		<b>\$58,023.09</b>	<b>\$ 179,894.21</b>

10/1/2022	Starting Balance			\$ 179,894.21
		Revenue	Expenses	
	Customer Deposits	\$15,052.44		
	General Fund Transfer			
	Online Deposits	\$5,526.22		
	State of NE	\$27,361.04		
	Amazon		\$397.00	
	Cash-Wa		\$16,488.62	
	Culligan		\$34.50	
	Dale's		\$88.02	
	DCPS		\$25,523.92	
	Didier's		\$401.64	
	Hiland Dairy		\$3,779.80	
	Jackson Services		\$141.01	
	Super Saver		\$49.15	
	Sysco		\$4,984.91	
	US Bank		\$344.97	
	US Foods		\$3,566.10	
	Returned Check		\$50.00	
	<b>CREDIT TOTAL</b>	<b>\$47,939.70</b>		
	<b>DEBIT TOTAL</b>		<b>\$55,849.64</b>	<b>\$ 171,984.28</b>

11/1/2022	Starting Balance			\$ 171,984.28
		Revenue	Expenses	

	Customer Deposits	\$12,386.70		
	General Fund Transfer			
	Online Deposits	\$5,643.84		
	State of NE	\$4,521.22		
	Amazon Capital Services		\$332.14	
	Culligan of Columbus		\$111.00	
	Dale's Food Pride LLC		\$82.26	
	David City Public Schools		\$26,626.84	
	Hiland Dairy Foods Co LLC		\$4,029.20	
	Cash-Wa Distributing		\$17,969.05	
	SYSCO Lincoln		\$3,574.60	
	Jackson Services Inc		\$183.68	
	US Foods - Division #2365		\$5,422.78	
	Iris Hernandez		\$35.65	
	Infinite Campus		6.35	
	Didier's Grocery Inc		\$502.05	
	The Webstaurant Store, Inc.		\$6,346.25	
	<b>CREDIT TOTAL</b>	<b>\$22,551.76</b>		
	<b>DEBIT TOTAL</b>		<b>\$65,221.85</b>	<b>\$ 129,314.19</b>

<b>12/1/2022</b>	<b>Starting Balance</b>			<b>\$ 129,314.19</b>
		<b>Revenue</b>	<b>Expenses</b>	
	Customer Deposits	\$16,338.14		
	General Fund Transfer			
	Online Deposits	\$7,111.61		
	State of NE	\$71,607.32		
	Cash-Wa Distributing		\$12,017.14	
	Culligan of Columbus		\$34.50	
	Dale's Food Pride LLC		\$110.90	
	David City Public Schools		\$26,397.75	
	Didier's Grocery Inc		\$556.17	
	Hiland Dairy Foods Co LLC		\$4,384.70	
	Jackson Services Inc		\$147.94	
	SUPER SAVER		\$175.13	
	SYSCO Lincoln		\$5,080.51	
	US Foods - Division #2365		\$3,773.15	
	<b>CREDIT TOTAL</b>	<b>\$95,057.07</b>		
	<b>DEBIT TOTAL</b>		<b>\$52,677.89</b>	<b>\$ 171,693.37</b>

<b>1/1/2023</b>	<b>Starting Balance</b>			<b>\$ 171,693.37</b>
		<b>Revenue</b>	<b>Expenses</b>	
	Customer Deposits	\$14,587.48		
	General Fund Transfer			
	Online Deposits	\$5,798.31		
	State of NE	\$21,328.25		
	Interest	\$167.23		

	Woolsey Electric LLC	dishwasher	\$480.00	
	Culligan of Columbus	R.O	\$34.50	
	Dale's Food Pride LLC	Food	\$84.21	
	US Bank	Food	\$136.49	
	Dale's Food Pride LLC	Food	\$7.27	
	Jackson Services Inc	Contracted Services	\$109.94	
	US Foods - Division #2365	Food	\$4,766.27	
	SYSCO Lincoln	Food and Supplies	\$2,371.34	
	Cash-Wa Distributing	Food for August	\$12,124.70	
	Hiland Dairy Foods Co LLC	Milk	\$3,269.45	
	David City Public Schools	Lunch Payroll	\$25,401.52	
	Didier's Grocery Inc	Food	\$501.82	
	Capital One Trade Credit	Kitchen Supplies	\$828.89	
	<b>CREDIT TOTAL</b>	<b>\$41,881.27</b>		
	<b>DEBIT TOTAL</b>		<b>\$50,116.40</b>	<b>\$ 163,458.24</b>

<b>2/1/2023</b>	<b>Starting Balance</b>			<b>\$ 163,458.24</b>
		<b>Revenue</b>	<b>Expenses</b>	
	Customer Deposits	\$14,567.65		
	General Fund Transfer			
	Online Deposits	\$6,204.91		
	State of NE	\$25,265.18		
	Interest	\$283.81		
	Amazon Capital Services		\$189.95	
	BJ'S Hardware Inc		\$129.99	
	Cash-Wa Distributing		\$13,687.32	
	Culligan of Columbus		\$34.50	
	Dale's Food Pride LLC		\$155.98	
	David City Public Schools		\$24,757.83	
	Didier's Grocery Inc		\$339.45	
	Goodwin Tucker Group		\$447.30	
	Hiland Dairy Foods Co LLC		\$3,513.86	
	Jackson Services Inc		\$180.31	
	SYSCO Lincoln		\$4,469.94	
	US Bank		\$1,304.83	
	US Foods - Division #2365		\$5,984.69	
	<b>CREDIT TOTAL</b>	<b>\$46,321.55</b>		
	<b>DEBIT TOTAL</b>		<b>\$55,195.95</b>	<b>\$ 154,583.84</b>

<b>3/1/2023</b>	<b>Starting Balance</b>			<b>\$ 154,583.84</b>
		<b>Revenue</b>	<b>Expenses</b>	
	Customer Deposits	\$13,863.26		
	General Fund Transfer			
	Online Deposits	\$6,148.88		
	State of NE	\$37,490.54		

	Interest	\$305.02		
	Obrist & Co.		\$352.36	
	Culligan of Columbus		\$34.50	
	Dale's Food Pride LLC		\$73.03	
	Jackson Services Inc		\$133.08	
	David City Public Schools		\$24,457.13	
	Hiland Dairy Foods Co LLC		\$3,867.22	
	US Foods - Division #2365		\$5,835.60	
	SYSCO Lincoln		\$4,293.26	
	Cash-Wa Distributing		\$13,717.53	
	Didier's Grocery Inc		\$480.54	
	Didier's Grocery Inc		\$420.14	
	NSF Check		\$75.00	
	<b>CREDIT TOTAL</b>	<b>\$57,807.70</b>		
	<b>DEBIT TOTAL</b>		<b>\$53,739.39</b>	<b>\$ 158,652.15</b>

<b>4/1/2023</b>	<b>Starting Balance</b>			<b>\$ 158,652.15</b>
		<b>Revenue</b>	<b>Expenses</b>	
	Customer Deposits	\$4,610.14		
	General Fund Transfer			
	Online Deposits	\$12,602.04		
	State of NE	\$30,124.90		
	Interest	\$304.82		
	Culligan of Columbus		\$36.00	
	Cash-Wa Distributing		\$15,196.10	
	SYSCO Lincoln		\$4,480.87	
	US Foods - Division #2365		\$4,277.58	
	Dale's Food Pride LLC		\$73.68	
	David City Public Schools		\$25,077.23	
	Hiland Dairy Foods Co LLC		\$3,879.26	
	Jackson Services Inc		\$132.48	
	Terry Papa		\$3,318.00	
	SUPER SAVER		\$69.56	
	<b>CREDIT TOTAL</b>	<b>\$47,641.90</b>		
	<b>DEBIT TOTAL</b>		<b>\$56,540.76</b>	<b>\$ 149,753.29</b>

<b>5/1/2023</b>	<b>Starting Balance</b>			<b>\$ 149,753.29</b>
		<b>Revenue</b>	<b>Expenses</b>	
	Customer Deposits	\$9,924.25		
	General Fund Transfer	\$4,088.52		
	Online Deposits			
	State of NE	\$25,776.50		
	Interest	\$282.44		











BOND INVESTMENT  
2022-2023

Bank of the Valley - Account Number 406552

		Credits	Debits	Balance
<b>9/1/2022</b>	<b>Starting Balance</b>			<b>\$3,788.10</b>
9/30/2022	Interest Earned	\$5.07		\$3,793.17
<b>9/30/2022</b>	<b>Balance</b>			<b>\$3,793.17</b>
10/31/2022	Interest Earned	\$7.35		\$3,800.52
<b>10/31/2022</b>	<b>Balance</b>			<b>\$3,800.52</b>
11/30/2022	Interest Earned	\$7.12		\$3,807.64
<b>11/30/2022</b>	<b>Balance</b>			<b>\$3,807.64</b>
12/31/2022	Interest Earned	\$7.37		\$3,815.01
<b>12/31/2022</b>	<b>Balance</b>			<b>\$3,815.01</b>
1/13/2023	Platte County	\$2.11		\$3,817.12
1/31/2023	Interest Earned	\$6.84		\$3,823.96
<b>1/31/2023</b>	<b>Balance</b>			<b>\$3,823.96</b>
2/28/2023	Interest Earned	\$6.56		\$3,830.52
<b>2/28/2023</b>	<b>Balance</b>			<b>\$3,830.52</b>
3/31/2023	Interest Earned	\$7.32		\$3,837.84
<b>3/31/2023</b>	<b>Balance</b>			<b>\$3,837.84</b>
4/14/2023	Butler County Treas	\$0.19		\$3,838.03
4/30/2023	Interest Earned	\$7.09		\$3,845.12
<b>4/30/2023</b>	<b>Balance</b>			<b>\$3,845.12</b>
5/15/2023	Butler County Treas	\$4.15		\$3,849.27
5/31/2023	Interest Earned	\$7.36		\$3,856.63
<b>5/31/2023</b>	<b>Balance</b>			<b>\$3,856.63</b>
6/16/2023	Saunders County	\$0.73		\$3,857.36
6/30/2023	Interest Earned	\$7.22		\$3,864.58
<b>6/30/2023</b>	<b>Interest Earned</b>			<b>\$3,864.58</b>

\*Should go into QCPUF

## Special Building Fund

2022-2023

Bank of the Valley - Account Number 406528

<b>9/1/22</b>	<b>Starting Balance</b>			<b>\$240,336.56</b>
	Transfer to ICS-Sweep Acct		\$336.56	\$240,000.00
	Seward County Treasurer	\$298.45		\$240,298.45
	Transfer to ICS-Sweep Acct		\$298.45	\$240,000.00
	Butler County Treasurer	\$289,323.00		\$529,323.00
	Transfer to ICS-Sweep Acct		\$289,323.00	\$240,000.00
	Transfer from ICS-Sweep Acct	\$3,000.00		\$243,000.00
	Clark & Enersen		\$2,672.05	\$240,327.95
	Transfer from ICS-Sweep Acct		\$327.95	\$240,000.00
	Transfer from ICS-Sweep Acct	\$5,000.00		\$245,000.00
	B-D Construction		\$4,199.37	\$240,800.63
	Transfer to ICS-Sweep Acct		\$800.63	\$240,000.00
	Interest	\$430.15		\$240,430.15
	<b>Balance</b>			<b>\$240,430.15</b>

<b>9/1/22</b>	<b>Starting Balance - ICS Acct</b>			<b>\$1,010,890.10</b>
	Transfer from Building Fund	\$291,086.59		
	Transfer to Building Fund		\$8,000.00	
	Interest	\$1,231.27		
<b>9/30/22</b>	<b>Balance</b>			<b>\$1,295,207.96</b>
<b>10/1/22</b>	<b>Starting Balance</b>			<b>\$240,430.15</b>
	Transfer to ICS-Sweep Acct		\$430.15	\$240,000.00
	Seward County Treasurer	\$0.24		\$240,000.24
	Transfer to ICS-Sweep Acct		\$0.24	\$240,000.00
	BD Construction		\$19,015.09	\$220,984.91
	Creative Sites		\$25,492.00	\$195,492.91
	Transfer from ICS-Sweep Acct	\$45,000.00		\$240,492.91
	Transfer to ICS-Sweep Acct		\$492.91	\$240,000.00
	Oborny Construction		\$19,860.00	\$220,140.00
	Transfer from ICS-Sweep Acct	\$20,000.00		\$240,140.00
	Butler County Treasurer		\$37,931.22	\$278,071.22
	Transfer to ICS-Sweep Acct		\$38,071.22	\$240,000.00
	Faller Landscape		\$4,401.10	\$235,598.90
	Transfer from ICS-Sweep Acct	\$5,000.00		\$240,598.90
	Transfer to ICS-Sweep Acct		\$598.90	\$240,000.00
	Interest	\$577.22		\$240,577.22
	<b>Balance</b>			<b>\$240,577.22</b>

<b>10/1/22</b>	<b>Starting Balance - ICS Acct</b>			<b>\$1,295,207.96</b>
	Transfer from Building Fund	\$65,085.42		
	Transfer to Building Fund		\$70,000.00	
	Interest	\$1,634.90		
<b>10/31/22</b>	<b>Balance</b>			<b>\$1,291,928.28</b>

<b>11/1/22</b>	<b>Starting Balance</b>			<b>\$240,577.22</b>
	Transfer to ICS-Sweep Acct		\$577.22	\$240,000.00
	Sack Lumber		\$1,787.41	\$238,212.59
	NoSwett Fencing		\$3,404.00	\$234,808.59
	Transfer from ICS-Sweep Acct	\$6,000.00		\$240,808.59
	Transfer to ICS-Sweep Acct		\$808.59	\$240,000.00
	Clark & Enersen		\$2,569.63	\$237,430.37
	Transfer from ICS-Sweep Acct	\$3,000.00		\$240,430.37
	Platte County Treasurer	\$0.01		\$240,430.38
	Butler County Treasurer	\$6,253.01		\$246,683.39
	Transfer to ICS-Sweep Acct		\$6,683.39	\$240,000.00
	BD Construction		\$49,877.23	\$190,122.77
	Transfer from ICS-Sweep Acct	\$50,000.00		\$240,122.77
	Transfer to ICS-Sweep Acct		\$122.77	\$240,000.00
	Interest	\$558.36		\$240,558.36
	<b>Balance</b>			<b>\$240,558.36</b>

<b>11/1/22</b>	<b>Starting Balance - ICS Acct</b>			<b>\$1,291,928.28</b>
	Transfer from Building Fund	\$8,191.97		
	Transfer to Building Fund		\$59,000.00	
	Interest	\$1,769.37		
<b>11/30/22</b>	<b>Balance</b>			<b>\$1,242,889.62</b>

<b>12/1/22</b>	<b>Starting Balance</b>			<b>\$240,558.36</b>
	Transfer to ICS-Sweep Acct		\$558.36	\$240,000.00
	Transfer from ICS-Sweep Acct	\$650,000.00		\$890,000.00
	DC Educational Facilities Leasing		\$650,000.00	\$240,000.00
	Transfer from ICS-Sweep Acct	\$3,000.00		\$243,000.00
	City of David City		\$2,231.70	\$240,768.30
	Transfer to ICS-Sweep Acct		\$768.30	\$240,000.00
	Sack Lumber		\$1,421.91	\$238,578.09
	Transfer from ICS-Sweep Acct	\$2,000.00		\$240,578.09
	Transfer to ICS-Sweep Acct		\$578.09	\$240,000.00
	Butler County Treasurer	\$25,556.07		\$262,226.07
	Transfer to ICS-Sweep Acct		\$25,556.07	\$240,000.00
	Interest	\$576.96		\$240,576.96
	<b>Balance</b>			<b>\$240,576.96</b>
<b>12/1/22</b>	<b>Starting Balance - ICS Acct</b>			<b>\$1,242,889.62</b>
	Transfer from Building Fund	\$27,460.82		
	Transfer to Building Fund		\$655,000.00	
	Interest	\$1,109.61		
<b>12/31/22</b>	<b>Balance</b>			<b>\$616,460.05</b>

<b>1/1/23</b>	<b>Starting Balance</b>			<b>\$240,576.96</b>
	Transfer to ICS-Sweep Acct		\$576.96	\$240,000.00
	Seward County Treasurer	\$0.21		\$240,000.21
	Transfer to ICS-Sweep Acct		\$0.21	\$240,000.00

	Sack Lumber		\$138.75	\$239,861.25
	Clark & Enersen		\$1,000.00	\$238,861.25
	Transfer from ICS-Sweep Acct	\$2,000.00		\$240,861.25
	Transfer to ICS-Sweep Acct		\$861.25	\$240,000.00
	Platte County Treasurer	\$10.72		\$240,010.72
	Butler County Treasurer	\$266,825.84		\$506,836.56
	Transfer to ICS-Sweep Acct		\$266,836.56	\$240,000.00
	Interest	\$473.31		\$240,473.31
	<b>Balance</b>			<b>\$240,473.31</b>
<b>1/1/23</b>	<b>Starting Balance - ICS Acct</b>			<b>\$616,460.05</b>
	Transfer from Building Fund	\$268,274.98		
	Transfer to Building Fund		\$2,000.00	
	Interest	\$1,229.59		
<b>1/31/23</b>	<b>Balance</b>			<b>\$883,964.62</b>
<b>2/1/23</b>	<b>Starting Balance</b>			<b>\$240,473.31</b>
	Transfer to ICS-Sweep Acct		\$473.31	\$240,000.00
	Seward County Treasurer	\$33.76		\$240,033.76
	Transfer to ICS-Sweep Acct		\$33.76	\$240,000.00
	Butler County Treasurer	\$113,531.04		\$353,531.04
	Transfer to ICS-Sweep Acct		\$113,531.04	\$240,000.00
	Platte County Treasurer	\$0.01		\$240,000.01
	Transfer to ICS-Sweep Acct		\$0.01	\$240,000.00
	Interest	\$411.62		\$240,411.62
	<b>Balance</b>			<b>\$240,411.62</b>
<b>2/1/23</b>	<b>Starting Balance - ICS Acct</b>			<b>\$883,964.62</b>
	Transfer from Building Fund	\$114,038.12		
	Transfer to Building Fund		\$0.00	
	Interest	\$1,618.58		
<b>2/28/23</b>	<b>Balance</b>			<b>\$999,621.32</b>
<b>3/1/23</b>	<b>Starting Balance</b>			<b>\$240,411.62</b>
	Transfer to ICS-Sweep Acct		\$411.62	\$240,000.00
	Butler County Treasurer	\$24,337.93		\$264,337.93
	Churchich Recreation		\$12,438.50	\$251,899.43
	Transfer to ICS-Sweep Acct		\$11,899.43	\$240,000.00
	Interest	\$458.63		\$240,458.63
	<b>Balance</b>			<b>\$240,458.63</b>
<b>3/1/23</b>	<b>Starting Balance - ICS Acct</b>			<b>\$999,621.32</b>
	Transfer from Building Fund	\$12,311.05		
	Transfer to Building Fund		\$0.00	
	Interest	\$2,006.40		
<b>3/31/23</b>	<b>Balance</b>			<b>\$1,013,938.77</b>
<b>4/1/23</b>	<b>Starting Balance</b>			<b>\$240,458.63</b>
	Transfer to ICS-Sweep Acct		\$458.63	\$240,000.00

	Seward County Treasurer	\$232.09		\$240,232.09
	Transfer to ICS-Sweep Acct		\$232.09	\$240,000.00
	Saunders County Treasurer	\$0.99		\$240,000.99
	Transfer to ICS-Sweep Acct		\$0.99	\$240,000.00
	Butler County Treasurer	\$104,071.28		\$344,071.28
	Transfer to ICS-Sweep Acct		\$104,071.28	\$240,000.00
	Interest	\$443.89		\$240,443.89
	<b>Balance</b>			<b>\$240,443.89</b>
<b>4/1/23</b>	<b>Starting Balance - ICS Acct</b>			<b>\$1,013,938.77</b>
	Transfer from Building Fund	\$104,762.99		
	Transfer to Building Fund		\$0.00	
	Interest	\$2,186.50		
<b>4/30/23</b>	<b>Balance</b>			<b>\$1,120,888.26</b>

<b>5/1/23</b>	<b>Starting Balance</b>			<b>\$240,443.89</b>
	Transfer to ICS-Sweep Acct		\$443.89	\$240,000.00
	Seward County Treasurer	\$101.06		\$240,101.06
	Transfer to ICS-Sweep Acct		\$101.06	\$240,000.00
	Saunders County Treasurer	\$21.22		\$240,021.22
	Transfer to ICS-Sweep Acct		\$21.22	\$240,000.00
	Butler County Treasurer	\$294,407.29		\$534,407.29
	Transfer to ICS-Sweep Acct		\$294,407.29	\$240,000.00
	Interest	\$458.63		\$240,458.63
	<b>Balance</b>			<b>\$240,458.63</b>
<b>5/1/23</b>	<b>Starting Balance - ICS Acct</b>			<b>\$1,013,938.77</b>
	Transfer from Building Fund	\$294,973.46		
	Transfer to Building Fund		\$0.00	
	Interest	\$2,805.42		
<b>5/30/23</b>	<b>Balance</b>			<b>\$1,418,667.14</b>

<b>6/1/23</b>	<b>Starting Balance</b>			<b>\$240,458.63</b>
	Transfer to ICS-Sweep Acct		\$458.63	\$240,000.00
	DC Educational Facilities Leasing		\$650,000.00	-\$410,000.00
	Transfer from ICS-Sweep Acct	\$650,000.00		\$240,000.00
	Seward County Treasurer	\$3.76		\$240,003.76
	Transfer to ICS-Sweep Acct		\$3.76	\$240,000.00
	Butler County Treasurer	\$120,145.30		\$360,145.30
	Transfer to ICS-Sweep Acct		\$120,145.30	\$240,000.00
	McKinnis Inc		\$215,892.00	\$24,108.00
	Transfer from ICS-Sweep Acct	\$216,000.00		\$240,108.00
	Transfer to ICS-Sweep Acct		\$108.00	\$240,000.00
	Interest	\$449.30		\$240,449.30
	<b>Balance</b>			<b>\$240,449.30</b>
<b>6/1/23</b>	<b>Starting Balance - ICS Acct</b>			<b>\$1,418,667.14</b>
	Transfer from Building Fund	\$120,607.69		
	Transfer to Building Fund		\$866,000.00	

	Interest	\$1,990.24		
6/30/23	Balance			\$675,265.07

**Future Expenditures**

<b>2022-2023</b>	<b>Dec 15 Principal \$567674.86 Interest \$82325.14</b>	<b>\$0</b>	
	<b>June 15 Principal \$579752.90 Interest \$70247.10</b>	<b>\$0</b>	
	<b>Property Acquisition</b>	<b>\$250,000</b>	
	<b>Roof</b>	<b>\$138,108</b>	
	<b>Fire Marshal/ADA</b>	<b>\$25,000</b>	
	<b>Building Renovation</b>	<b>\$75,000</b>	
	<b>Estimated Total</b>	<b>\$488,108</b>	
<b>2022-23</b>	<b>Annual Tax Request</b>	<b>\$1,308,581</b>	<b>\$1,295,495</b>
<b>2023-24</b>	<b>Dec 15 Principal \$588884.01 Interest \$61115.99</b>	<b>\$650,000</b>	
	<b>June 15 Principal \$598158.93 Interest \$51841.07</b>	<b>\$650,000</b>	
	<b>Fire Marshal/ADA</b>	<b>\$25,000</b>	
	<b>Building Renovation</b>	<b>\$75,000</b>	
	<b>Estimated Total</b>	<b>\$1,400,000</b>	
<b>2023-24</b>	<b>Annual Tax Request</b>	<b>\$1,308,581</b>	<b>\$1,295,495</b>
<b>2024-25</b>	<b>Dec 15 Principal \$607579.94 Interest \$42420.07</b>	<b>\$650,000</b>	
	<b>June 15 Principal \$617149.32 Interest \$32850.68</b>	<b>\$650,000</b>	
	<b>Fire Marshal/ADA</b>	<b>\$25,000</b>	
	<b>Building Renovation</b>	<b>\$75,000</b>	
	<b>Estimated Total</b>	<b>\$1,400,000</b>	
<b>2024-25</b>	<b>Annual Tax Request</b>	<b>\$1,308,581</b>	<b>\$1,295,495</b>
<b>2025-26</b>	<b>Dec 15 Principal \$626869.42 Interest \$23130.58</b>	<b>\$650,000</b>	
	<b>June 15 Principal \$636742.62 Interest \$13257.39</b>	<b>\$650,000</b>	
	<b>Fire Marshal/ADA</b>	<b>\$25,000</b>	
	<b>Building Renovation</b>	<b>\$75,000</b>	
	<b>Estimated Total</b>	<b>\$1,400,000</b>	
<b>2025-26</b>	<b>Annual Tax Request</b>	<b>\$1,308,581</b>	<b>\$1,295,495</b>
<b>2026-27</b>	<b>Dec 15 Principal \$201767.59 Interest \$3228.69</b>	<b>\$204,996</b>	<b>Final Payment</b>
	<b>Fire Marshal/ADA</b>	<b>\$25,000</b>	
	<b>Building Renovation</b>	<b>\$75,000</b>	
	<b>Estimated Total</b>	<b>\$304,996</b>	
	<b>Annual Tax Request</b>	<b>\$1,308,581</b>	<b>\$1,295,495</b>

**QCPUF - Qualified Capital Purchases Undertaking Fund**  
(Limited Tax Building Improvement Bond)  
2022-2023  
First National Bank of Omaha, Account Number 9960039820  
Business Advantage Savings Account

		Credits	Debits	Balance
<b>9/1/2022</b>	<b>Starting Balance</b>			<b>\$644,699.37</b>
9/3/2022	Seward County Treasurer	\$2.93		\$644,702.30
9/3/2022	Seward County Treasurer	\$58.71		\$644,761.01
9/15/2022	Butler County Treasurer	\$55,463.00		\$700,224.01
9/30/2022	Interest Earned	\$27.71		\$700,251.72
<b>9/30/2022</b>	<b>Balance</b>			<b>\$700,251.72</b>
10/5/2022	Seward County Treasurer	\$0.05		\$700,251.78
10/15/2022	Butler County Treasurer	\$7,266.21		\$707,517.98
10/31/2022	Interest Earned	\$29.92		\$707,547.90
<b>10/31/2022</b>	<b>Balance</b>			<b>\$707,547.90</b>
11/7/2022	BOK Financial		\$225,863.75	\$481,684.15
11/15/2022	Butler County Treasurer	\$1,157.05		\$482,841.20
11/30/2022	Interest Earned	\$21.98		\$482,863.18
<b>11/30/2022</b>	<b>Balance</b>			<b>\$482,863.18</b>
12/15/2022	Butler County Treasurer	\$5,224.00		\$488,087.18
12/31/2022	Interest Earned	\$20.63		\$488,107.81
<b>12/31/2022</b>	<b>Balance</b>			<b>\$488,107.81</b>
1/6/2023	Seward County Treasurer	\$0.04		\$488,107.85
1/13/2023	Saunders County Treasurer	\$0.10		\$488,107.95
1/15/2023	Butler County Treasurer	\$51,223.69		\$539,331.64
1/31/2023	Interest Earned	\$22.06		\$539,353.70
<b>1/31/2023</b>	<b>Balance</b>			<b>\$539,353.70</b>
2/6/2023	Seward County Treasurer	\$0.38		\$539,354.08
2/6/2023	Seward County Treasurer	\$6.60		\$539,360.68
2/15/2023	Butler County Treasurer	\$22,121.71		\$561,482.39
2/28/2023	Interest Earned	\$21.14		\$561,503.53
<b>2/28/2023</b>	<b>Balance</b>			<b>\$561,503.53</b>
3/15/2023	Butler County Treasurer	\$4,528.50		\$566,032.03
3/31/2023	Interest Earned	\$284.48		\$566,316.51
<b>3/31/2023</b>	<b>Balance</b>			<b>\$566,316.51</b>
4/6/2023	Seward County Treasurer	\$2.59		\$566,319.10
4/6/2023	Seward County Treasurer	\$45.37		\$566,364.47
4/14/2023	Platte County Treasurer	\$0.01		\$566,364.48
4/14/2023	Butler County Treasurer	\$19,973.38		\$586,337.86
4/28/2023	Interest Earned	\$688.46		\$587,026.32
<b>4/30/2023</b>	<b>Balance</b>			<b>\$587,026.32</b>
5/2/2023	BOK Financial		\$9,950.00	\$577,076.32
5/5/2023	Seward County Treasurer	\$1.12		\$577,076.32
5/5/2023	Seward County Treasurer	\$19.75		\$577,097.19
5/15/2023	Platte County Treasurer	\$0.24		\$577,097.43
5/15/2023	Butler County Treasurer	\$56,194.67		\$633,292.10
5/31/2023	Interest Earned	\$749.05		\$634,041.15
<b>5/31/2023</b>	<b>Balance</b>			<b>\$634,041.15</b>
6/15/2023	Butler County Treasurer	\$23,041.90		\$657,083.05
6/16/2023	Platte County Treasurer	\$0.04		\$657,083.09
6/21/2023	Bockman Inc		\$30,172.43	\$626,910.66
6/30/2023	Interest Earned	\$758.29		\$627,668.95
<b>6/30/2023</b>	<b>Balance</b>			<b>\$627,668.95</b>

\$248,955.76      \$265,986.18

**Future Expenditures**

2022-23	Bond Principal	\$0	
	Bond Interest	\$0	
	Asbestos/Mold/Air Quality	\$50,000	
	Estimated Total Expenses	\$50,000	
2022-23	Annual Tax Request	\$250,000	\$247,500
2023-24	Bond Principal	\$220,000	
	Bond Interest	\$18,510	
	Asbestos/Mold/Air Quality	\$50,000	
	Estimated Total Expenses	\$288,510	
2023-24	Annual Tax Request	\$250,000	\$247,500
2024-25	Bond Principal	\$225,000	
	Bond Interest	\$16,452	
	Asbestos/Mold/Air Quality	\$50,000	
	Estimated Total Expenses	\$291,452	
2024-25	Annual Tax Request	\$250,000	\$247,500
2025-26	Bond Principal	\$230,000	
	Bond Interest	\$14,175	
	Asbestos/Mold/Air Quality	\$50,000	
	Estimated Total Expenses	\$294,175	
2025-26	Annual Tax Request	\$250,000	\$247,500
2026-27	Bond Principal	\$240,000	
	Bond Interest	\$11,588	
	Asbestos/Mold/Air Quality	\$50,000	
	Estimated Total Expenses	\$301,588	
2026-27	Annual Tax Request	\$250,000	\$247,500
2027-28	Bond Principal	\$245,000	
	Bond Interest	\$8,677	
	Asbestos/Mold/Air Quality	\$50,000	
	Estimated Total Expenses	\$303,677	
2027-28	Annual Tax Request	\$250,000	\$247,500
2028-29	Bond Principal	\$250,000	
	Bond Interest	\$5,458	
	Asbestos/Mold/Air Quality	\$50,000	
	Estimated Total Expenses	\$305,458	
2028-29	Annual Tax Request	\$250,000	\$247,500
2029-30	Bond Principal	\$260,000	
	Bond Interest	\$1,885	
	Asbestos/Mold/Air Quality	\$50,000	
	Estimated Total Expenses	\$311,885	
2029-30	Annual Tax Request	\$250,000	\$247,500

STUDENT FEES  
2022-2023

Bank of the Valley, Account Number 062836

Date		Credits	Debits	Balance
<b>9/1/2022</b>	<b>Starting Balance</b>			<b>\$305.42</b>
9/30/2022	No Activity			\$305.42
<b>9/30/2022</b>	<b>Balance</b>			<b>\$305.42</b>
10/13/2022	FCCLA Dues	\$420.00		\$725.42
<b>10/31/2022</b>	<b>Balance</b>			<b>\$725.42</b>
11/30/2022	Grafton & Assoc.		\$420.00	\$305.42
<b>11/30/2022</b>	<b>Balance</b>			<b>\$305.42</b>
12/31/2022	No Activity			\$305.42
<b>12/31/2022</b>	<b>Balance</b>			<b>\$305.42</b>
1/31/2023	Interest Paid	\$0.31		\$305.73
<b>1/31/2023</b>	<b>Balance</b>			<b>\$305.73</b>
2/28/2023	Interest Paid	\$0.53		\$306.26
<b>2/28/2023</b>	<b>Balance</b>			<b>\$306.26</b>
3/31/2023	Interest Paid	\$0.58		\$306.84
<b>3/31/2023</b>	<b>Balance</b>			<b>\$306.84</b>
4/14/2023	FFA Dues	\$250.00		\$556.84
4/18/2023	Grafton & Assoc.		\$250.00	\$306.84
4/28/2023	Interest Paid	\$0.63		\$307.47
<b>4/30/2023</b>	<b>Balance</b>			<b>\$307.47</b>
5/31/2023	Interest Paid	\$0.59		\$308.06
<b>5/31/2023</b>	<b>Balance</b>			<b>\$308.06</b>
6/30/2023	Interest Paid	\$0.57		\$308.63
<b>6/30/2023</b>	<b>Balance</b>			<b>\$308.63</b>

DCPS Bus Info Updated Tues Nov 15, 2022						
Year	Make of Chassis	Make of Body	Driver/Route	June 2023 Mileage	Replacement Year	Cost
B-2017-1	Blue Bird	Bus - 71 (47)	Spare Route	53,841	2024-25	\$130,000
B-2017-2	Blue Bird	Bus - 71 (47)	Brian Styskal - Linwood Route	85,701	2023-24	\$130,000
B-2018-1	Blue Bird	Bus - 71 (47)	Amanda Franzen - Bellwood Route	55,403	2025-26	\$130,000
B-2019-1	Blue Bird	Bus - 65 (43)	Jim Hendrickson - Abie/Bruno Route	66,739	2026-27	\$130,000
B-2020-1	Blue Bird	Bus - 65 (43)	Ken Kovar - Rising City Route	45,001	2027-28	\$130,000
B-2021-1	Blue Bird	Bus - 65 (43)	Activity Trips	17,579	2028-29	\$130,000
B-2022-1	Blue Bird	Bus - 71 (47)	Activity Trips	15,842	2029-30	\$130,000
B-2022-2	Blue Bird	Bus - 71 (47)	Activity Trips	9,781	2030-31	\$130,000
B-2024-1	Blue Bird	Bus - 71 (47)	Activity Trips	1,415	2031-32	\$130,000
C-2014	Chevy	14 passenger	Thiem - Ind Tech / Rebbe - Voc Ag	90,995	???	\$92,500
C-2015	Chevy	14 passenger	Sports Practice Shuttle / Spare	39,388	???	\$92,500
C-2022*	Bluebird	14 passenger	Center 7 Sped Route - Columbus	25,375	???	\$92,500
C-2024	Bluebird	14 passenger		Ordered	???	\$92,500
	* Purchased w/ Federal Funds					

DCPS Vehicle Info Updated Fri June 23, 2023						
Year	Make	Model	Driver/Route	June 2023 Mileage	Replacement Year	Cost
2016	Chevy	Silver 4x4 Suburban (9)	Activities	74,776	2023-24	68k
2017	Chevy	White 4x4 Suburban (9)	Activities	33,684	2024-25	68k
2018	Chevy	Tungsten 4x4 Suburban (9)	Activities	28,954	2025-26	68k
2018	Chevy	White AWD Traverse (7)	Teachers	53,237	2026-27	58k
2019	Chevy	Pepperdust 4x4 Suburban (9)	Activities	18,904	2027-28	68k
2020	Chevy	Satin Steel 4x4 Suburban (9)	Teachers	12,443	2028-29	68k
2020	Chevy	Satin Steel AWD Traverse (7)	Elem Shared Staff	23,009	2029-30	58k
2022	Buick	Red AWD Buick Enclave (7)	Admin	9,796	2030-31	58k
2022	Chevy	Auburn 4x4 Suburban (7)	Admin	6,383	2031-32	68k
2015	Dodge	White Handicap Van	Bellwood PreK / Handicap SPED	70,194	???	55k
2018	Dodge	Silver Handicap Van	DCE PreK / Handicap SPED	19,648	???	55k
2011	Ford	White Sports Van	Custodial / Maint	110,219	???	35k
2004	Chevy	Tan 4x4 Pickup	Custodial / Maint	10,871	???	50k
2019	Chevy	White 4x4 Long Box Pickup	Activity Trailer / Maint	40,469	???	55k

2023-24 School Year	Cost	2024-25 School Year	Cost	Code	Dept
Sparq Data Board E-Meetings Software	\$2,100	Sparq Data Board E-Meetings Software	\$2,100	2310-643	Board
Sparq Data Negotiations Software	\$2,000	Sparq Data Negotiations Software	\$2,000	2310-643	Board
Replace Supt Computer	\$1,600	Replace Supt Computer	\$1,600	2320-610	Supt
Replace Admin / Sect Computers	\$4,800	Replace Admin / Sect Computers	\$4,800	2410-610	Principal
Replace Business Office Computers	\$1,600	Replace Business Office Computers	\$1,600	2510-610	Business
AA Web Hosting	\$1,200	AA Web Hosting	\$1,200	2510-643	Business
Activity Accounting	\$1,000	Activity Accounting	\$1,000	2510-643	Business
Apta Fund & ESP E-Reqs	\$12,000	Apta Fund & ESP E-Reqs	\$12,000	2510-643	Business
Apta Time Keeping	\$4,500	Apta Time Keeping	\$4,500	2510-643	Business
TalentEd by PowerSchool	\$5,700	TalentEd by PowerSchool	\$5,700	2510-643	Business
OnetoOne Plus Inventory	\$2,000	OnetoOnePlus Inventory	\$2,000	2510-643	Business
Replace Custodial Computers	\$3,200	Replace Custodial Computers	\$3,200	2610-610	Custodial
Replace Lunch Computer	\$1,600	Replace Lunch Computer	\$1,600	Lunch	Lunch
Infinite Campus Lunch	\$1,500	Infinite Campus Lunch	\$1,500	Lunch	Lunch
HUDL	\$10,700	HUDL	\$10,700	2190-643	Activities
Sign Up Genius	\$500	Sign Up Genius	\$500	2190-643	Activities
Team Build R	\$1,000	Team Build R	\$1,000	2190-643	Activities
Vmax Pro	\$750	Vmax Prog	\$750	2190-643	Activities
Remind 101 App	\$2,300	Remind 101 App	\$2,300	2190-643	Activities
Gipper	\$800	Gipper	\$800	2190-643	Activities
Ecell Sports	\$4,900	Ecell Sports	\$4,900	2190-643	Activities
rSchool	\$500	rSchool	\$500	2190-643	Activities
Music ASCAP License	\$500	Music ASCAP License	\$500	2230-643	Media
Movie SWANK License	\$1,000	Movie SWANK License	\$1,000	2220-643	Media
OverDrive	\$750	OverDrive	\$750	2220-643	Media
Library World	\$1,500	Library World	\$1,500	2220-643	Media
Second Step Curriculum	\$2,900	Second Step Curriculum	\$2,900	2120-643	Guidance
NWEA MAPS	\$3,200	NWEA MAPS	\$3,200	1100-643	Software
iObservation	\$2,500	iObservation	\$2,500	1100-643	Software
Infinite Campus	\$8,200	Infinite Campus	\$8,200	1100-643	Software
School Master Archives	\$500	School Master Archives	\$500	1100-643	Software
Apptegy Website & Mobile App	\$8,000	Apptegy Website & Mobile App	\$8,000	1100-643	Software
Mimio / Boxlight Licensing	\$0	Mimio / Boxlight Licensing	\$0	1100-643	Software
Go Guardian Monitoring and Filtering	\$16,000	Go Guardian Monitoring and Filtering	\$16,000	1100-643	Software
Sophos Antivirus	\$3,500	Sophos Antivirus	\$3,500	1100-643	Software
Easy DNS and SSL Certificate	\$1,200	Easy DNS and SSL Certificate	\$1,200	1100-643	Software
VEEMWARE Backup	\$300	VEEMWARE Backup	\$300	1100-643	Software

FileWave	\$1,400	FileWave	\$1,400	1100-643	Software
Comp Tech Apps	\$500	Comp Tech Apps	\$500	1100-643	Software
Rise Vision Digital Signage	\$800	Rise Vision Digital Signage	\$800	1100-643	Software
Fisler Data P/T Conf Scheduler	\$750	Fisler Data P/T Conf Scheduler	\$750	1100-643	Software
Schoolzilla/Renaissance	\$6,000	Schoolzilla/Renaissance	\$6,000	1100-643	Software
Career Ed Curriculum / ICEV	\$2,700	Career Ed Curriculum / ICEV	\$2,700	1100-643	Software
Microsoft	\$5,600	Microsoft	\$5,600	1100-643	Software
Adobe	\$800	Adobe	\$800	1100-643	Software
iPad & Chromebook Apps	\$1,000	iPad & Chromebook Apps	\$1,000	1100-643	Software
Apex	\$4,500	Apex	\$4,500	1100-643	Software
Read&Write Text Help	\$1,000	Read&Write Text Help	\$1,000	1100-643	Software
PearDeck	\$2,500	PearDeck	\$2,500	1100-643	Software
PlanBook	\$600	PlanBook	\$600	1100-643	Software
Smart Pass	\$900	Smart Pass	\$900	1100-643	Software
Teacher Software ex. ScreenCastify	\$2,000	Teacher Software ex. ScreenCastify	\$2,000	1100-643	Software
GradeTransferrer, Quizlet, Zipler		GradeTransferrer, Quizlet, Zipler			
Happy Numbers, Quizizz, WizerMe		Happy Numbers, Quizizz, WizerMe			
GimKit Pro, Newsela, Etc.		GimKit Pro, Newsela, Etc.			
iXL (Math, Sci, Soc Sci)	\$8,200	iXL (Math, Sci, Soc Sci)	\$8,200	1100-643	Software
Amplify mClass DIBELS	\$5,000	Amplify mClass DIBELS	\$5,000	1100-643	Software
DESSA	\$1,000	DESSA	\$1,000	1100-643	Software
Distance Learning Consortium	\$4,200	Distance Learning Consortium	\$4,200	1100-382	DL+
Zoom, Canvas, FireWall, IT Glue, eRate		Zoom, Canvas, FireWall, IT Glue, eRate			
PreK HatchSync & Ignite by GOLD	\$2,000	PreK HatchSync & Ignite by GOLD	\$2,000	1190-810	PreK
SRS	\$4,000	SRS	\$4,000	1200-320	Sped
Replace DC High 9 Laptops (55)	\$42,000	Replace DC High 9 Laptops (55)	\$42,000	1100-734	Hardware
Replace 5th Gr Chromebooks (55)	\$15,000	Replace 5th Gr Chromebooks (55)	\$15,000	1100-734	Hardware
Laptop Bags (165)	\$5,500	Laptop Bags (165)	\$5,500	1100-734	Hardware
Replace Projectors / TVs	\$6,000	Replace Projectors / TVs	\$6,000	1100-734	Hardware
Replace Access Pts, Servers, Switches	\$10,000	Replace Access Pts, Servers, Switches	\$10,000	1100-743	Hardware
Document Cameras & Microphones	\$1,000	Document Cameras & Microphones	\$1,000	1100-734	Hardware
Innovative Teacher Requests	\$10,000	Innovative Teacher Requests	\$10,000	1100-734	Hardware
Replace HS Business PC Desktops	\$25,000	Replace Teacher Laptops	\$125,000	1100-734	Hardware
Replace HS Art MACs w/ PCs	\$15,000			1100-734	Hardware
<b>2023-24 Budget Total Costs</b>	<b>\$301,250</b>	<b>2024-25 Budget Total Costs</b>	<b>\$386,250</b>		

2025-26 School Year	Cost	2026-2027 School Year	Cost	Code	Dept
Sparq Data Board E-Meetings Software	\$2,100	Sparq Data Board E-Meetings Software	\$2,100	2310-643	Board
Sparq Data Negotiations Software	\$2,000	Sparq Data Negotiations Software	\$2,000	2310-643	Board
Replace Supt Computer (if needed)	\$1,600	Replace Supt Computer	\$1,600	2310-610	Supt
Replace Admin / Sect Computers	\$4,800	Replace Admin / Sect Computers	\$4,800	2410-610	Principal
Replace Business Office Computers	\$1,600	Replace Business Office Computers	\$1,600	2510-610	Business
AA Web Hosting	\$1,200	AA Web Hosting	\$1,200	2510-643	Business
Activity Accounting	\$1,000	Activity Accounting	\$1,000	2510-643	Business
Apta Fund & ESP E-Reqs	\$12,000	Apta Fund & ESP E-Reqs	\$12,000	2510-643	Business
Apta Time Keeping	\$4,500	Apta Time Keeping	\$4,500	2510-643	Business
TalentEd by PowerSchool	\$5,700	TalentEd by PowerSchool	\$5,700	2510-643	Business
OnetoOne Plus Inventory	\$2,000	OnetoOnePlus Inventory	\$2,000	2510-643	Business
Replace Custodial Computers	\$3,200	Replace Custodial Computers	\$3,200	2610-610	Custodial
Replace Lunch Computer	\$1,600	Replace Lunch Computer	\$1,600	Lunch	Lunch
Infinite Campus Lunch	\$1,500	Infinite Campus Lunch	\$1,500	Lunch	Lunch
HUDL	\$10,700	HUDL	\$10,700	2190-643	Activities
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Infinite Campus	\$8,200	Infinite Campus	\$8,200	1100-643	Software
School Master Archives	\$500	School Master Archives	\$500	1100-643	Software
Apptegy Website & Mobile App	\$8,000	Apptegy Website & Mobile App	\$8,000	1100-643	Software
Mimio / Boxlight Licensing	\$0	Mimio / Boxlight Licensing	\$0	1100-643	Software
Go Guardian Monitoring and Filtering	\$16,000	Go Guardian Monitoring and Filtering	\$16,000	1100-643	Software
Sophos Antivirus	\$3,500	Sophos Antivirus	\$3,500	1100-643	Software
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VEEMWARE Backup	\$300	VEEMWARE Backup	\$300	1100-643	Software

FileWave	\$1,400	FileWave	\$1,400	1100-643	Software
Comp Tech Apps	\$500	Comp Tech Apps	\$500	1100-643	Software
Rise Vision Digital Signage	\$800	Rise Vision Digital Signage	\$800	1100-643	Software
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Microsoft	\$5,600	Microsoft	\$5,600	1100-643	Software
Adobe	\$800	Adobe	\$800	1100-643	Software
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PlanBook	\$600	PlanBook	\$600	1100-643	Software
Smart Pass	\$900	Smart Pass	\$900	1100-643	Software
Teacher Software ex. ScreenCastify	\$2,000	Teacher Software ex. ScreenCastify	\$2,000	1100-643	Software
GradeTransferrer, Quizlet, Zipler		GradeTransferrer, Quizlet, Zipler			
Happy Numbers, Quizizz, WizerMe		Happy Numbers, Quizizz, WizerMe			
GimKit Pro, Newsela, Etc.		GimKit Pro, Newsela, Etc.			
iXL (Math, Sci, Soc Sci)	\$8,200	iXL (Math, Sci, Soc Sci)	\$8,200	1100-643	Software
Amplify mClass DIBELS	\$5,000	Amplify mClass DIBELS	\$5,000	1100-643	Software
DESSA	\$1,000	DESSA	\$1,000	1100-643	Software
Distance Learning Consortium	\$4,200	Distance Learning Consortium	\$4,200	1100-382	DL+
Zoom, Canvas, FireWall, IT Glue, eRate		Zoom, Canvas, FireWall, IT Glue, eRate			
PreK HatchSync & Ignite by GOLD	\$2,000	PreK HatchSync & Ignite by GOLD	\$2,000	1190-810	PreK
SRS	\$4,000	SRS	\$4,000	1200-320	Sped
Replace DC High 9 Laptops (55)	\$42,000	Replace DC High 9 Laptops (55)	\$42,000	1100-734	Hardware
Replace 5th Gr Chromebooks (55)	\$15,000	Replace 5th Gr Chromebooks (55)	\$15,000	1100-734	Hardware
Laptop Bags (165)	\$5,500	Laptop Bags (165)	\$5,500	1100-734	Hardware
Replace Projectors / TVs	\$6,000	Replace Projectors / TVs	\$6,000	1100-734	Hardware
Replace Access Pts, Servers, Switches	\$10,000	Replace Access Pts, Servers, Switches	\$10,000	1100-734	Hardware
Document Cameras & Microphones	\$1,000	Document Cameras & Microphones	\$1,000	1100-734	Hardware
Innovative Teacher Requests	\$10,000	Innovative Teacher Requests	\$10,000	1100-734	Hardware
Replace 3-4 Gr Chromebooks (110)	\$30,000	Replace pK-2 Gr iPads & Bags (165)	\$60,000	1100-734	Hardware
Replace Sect Computers	\$10,000	Replace HS eSports Desktops	\$35,000	1100-734	Hardware
Replace Servers & FireWall	\$8,000			1100-734	Hardware
Replace HS CAD PC Laptops	\$17,000			1100-734	Hardware
<b>2025-26 Budget Total Costs</b>	<b>\$326,250</b>	<b>2026-27 Budget Total Costs</b>	<b>\$356,250</b>		

<b>DCPS Summer Projects/Updates</b>				
	<b>Date</b>	<b>Cost</b>	<b>Contractor</b>	<b>Fund</b>
<b>Bellwood Elementary</b>				
replace concrete as needed	ongoing	\$3,500	Campbell	Depr
replace desks & chairs & dry erase boards as needed	ongoing	\$10,000	Eakes/Virco	Depr
replace ceiling tile	ongoing	\$1,500	Custodians	Depr
replace electrical panels as needed	ongoing	\$25,000	Woolsey or Vandenberg	Depr
<b>add prekindergarten playground equipment</b>	<b>summer 2024</b>	<b>\$20,000</b>	<b>Creative Sites</b>	<b>Building</b>
replace indoor basketball hoops	future	\$10,000	Outside Contractor	Depr
<b>Totals</b>		<b>\$70,000</b>		
<b>DC High School</b>	<b>Date</b>	<b>Cost</b>	<b>Contractor</b>	<b>Fund</b>
replace concrete sidewalks as needed	ongoing	\$14,000	Campbell	Depr
replace desks & chairs & dry erase boards as needed	ongoing	\$40,000	Eakes/Virco	Depr
replace blinds in 3 rooms as needed	ongoing	\$12,000	Neujahr Flooring	Depr
re-seal gym floor	ongoing	\$4,000	Egan	General
trim and replace trees as needed	ongoing	\$10,000	Barta/Faller Landscaping	General
<b>repair welding walls in ind tech shop</b>	<b>summer 2024</b>	<b>\$3,000</b>	<b>Thiem ?</b>	<b>General</b>
<b>remove asbestos flooring in ind tech hall, ffa classrooms, old commons, fcs hall, and fcs classroom</b>	<b>summer 2024</b>	<b>\$18,000</b>	<b>Bockmann Inc</b>	<b>QCPUF</b>
<b>replace flooring in ind tech hall, ffa classrooms (polished concrete?) old commons, fcs hall, and fcs classroom</b>	<b>summer 2024</b>	<b>\$60,000</b>	<b>Neujahr Flooring</b>	<b>Depr</b>
replace flooring in fcs kitchen	summer 2025	\$6,000	Neujahr Flooring	Depr
replace carpet/flooring in band room & old choir room	summer 2026	\$25,000	Neujahr Flooring	Depr
replace section of roof	summer 2026	\$350,000	Garland Co Contactor	Building
replace lighting in 1980s addition - NO ?	future	\$50,000	Voss Lighting	Depr
replace lighting on second floor - NO ?	future	\$60,000	Voss ?	Depr
replace lighting on third floor - NO ?	future	\$60,000	Voss ?	Depr
replace older building windows W42; E 26; S 40; N 16	future	\$150,000	Outside Contractor	Depr
replace asphalt w/ concrete on west side if needed	future	\$30,000	Oborny/Campbell	Depr
<b>Totals</b>		<b>\$892,000</b>		

<b>Preschool Annex Building</b>				
No Projects Planned				
<b>David City Elementary</b>				
replace desks & chairs & dry erase boards as needed	ongoing	\$40,000	Eakes/Virco	Depr
replace blinds in 3 rooms as needed	ongoing	\$12,000	Neujahr Flooring	Depr
re-seal gym floor	ongoing	\$3,000	Egan	General
<b>replace oven in kitchen only if needed</b>	<b>summer 2024</b>	<b>\$8,000</b>	<b>Hockenbergs</b>	<b>Lunch</b>
remove asbestos floor in kitchen	summer 2025	\$6,000	Bockmann Inc	QCPUF
replace flooring in kitchen	summer 2025	\$7,500	Neujahr Flooring	Depr
remove asbestos flooring in reading room and library if needed	summer 2026	\$9,000	Bockmann Inc	QCPUF
replace carpet in reading room and library	summer 2026	\$9,000	Neujahr Flooring	Depr
replace outside covering of kitchen freezers/coolers if needed	future	\$10,000	Oborny	Lunch
replace outdoor basketball hoops	future	\$10,000	Outside Contractor	Depr
replace asphalt w/ concrete on playground if needed	future	\$80,000	Oborny/Campbell	Depr
<b>Totals</b>		<b>\$194,500</b>		

						<b>Total Outstanding Principal</b>	<b>\$1,670,000.00</b>
						<b>Total Outstanding Interest</b>	<b>\$76,742.50</b>
						<b>Total Outstanding Debt</b>	<b>\$1,746,742.50</b>
<b>QCPUF - ELEM ADD w/ BOK Financial</b>							
	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>	<b>2028-29</b>	<b>2029-30</b>
<b>Principal 12/15</b>	\$220,000.00	\$225,000.00	\$230,000.00	\$240,000.00	\$245,000.00	\$250,000.00	\$260,000.00
<b>Interest 12/15</b>	\$9,750.00	\$8,760.00	\$7,691.25	\$6,483.75	\$5,103.75	\$3,572.50	\$1,885.00
<b>Interest 06/15</b>	\$8,760.00	\$7,691.25	\$6,483.75	\$5,103.75	\$3,572.50	\$1,885.00	\$0.00
<b>Total</b>	<b>\$238,510.00</b>	<b>\$241,451.25</b>	<b>\$244,175.00</b>	<b>\$251,587.50</b>	<b>\$253,676.25</b>	<b>\$255,457.50</b>	<b>\$261,885.00</b>
						<b>Total Outstanding Principal</b>	<b>\$3,877,151.83</b>
						<b>Total Outstanding Interest</b>	<b>\$227,844.47</b>
						<b>Total Outstanding Debt</b>	<b>\$4,104,996.30</b>
<b>SPECIAL BUILDING - LEASE PURCHASE w/ BANK OF THE VALLEY - (NOT INCLUDED IN OUTSTANDING DEBT PAGE OF BUDGET DOCUMENT)</b>							
	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>			
<b>Principal 12/15</b>	\$588,884.01	\$607,579.94	\$626,869.42	\$201,767.59			
<b>Interest 12/15</b>	\$61,115.99	\$42,420.07	\$23,130.58	\$3,228.69			
<b>Principal 06/15</b>	\$598,158.93	\$617,149.32	\$636,742.62	\$0.00			
<b>Interest 06/15</b>	\$51,841.07	\$32,850.68	\$13,257.39	\$0.00			
<b>Total</b>	<b>\$1,300,000.00</b>	<b>\$1,300,000.01</b>	<b>\$1,300,000.01</b>	<b>\$204,996.28</b>			

<b>Textbook &amp; Related Equipment Replacement Schedule</b>					
<b>7 Year Cycle</b>		<b>DCPS</b>	<b>DCPS</b>	<b>Replacement</b>	<b>Last</b>
<b>Replacement Year</b>	<b>Subject</b>	<b>Elementary</b>	<b>High School</b>	<b>Cost</b>	<b>Replacement</b>
7 Year Total	Lang Arts Workbooks/Novels	\$42,000	\$14,000	\$56,000	Annual
7 Year Total	Math Workbooks	\$42,000	\$42,000	\$84,000	Annual
Ongoing	Fine Arts/Music	\$5,000	\$20,000	\$25,000	Annual
Ongoing	Foreign Language	\$0	\$2,000	\$2,000	Annual
Spring 2024	Ind Arts/Ag/FCS	\$0	\$15,000	\$15,000	Summer 2019
Spring 2024	Business/Computers	\$2,500	\$30,000	\$32,500	Summer 2019
Spring 2025	PE/Health	\$3,500	\$7,500	\$11,000	Reviewed 2018
Spring 2027	Science	\$80,000	\$80,000	\$160,000	Summer 2020
Spring 2028 & 2029	Social Science	\$25,000	\$50,000	\$75,000	Spring / Summer 2021 & 2022
Spring 2029 & 2030	Language Arts	\$80,000	\$80,000	\$160,000	Spring / Summer 2022 & 2023
Spring 2030	Math	\$80,000	\$80,000	\$160,000	Spring / Summer 2023
	<b>Totals</b>	<b>\$360,000</b>	<b>\$420,500</b>	<b>\$780,500</b>	
	<b>Yearly Average</b>	<b>\$51,429</b>	<b>\$60,071</b>	<b>\$111,500</b>	
<b>Curriculum Revision Schedule</b>		<b>DCPS</b>	<b>DCPS</b>	<b>Implementation</b>	<b>NDE Approved</b>
	<b>Subject</b>	<b>Elementary</b>	<b>High School</b>	<b>Date</b>	<b>Standards Update</b>
	Fine Arts/Music	2013-14	2013-14	Fall 2015	2014
	Foreign Language	NA	2020-21	Fall 2021	2019
	Ind Arts/Ag/FCS	NA	2018-19	Fall 2019	<b>2023</b>
	Business/Computers	2015-16	2018-19	Fall 2019	<b>2023</b>
	PE/Health	2017-18	2017-18	Fall 2018	2016
	Science	2019-20	2020-21	Fall 2020/2021	2017
	Language Arts	2021-22	2021-22	Fall 2022	2021
	Social Science	2013-14	2020-21	Fall 2021	2019
	Math	2024-25	2024-25	Fall 2025	2022
<a href="https://www.education.ne.gov/contentareastandards/">https://www.education.ne.gov/contentareastandards/</a>					



# Yearly Budget Summary

Client: David City Public Schools

Facility *	Asset Type	Asset *	Recommendation	Cost	Expected Life
<b>Year: 2023</b>					
High School	Roof Section	Area 3	Replace	\$74,000.00	2 Year(s)
High School	Roof Section	Area 5	Replace	\$280,000.00	1 Year(s)
<b>Total for 2023:</b>				<b>\$354,000.00</b>	
<b>Year: 2026</b>					
High School	Roof Section	Area 2	Replace	\$350,000.00	4 Year(s)
<b>Total for 2026:</b>				<b>\$350,000.00</b>	

**\*\*Note:** This report may contain numbers which have been derived as an average from a budget range. Please refer to solution reports to see the full budget range and details.





# Executive Summary

Client: David City Public Schools

Facility *	Asset Type *	Asset *	System Type	Age(years)	Square Footage	Leakage	Rating	Recommendation	Action Year
<b>Bellwood Elementary</b>	Roof Section	Area 1	Modified Bitumen	14	8,590	No	Good	N/A	N/A
	Roof Section	Area 2	Modified BUR	2	17,784	No	Excellent	N/A	N/A
	Roof Section	Area 3	Modified Bitumen	14	1,433	No	Good	N/A	N/A
<b>Bellwood Elementary Total:</b>					<b>27,807</b>				
<b>David City Elementary</b>	Roof Section	Area 1	Modified Bitumen	7	9,329	No	Good	N/A	N/A
	Roof Section	Area 2	Modified Bitumen	6	1,161	No	Excellent	N/A	N/A
	Roof Section	Area 3	Modified Bitumen	6	3,481	No	Excellent	N/A	N/A
	Roof Section	Area 4	Metal	32	3,323	No	Fair	N/A	N/A
	Roof Section	Area 5	Modified Bitumen	6	2,480	No	Good	N/A	N/A
	Roof Section	Area 6	Modified Bitumen	16	3,442	No	Good	N/A	N/A



Facility *	Asset Type *	Asset *	System Type	Age(Years)	Square Footage	Leakage	Rating	Recommendation	Action Year
	Roof Section	Area 7	Modified Bitumen	16	3,442	No	Good	N/A	N/A
	Roof Section	Area 8	Modified Bitumen	8	4,617	No	Good	N/A	N/A
	Roof Section	Area 9	Modified Bitumen	11	14,427	No	Good	N/A	N/A
	Roof Section	Area 10	Modified Bitumen	4	6,252	No	Excellent	N/A	N/A
<b>David City Elementary Total:</b>					<b>51,954</b>				
<b>High School</b>									
	Roof Section	Area 1	Modified Bitumen	5	13,293	No	Excellent	N/A	N/A
	Roof Section	Area 2	Modified Bitumen	26	14,893	No	Fair	Replace	2026
	Roof Section	Area 3	EPDM: Ballasted	18	2,295	No	Poor	Replace	2023
	Roof Section	Area 4	Modified Bitumen	8	5,168	No	Good	N/A	N/A
	Roof Section	Area 5	EPDM: Ballasted	18	10,722	No	Poor	Replace	2023
	Roof Section	New Administration Addition	Modified BUR	2	0	No	Excellent	N/A	N/A
	Roof Section	Weight Room Addition	Modified BUR	6	11,000	No	Excellent	N/A	N/A



Facility *	Asset Type *	Asset *	System Type	Age(years)	Square Footage	Leakage	Rating	Recommendation	Action Year
<b>High School Total:</b>					<b>57,371</b>				
<b>Client Total:</b>					<b>137,132</b>				

*Nebraska Council of School Administrators*

**NCSA Final Legislative Report**

**108th Legislature, First Session**

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*Prepared by  
Dr. Michael Dulaney  
NCSA Executive Director  
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## I. Legislation Passed and Signed into Law

<b>LB 103</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Passed</i>	<i>Subject</i>
	McDonnell	Retirement	41-0 4/25/23	Change provisions of the County Employees Retirement Act, the Judges Retirement Act, the Nebraska State Patrol Retirement Act, the School Employees Retirement Act, and the State Employees Retirement Act

As passed and signed into law, LB 103 includes technical clean-up provisions to address some changes made under LB 700 (2022) and includes provisions from LB 104 (2023) and LB 105 (2023) to accommodate changes in federal law.

*Operative Date: May 2, 2023.*

Currently, in addition to all school employees, certain state employees are eligible to be members of the School Plan, including (1) an individual employed by NDE after July 1, 1989, as a state school official, and (2) an individual who is employed by any state agency in a position covered by the association and who is required to hold a certificate for such position.

LB 103 adds a third category for eligibility. The bill provides that an individual who is employed by any state agency NOT in a position covered by the association who is required to hold a certificate for the position in which such individual is employed.

Under the School Plan, “Association” is defined as the State Code Agency Teachers Association, or its equivalent successor, recognized by the State of Nebraska as the exclusive and sole collective-bargaining agent for all teachers other than temporary teachers employed by an agency of the State of Nebraska.

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<b>LB 243</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Passed</i>	<i>Subject</i>
	Briese	Revenue	44-0 5/25/23	Adopt the School District Property Tax Limitation Act, change levying authority and provide aid to community college areas, and change provisions relating to the Tax Equalization and Review Commission and property and income taxes

*Operative Date:* As amended by LB 727 (Section 114), the operative date for the School District Property Tax Limitation Act (LB 243) is June 7, 2023.

LB 243 includes the provisions of LB 589 (Briese), which was a part of the Governor’s Education Future package of bills.

As it relates to school districts, LB 243 creates a new mechanism to set out the percentage of annual increase that a school district can request regarding their levying authority.

The school district's property tax request authority is calculated by taking the school district's property tax request from the prior year, adding total non-property-tax revenue from the prior year, and then increasing by the school district's base growth percentage calculated by the following:

Three percent (3%) plus seven-tenths (7/10) if the school district's student enrollment has grown by an average of three percent (3%) over the previous three years or four-tenths (4/10) if the seven-tenths provision does not apply plus a percentage obtained by dividing the annual increase in limited English proficiency learners by the student enrollment multiplied by fifteen-hundredths (15/100) plus a percentage obtained by dividing the annual increase in poverty students by the student enrollment multiplied by fifteen-hundredths (15/100).

If a school district chooses not to increase its request by the full amount allowed, any increase not used may be carried forward.

LB 243 allows for a request to be overridden by one of two options:

- (1) a special election called to override with a sixty percent (60%) approval by the voters voting in the election. The election must be called by either the school board or a petition signed by at least five percent (5% of legal voters within the school district); and
- (2) allows for a request to be overridden by a seventy percent (70%) vote of the school board, with the override being limited to:
  - For school districts with an enrollment of no more than 471 students, seven percent (7%);
  - For school districts with an enrollment between 472 students and 3,044 students, six percent (6%);
  - For school districts with an enrollment between 3,045 students and 10,000 students, five percent (5%); and
  - For school districts with an enrollment of 10,001 students or over, four percent (4%).

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<b>LB 298</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Passed</i>	<i>Subject</i>
	Linehan	Education	44-0 5/31/23	Require districts and NDE to collect and report information regarding dyslexia, establish dress code and grooming policies, create the Interstate Teacher Mobility Compact

*Operative Date:* LB 298 does not contain an operative date, nor is the emergency clause attached. Therefore, the legislation would become operative 90 days after the Legislature adjourns sine die, which is September 2, 2023.

*Fiscal Impact:* In addition to the fiscal impact on school districts, LB 298 would require NDE to collect information on dyslexia. There is no current process for reporting the number of students tested for dyslexia, the results of those tests, and students' improved reading levels as a result of dyslexia identification and intervention. NDE reports that it would require a staff member to

provide guidance in (a) screening for dyslexia, (b) reporting the data to the NDE, and (c) addressing the proper interventions through either a 504 plan or individualized education plan (IEP).

Accordingly, LB 298A (the companion appropriation bill) provides for \$129,285 from the General Fund for FY2023-24 and \$128,128 from the General Fund for FY2024-25 for one FTE.

*Notes:* LB 298, as introduced, related to dyslexia and reporting requirements. Senator McKinney was successful in amending LB 298 with the contents of LB 630 (McKinney) relating to dress code and grooming policies in public schools. Senator Blood also was successful in amending LB 413 into LB 298 relating to the Interstate Teacher Mobility Compact.

***Dyslexia***

By July 1 of each year, each school district must provide NDE, on forms prescribed by the department, information relating to dyslexia. The information must include, at a minimum, the number of students in each public school in the district:

- (a) Tested for a specific learning disability in the area of reading, including tests that identify characteristics of dyslexia and the results of such tests;
- (b) Identified as having a reading issue, including dyslexia, pursuant to the assessment administered under the Nebraska Reading Improvement Act; and
- (c) Identified as described in (b) that have shown growth on the measure used to identify the reading issue.

NDE must annually compile the information received and provide a report on the information electronically to the Legislature by September 1 of each year. The State Board of Education may adopt and promulgate rules and regulations relevant to this provision of LB 298.

*Note:* Although LB 298 will not become operative until 90 days after the Legislature adjourns sine die, the measure appears to require school districts to begin implementation relevant to dyslexia reporting on July 1, 2023.

***Dress Code and Grooming Policy***

*District Policy:* By July 1, 2025, the school board of each school district must adopt a written “dress code and grooming policy” to be implemented at the start of the 2025-26 school year that is consistent with the model policy developed by NDE and may include any other procedures and provisions the school board deems appropriate.

*Enforcement:* Enforcement of violations of the written dress code and grooming policy must:

- (a) Be treated as minor on the continuum of school rule violations and may not constitute student conduct subject to long-term suspension, expulsion, or mandatory reassignment;
- (b) Not require the student to miss substantial classroom time, instruction time, or school activities; and
- (c) Not, under any circumstance, allow an administrator, teacher, other member of the staff, or contractor to permanently or temporarily alter or cut a student's hair.

In addition, no student may be disproportionately affected by a dress code or grooming policy enforcement because of the student's gender, race, color, religion, disability, or national origin.

*Model Policy:* By December 1, 2024, NDE must develop and distribute a model dress code and grooming policy for schools that facilitates and encourages an inclusive and positive learning environment while complying with any applicable health or safety law, rule, regulation, ordinance, or resolution. The model policy may not:

- (a) Target, disproportionately impact, discriminate, or be applied in a discriminatory manner against any students on the basis of race, religion, sex, disability, or national origin;
- (b) Prohibit a student from wearing attire, including religious attire, natural and protective hairstyles, adornments or other characteristics associated with race, national origin, or religion; or
- (c) Require a student's hair be permanently or temporarily altered.

The model policy must include a statement that specifies that enforcement of a violation of the policy must be done in a manner that is consistent with a school's overall discipline plan and in a consistent manner.

NDE may develop as part of the dress code and grooming policy a health and safety standard that allows for the regulation of characteristics associated with race, national origin, or religion in the dress code and grooming policy under certain circumstances. The standard must:

- (a) Demonstrate that without the implementation of the standard, it is reasonably certain that the health and safety of the student or another individual will be impaired;
- (b) Require adoption of the standard for nondiscriminatory reasons;
- (c) Require that the standard be applied equally;
- (d) Require that the school engage in a good faith effort to reasonably accommodate the student and notify the student's parent or guardian, in a language that such parent or guardian understands, of such an attempt to accommodate the student's appearance or any attire, tribal regalia, hairstyles, adornment, or other characteristic associated with race, national origin, or religion;
- (e) Provide a process to obtain consent from a student's parent or guardian prior to altering a student's appearance or removing or altering a student's attire, tribal regalia, hairstyle, adornment, or other characteristic associated with race, national origin, or religion; and
- (f) Provide a process to ensure records are kept on each effort to reasonably accommodate a student's appearance, attire, hairstyle, adornment, or other characteristics associated with race, national origin, or religion occurring at school, on school grounds, or at a school-sponsored event and ensure that such records allow for analysis of related data and delineate:
  - (i) The reason for such student's referral relating to the dress code and grooming policy; and
  - (ii) Federally identified demographic characteristics of such student.

*Definitions:* LB 298 provides the following definitions for purposes of the provisions related to the dress code and grooming policy.

- (a) “National origin” includes characteristics associated with actual or perceived place of birth, ancestry, or ethnicity including, but not limited to, skin color, natural and protective hairstyles, headdress, tribal regalia, and attire;
- (b) “Natural and protective hairstyles” include, but are not limited to, braids, locks, twists, tight coils or curls, cornrows, bantu knots, afros, weaves, wigs, or head wraps;
- (c) “Race” includes characteristics associated with actual or perceived race, ancestry, or ethnicity including, but not limited to, skin color, natural and protective hairstyles, tribal regalia, and attire;
- (d) “Religious attire and characteristics associated with religion” includes, but not limited to, natural and protective hairstyles, tribal regalia, burkas, hijabs, head wraps, or other headdress, adornments, and clothing garments used to express or observe one's religious beliefs; and
- (e) “Tribal regalia” includes natural and protective hairstyles and traditional garments, jewelry, or other adornments or similar objects of cultural significance worn by members of an indigenous tribe of the United States or another country. Tribal regalia does not include any dangerous weapon or, except in compliance with an appropriate federal permit, any object that is otherwise prohibited by federal law.

### ***Interstate Teacher Mobility Compact***

The compact would facilitate the mobility of teachers across the member states. Member states have been trying to establish a collective regulatory framework that expedites and enhances the ability of teachers to move across state lines and maintain their teaching certificate.

The compact is intended to achieve the following when member states all ratify the same intentions:

- Create a streamlined pathway to licensure mobility for teachers;
- Support the relocation of eligible military spouses;
- Facilitate and enhance the exchange of licensure, investigative, and disciplinary information between members;
- Enhance the power of state and district-level education officials to hire qualified, competent teachers by removing the barriers to employing out-of-state teachers;
- Support the retention of teachers in the profession by removing the barriers of re-licensure in a new state; and
- Maintain state sovereignty in the regulation of the teaching profession.

The compact will not go into effect until the date on which a tenth member state has enacted the compact into its laws. Withdrawing from the compact occurs six months after the enactment of the repealing of the statute.

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<b>LB 583</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Passed</i>	<i>Subject</i>
	Sanders	Education	44-0 5/25/23	Change provisions of the Special Education Act and the Tax Equity and Educational Opportunities Support Act

LB 583 was part of the Governor’s Education Future package of bills. The bill amends several sections to provide Foundation Aid and Special Education Supplemental Aid under the Tax Equity and Educational Opportunities Support Act (TEEOSA).

Beginning in FY2023-24, school districts will receive foundation aid equal to \$1,500 for each formula student in that district. Districts will also get special education supplemental aid that will equal 80% of the actual anticipated expenditures of the district for their special education minus the total amount of state and federal funds that will be provided to the district for their special education, excluding this special education supplemental aid and will not be factored as a formula resource into the district’s TEEOSA calculation.

Starting in FY2023-24, the resources used in the local system formula will include:

- Other actual receipts
- Net option funding
- Allocated income taxes
- Community achievement plan aid
- Foundation aid

The total of the above resources will be reduced by the amount of property tax refunds paid by the district in the most recent available complete data year.

The Special Education Supplemental Aid will be 80% of the actual anticipated special education costs minus the State and Federal funds provided excluding the Special Education Supplemental Aid.

<b>LB 705</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Passed</i>	<i>Subject</i>
	Murman	Education	47-0 5/30/23	Provide, change, transfer, and eliminate provisions relating to education

*Operative Dates:* The emergency clause is attached to LB 705 so that the legislation becomes law one day after the Governor signs it into law (June 2, 2023). However, the measure provides a series of actual operative dates for various components within LB 705 as noted in the analysis below.

*Severability Clause:* The severability clause is attached to LB 705 so that if any section or any part of any section is declared invalid or unconstitutional, the declaration would not affect the validity or constitutionality of the remaining portions.

*Fiscal Impact:* The combined fiscal impact of LB 705 for the state is estimated to be approximately \$47 million in FY2023-24 and \$39 million in FY2024-25. This is offset principally

through revenue from lottery proceeds in the amount of about \$23 million for each of the next two years. There will also be a fiscal impact on school districts to comply with many new mandates. School employees will also have new mandated requirements as part of their employment. There will also be financial benefits offered through various components of LB 705 to both school districts and some school employees.

As passed and signed into law, LB 705 encompasses multiple changes to elementary and secondary education and post-secondary education. Including the original provisions of LB 705, there are components of 24 separate legislative bills incorporated into LB 705, which serves as the vehicle for the Education Committee Priority Package. The summaries are divided into categories as follows:

Education Committee Priority Package  
LB 705 (2023)

<i>Category</i>	<i>Measure</i>	<i>Pg.</i>
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	LB 414 (Conrad) changes provisions relating to the enrollment option program	9
School Participation	LB 372 (Murman) part-time enrollment in public schools and extracurricular activities	10
Teacher Retention and Recruitment	LB 385 (Linehan) adopts the Nebraska Teacher Recruitment and Retention Act	10
	LB 603 (Linehan) changes the Alternative Certification for Quality Teachers Act	11
	LB 724 (Vargas) eliminates basic skill test for eligibility for teaching certificates	12
	LB 762 (DeBoer) creates the Nebraska Paraprofessional to Teacher Program	13
School Safety and Mental Health	LB 516 (Walz) school safety and support for students' mental health	14
	LB 585 (Hughes) requires behavioral and mental health training	14
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Graduation Requirements	LB 201 (Vargas) requires high school students to complete the FAFSA form	16
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Youth Organizations	LB 805 (von Gillern) requires access to students in schools by a youth organization	19

<i>Category</i>	<i>Measure</i>	<i>Pg.</i>
Student Discipline	LB 632 (McKinney) Prohibits suspension of students in prekindergarten through 2nd grade	20
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Textbook Loan Program	LB 647 (McDonnell) Relates to purchase and loan of textbooks for K-12 private schools	28
Diploma Program	LB 648 (McDonnell) develops a workforce diploma program	28
Juvenile Justice	LB 708 (Arch) requires memo of understanding for the sharing of data relevant to students	29

## **Special Education / Option Enrollment – LB 705**

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<b>LB 153</b>	<i>Sponsor</i>	<i>Subject</i>
	DeBoer	Creates the Extraordinary Increase in Special Education Expenditures Act

*Sections within LB 705:* 39-42, and 92.

*Operative Date:* June 2, 2023.

LB 153 as amended into LB 705 creates the Extraordinary Increase in Special Education Expenditures Act. The measure also amends the Special Education Act.

The idea behind the measure is to assist school districts with large, unexpected special education expenditures and allow school districts to more easily meet the needs of all students.

By January 15th of each school fiscal year, a school district with expected special education expenditures that total (a) at least \$50,000 annually or (b) one-half percent or more of the school district's annual budget, whichever is greater, may submit an application to NDE for a payment from the Education Future Fund to cover an extraordinary increase in special education expenditures. The application must include the special education expenditures of the applicant school district as of the immediately preceding December 31st for the school fiscal year in which the application is submitted.

NDE is required to divide the special education expenditures for the school fiscal year immediately preceding the school fiscal year in which an application is submitted by two and multiply the result by 107% for each applicant school district.

NDE must make a payment to each applicant school district by January 31st for the school fiscal year in which the application is submitted. The payment would equal the maximum payment, except that if the sum of all maximum payments for applicant school districts for such school fiscal

year exceeds the available balance permitted in the Education Future Fund (\$2.5 million), each payment would be reduced proportionally so that the sum of all payments for applicant school districts for such school fiscal year equals the available balance.

The measure provides intent to use up to \$2.5 million per year from the Education Future Fund for purposes of the Extraordinary Increase in Special Education Expenditures Act. Note that the original amount requested in LB 153 was \$10 million per year.

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<b>LB 414</b>	<i>Sponsor</i>	<i>Subject</i>
	Conrad	Changes provisions relating to the enrollment option program

*Sections within LB 705: 55-57, and 95.*

*Operative Date: September 2, 2023.*

LB 414 as amended into LB 705 revises the Enrollment Option Program.

Capacity for special education services operated by an option school district will be determined on a case-by-case basis. If an application for option enrollment received by a district indicates that the student has an individualized education plan (IEP) under the Individuals with Disabilities Education Act (IDEA) or has been diagnosed with a disability, the application will be evaluated by the district’s director of special education services (or designee), on a case-by-case basis, who will then determine if the district has the capacity to provide the applicant the appropriate services and accommodations.

Prior to October 15th of each year, a district’s school board may declare a program, class, or school unavailable to option students for the next school year due to lack of capacity.

If an application is rejected by the option district, the rejecting district must provide written notification to the parent or guardian stating the specific reasons for the rejection including, for students with an IEP, a description of services and accommodations required that the district does not have the capacity to provide.

By July 1, 2024, and each July 1st thereafter, each school district must provide to NDE, on forms prescribed by the department, information relating to all applications rejected by the option school district. The information must include:

- (a) the number of applications rejected in each public school in such district,
- (b) an explanation why each application was rejected,
- (c) whether each application for option enrollment indicated that the student had an IEP or had been diagnosed with a disability, and
- (d) whether information regarding the specific reasons for the rejection was provided to the applicant.

NDE is required to annually compile the information received and provide a report on such information electronically to the Legislature beginning on September 1, 2024, and each September 1st thereafter.

## School Participation – LB 705

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**LB 372**      *Sponsor*      *Subject*  
Murman      Part-time enrollment in public schools and extracurricular activities

*Section within LB 705:* 75.

*Operative Date:* September 2, 2023.

LB 372 as amended into LB 705 changes the part-time enrollment law (§ 79-2,136). The measure provides that each school board must allow the part-time enrollment of students, for all courses selected by the students, who are residents of the school district and who are also enrolled in a private school or a home school.

New language in the law provides that **each school board must establish policies and procedures to allow any student who is a resident of the school district and who is enrolled in a home school to participate in any extracurricular activities**, including, but not limited to, interschool competitions, to the same extent and subject to the same requirements, conditions, and procedures as a student enrolled in a public school governed by the board, EXCEPT that a home school will set the standards for satisfactory academic performance for a student from the school to participate in extracurricular activities and would provide assurances of compliance with the academic standards.

School board policies and procedures adopted:

- (a) must require any student participating in extracurricular activities to be enrolled in no more and no less than five credit hours offered by the school district in any semester,
- (b) may not allow any preference in the selection of a student for participation in an extracurricular activity based on the student's status as a full-time student in the school district, and
- (c) may require any student participating in extracurricular activities to follow school policies that apply to other students when present on school grounds or at a school-sponsored activity or athletic event.

Participation in extracurricular activities may not entitle a student to transportation, except to and from practices and events to the same extent as public school students participating in the activities, or transportation reimbursement. Such students are not exempt from the compulsory attendance law.

## Teacher Retention and Recruitment – LB 705

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**LB 385**      *Sponsor*      *Subject*  
Linehan      Adopts the Nebraska Teacher Recruitment and Retention Act

*Sections within LB 705:* 43-50.

*Operative Date:* June 2, 2023.

LB 385 as amended into LB 705 creates the Nebraska Teacher Recruitment and Retention Act. The purpose of the Nebraska Teacher Recruitment and Retention Act is to provide financial incentives to recruit and retain teachers in Nebraska classrooms.

Under the program, a teacher may apply to NDE for a grant. The department may not prioritize a grant based upon the school where the applicant teaches.

A teacher is eligible to apply for:

- (a) A “retention one grant” of \$2,500 if the teacher has signed a contract to complete the teacher's second complete school year of full-time employment as a teacher at a Nebraska school in school year 2023-24, 2024-25, 2025-26, or 2026-27;
- (b) A “retention two grant” of \$2,500 if the teacher has signed a contract to complete the teacher's fourth complete school year of full-time employment as a teacher at a Nebraska school in school year 2023-24, 2024-25, 2025-26, or 2026-27;
- (c) A “retention three grant” of \$2,500 if the teacher has signed a contract to complete such teacher's sixth complete school year of full-time employment as a teacher at a Nebraska school in school year 2023-24, 2024-25, 2025-26, or 2026-27; and
- (d) (i) A “high-need retention grant” of \$5,000 if on or after June 2, 2023, a teacher:
  - (A) Obtains an endorsement in special education, mathematics, science, technology, or dual credit; and
  - (B) Signs a contract to complete a school year of full-time employment as a teacher at a Nebraska school in school year 2024-25, 2025-26, or 2026-27.
- (ii) A teacher may only be eligible to receive one high-need retention grant.

The measure provides intent to encourage individual schools and school districts to adopt policies incentivizing teacher recruitment and retention through policies similar to the Nebraska Teacher Recruitment and Retention Act. Teachers at schools not adopting a recruitment and retention policy are not prohibited from receiving a grant under the Nebraska Teacher Recruitment and Retention Act.

The measure appropriates \$10 million from the Education Future Fund to fund the Teacher Recruitment and Retention Act. The Nebraska Teacher Recruitment and Retention Act terminates on January 1, 2028.

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<b>LB 603</b>	<i>Sponsor</i>	<i>Subject</i>
	Linehan	Changes the Alternative Certification for Quality Teachers Act

*Sections within LB 705:* 54, 86-88.

*Operative Date:* September 2, 2023.

LB 603 as amended into LB 705 modifies the Alternative Certification for Quality Teachers Act.

The measure requires the Commissioner of Education to issue an alternative certificate to teach on a full-time basis to any applicant who:

- (a) Possess a baccalaureate degree; and
- (b) Has successfully completed an alternative teacher certification program operated by an organization that satisfies the following criteria:
  - (i) The organization operates in at least five states;
  - (ii) The organization has operated an alternative teacher certification program for at least ten years; and
  - (iii) The program requires candidates to pass a subject area examination and the pedagogy examination, known as the professional teaching knowledge examination, to receive a certificate under such program.

*Note:* Not coincidentally, the organization that pursued this legislation, the American Board For Certification of Teacher Excellence, would be the qualifying entity to provide these services as per LB 603.

A certificate issued under this measure only authorizes an individual to teach the subject and educational levels for which the individual has successfully completed an alternative teacher certification program.

Issuance of an alternative certificate to teach would be subject to a criminal history record information check and payment of any required fees.

An individual who receives an alternative certificate to teach must:

- (a) Participate in a school district clinical experience for one semester in the individual's first semester of employment as a teacher; and
- (b) Be subject to the same certification criteria as an individual who completes a traditional teacher preparation program if converting the alternative certificate to teach to a standard certificate to teach.

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<b>LB 724</b>	<i>Sponsor</i> Vargas	<i>Subject</i> Eliminates basic skill test for eligibility for teaching certificates
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*Sections within LB 705:* 82-85.

*Operative Date:* September 2, 2023.

LB 724 as amended into LB 705 removes the basic skill test requirements for teaching certificates. The measure retains the test for content knowledge.

<b>LB 762</b>	<i>Sponsor</i>	<i>Subject</i>
	DeBoer	Creates the Nebraska Paraprofessional to Teacher Program

*Sections within LB 705:* 51, 88.

*Operative Date:* Section 51, June 2, 2023; Section 88, September 2, 2023.

LB 762 as amended into LB 705 requires NDE to create and administer the Nebraska Teacher Apprenticeship Program. The purpose of the program is to help recruit and increase the number of teachers throughout the state by utilizing an apprenticeship model for training.

The program must provide for an applicant who successfully completes the program to obtain a certificate or permit issued by the Commissioner of Education. NDE may work with standard institutions of higher education, the Department of Labor, and other entities NDE deems necessary to develop and implement the program.

An individual may apply for participation in the program if the individual:

- (a) is an employee of a school approved or accredited by NDE or
- (b) has a contract to begin working for a school approved or accredited by NDE at the start of the school year for which the individual is applying for participation in the program.

NDE must determine requirements for completion of the program by an applicant. The requirements must include, but are not limited to:

- (a) The completion of a one-year apprenticeship in a classroom;
- (b) A baccalaureate degree from a standard institution of higher education; and
- (c) Successful completion of a subject area examination and pedagogy examination created by the department as part of the program.

The Commissioner of Education is required to issue a certificate to teach to an applicant who successfully completes the program.

The measure appropriates \$1 million for fiscal year 2023-24 and each fiscal year thereafter from the Education Future Fund to NDE for the program.

In addition to the provisions outlined above, the measure, beginning in fiscal year 2024-25, requires the commissioner to grant a temporary certificate to teach on a full-time basis to any applicant who:

- (i) Has completed two years at a college or university accredited by an accrediting organization recognized by the U.S. Department of Education with at least 48 or more semester credit hours or obtained an associate degree from such a college or university;
- (ii) Is employed as a paraprofessional or paraeducator at an elementary school, middle school, or high school in Nebraska; and
- (iii) Has passed any appropriate subject area examination as designated by the State Board of Education.

## School Safety and Mental Health – LB 705

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<b>LB 516</b>	<i>Sponsor</i>	<i>Subject</i>
	Walz	Increases school safety and support for students' mental health

*Sections within LB 705:* 100, 108, 124, 125.

*Operative Date:* July 1, 2023 (Section 100); September 2, 2023 (Sections 108, 124, 125).

### Safe2Help Nebraska

LB 516 as amended into LB 705 appropriates \$870,000 from the General Fund for fiscal year 2024-25 and each fiscal year thereafter to NDE to carry out the School Safety and Security Reporting System Act (Safe2Help Nebraska).

### Grant Program

The measure requires the Commissioner of Education to create and administer a competitive grant program to provide funding to school districts and to ESUs on behalf of approved or accredited nonpublic schools for security-related infrastructure projects. The qualifying projects may include, but not limited to, surveillance equipment, door-locking systems, and double-entry doors for school buildings. Subject to available appropriations, NDE must provide a grant to any school district or ESU that applies for a grant for use in funding qualifying projects.

A school district receiving a grant must divide the use of grant funds as evenly as possible among all eligible school buildings within the district.

An ESU may apply to NDE for a grant for use in funding qualifying projects at approved or accredited nonpublic schools that contract with the ESU on such qualifying projects. An approved or accredited nonpublic school may apply to and contract with the appropriate ESU in the school's area in a manner prescribed by the ESU for purposes of funding qualifying projects.

The measure makes a one-time \$10 million appropriation to NDE to administer the grant program.

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<b>LB 585</b>	<i>Sponsor</i>	<i>Subject</i>
	Hughes	Requires behavioral and mental health training

*Sections within LB 705:* 76, 77.

*Operative Date:* September 2, 2023.

LB 585 as amended into LB 705 changes the duties of the state school security director. The measure requires the director to oversee behavioral and mental health training, with a focus on suicide awareness and prevention in public schools.

**The measure modifies an existing mandate for school employees.** Beginning in school year 2023-24, all public school employees who interact with students and any other appropriate personnel, as

determined by the school superintendent, must receive at least one hour of behavioral and mental health training with a focus on suicide awareness and prevention training each year. The training may include, but not limited to:

- (i) topics such as identification of early warning signs and symptoms of behavioral and mental health issues in students,
- (ii) appropriate and effective responses for educators to student behavioral and mental health issues,
- (iii) trauma-informed care, and
- (iv) procedures for making students and parents and guardians aware of services and supports for behavioral and mental health issues.

<b>LB 705</b>	<i>Sponsor</i>	<i>Subject</i>
	Murman	Mental health training grant program

*Sections within LB 705:* 6, 7.

*Operative Date:* July 1, 2023.

LB 705 establishes a mental health training grant program. NDE is required to award mental health training grants from any money available in the Mental Health Training Cash Fund. A grantee may be a school district or an ESU.

Each applicant for a mental health training grant must describe in the application the training to be provided under the grant on:

- (a) The skills, resources, and knowledge necessary to assist students in crisis to connect with appropriate local mental health services;
- (b) Mental health resources, including, but not limited to, the location of local community mental health centers; and
- (c) Action plans and protocols for referral to such resources.

Each application for a mental health training grant must also include in the application a description of how the training to be provided under the grant will prepare recipients of such training to:

- (a) Safely de-escalate crisis situations;
- (b) Recognize the signs and symptoms of mental illness, including, but not limited to, schizophrenia, bipolar disorder, major clinical depression, and anxiety disorders; and
- (c) Timely refer a student to available mental health services in the early stages of the development of a mental disorder to avoid the need for subsequent behavioral health care and to enhance the effectiveness of mental health services.

*Notes:* The measure creates the Mental Health Training Cash Fund to be administered by NDE and will consist of money transferred via proceeds from lottery revenue dedicated for education. LB 705 sets aside 1.5% of the lottery proceeds dedicated for education to be used for the Mental Health Training Cash Fund.

Grants received under this grant program would be considered special grant funds under TEEOSA.

## **Graduation Requirements – LB 705**

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<b>LB 201</b>	<i>Sponsor</i>	<i>Subject</i>
	Vargas	Requires high school students to complete the FAFSA form

*Section within LB 705:* 79.

*Operative Date:* September 2, 2023.

Beginning in school year 2024-25, each public high school student must complete and submit to the U.S. Department of Education a Free Application for Federal Student Aid (FAFSA) prior to graduating from high school.

A public high school student would not be required to comply if:

- (i) A parent or legal guardian of or a person standing in loco parentis to the student signs and submits the appropriate form indicating that the parent, legal guardian, or person standing in loco parentis authorizes the student to decline to complete and submit an application;
- (ii) The school principal or the school principal's designee signs and submits the appropriate form authorizing the student to decline to complete and submit an application *for good cause as determined by the school principal or the school principal's designee*; or
- (iii) A student who is 19 years of age or older or is an emancipated minor signs and submits the appropriate form stating that the student declines to complete and submit an application.

The Commissioner of Education must prescribe the forms to be used by each public high school. The forms must be made available:

- (i) By each public high school to students, parents and legal guardians of students, and persons standing in loco parentis to students; and
- (ii) In English, Spanish, and any other language spoken by a majority of the students enrolled in any English learner program at the public high school.

The school principal or the school principal's designee of each public high school must provide the compliance information to the school district or governing authority for the public high school and to NDE without disclosing, for any student who has complied with the requirements, personally identifiable information. The school principal or school principal's designee must

provide separately the aggregate number of students who have not complied and who complied, unless otherwise prohibited by federal or state law regarding the confidentiality of student educational information.

By December 31, 2025, and by December 31st of each year thereafter, the Commissioner of Education must electronically submit a report with the information received by NDE to the Clerk of the Legislature.

The State Board of Education is required to adopt and promulgate rules and regulations as necessary to implement this section. The rules and regulations must include, but not limited to:

- (a) A timeline for the distribution of the Free Application for Federal Student Aid and the relevant forms by public high schools and for the submission of the FAFSA and the forms prescribed;
- (b) Standards regarding the information that a public high school must provide to students regarding:
  - (i) Instructions for filling out the FAFSA;
  - (ii) The options available to a student if a student wishes to decline to complete and submit a FAFSA; and
  - (iii) The method by which a student must provide proof to the public high school that the student has completed and submitted the FAFSA or a form prescribed.
- (c) A requirement for each public high school to report the number of students who completed and submitted a FAFSA and the number of students who instead submitted a form prescribed.

## **Curriculum – LB 705**

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<b>LB 520</b>	<i>Sponsor</i>	<i>Subject</i>
	Walz	Changes the Computer Science and Technology Education Act

*Sections within LB 705:* 79, 81, 101, 102.

*Operative Date:* September 2, 2023.

### Background

LB 1112 was passed and signed into law during the 2022 Session. LB 1112, introduced by Senator McKinney, created the Computer Science and Technology Act, changed academic standards, and increased the credit hours required for graduation from high school.

Beginning with the 2024-25 school year, school districts must consult with NDE to include computer science and technology education in the instructional programs of its elementary and middle schools, and require each student to complete at least one five-credit high school course in computer science & technology prior to graduation.

By December 1, 2025, and by December 1 each year thereafter, school districts must provide an annual report to its school board and NDE demonstrating student progress in computer science and technology courses and other district-determined measures of computer science and technology education progress from the previous school year.

Revisions

LB 520 as amended into LB 705 delays the implementation timeline by a year and changes some of the requirements created under LB 1112 (2022).

The measure provides that, beginning in school year 2027-28, at least five of the minimum credit hours must include computer science and technology education.

The measure also states that the five high school credit hour requirement may be met by a single course or combination of high school courses that cover the computer science and technology academic content standards and may be made available in a traditional classroom setting, a blended-learning environment, or an online-based or other technology-based format.

The measure further states that by December 1, 2026, and by each December 1st thereafter, in order to promote and support computer science and technology education, each school district must provide an annual computer science and technology education status report to its school board and NDE, including student progress on the computer science and technology courses and other district-determined measures of computer science and technology education progress from the previous school year.

By March 1, 2024, the State Board must adopt measurable academic content standards for computer science and technology education under the mathematics, science, or career and technical education standards.

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<b>LB 787</b>	<i>Sponsor</i>	<i>Subject</i>
	Wayne	Adopts the STEEM Development Act

*Section within LB 705:* 90.

*Operative Date:* July 1, 2023.

Note that Section 90 of LB 705 incorporates the provisions of LB 787 (STEEM) and also part of the original LB 705 as introduced (School Improvement Grant Program).

STEEM

Beginning January 1, 2024, the State Board of Education must establish an innovation grant program to procure or purchase an annual license for learning platforms for use in schools to engage students in coursework and careers in Science, Technology, Engineering, Entrepreneurship, and Mathematics (STEEM). A “learning platform” is defined as a three-dimensional, game-based learning platform for use by middle school and high school students.

The State Board must also establish standards that a learning platform shall meet in the subject areas of chemistry and physical science, business, and mathematics. The State Board must develop a plan related to how it will prioritize the grant applications.

A developer may apply to NDE for a grant for a learning platform that:

- (a) Is designed to teach information related to chemistry and physical science, business, or mathematics;
- (b) Aligns with the standards established by the state board relating to chemistry and physical science, business, or mathematics;
- (c) Connects such standards with real-world technologies and applications;
- (d) Highlights science, technology, engineering, entrepreneurship, and mathematics career pathways in Nebraska; and
- (e) Meets any additional requirements set out by the State Board.

Any developer that receives a grant must provide access to and use of its learning platform to all Nebraska school districts. Grants would be awarded by July 1st of each year.

#### School Improvement Grant Program

Under LB 705, the State Board is required to establish an improvement grant program in areas including:

- (1) teacher recruitment and retention,
- (2) improvement for schools and school districts,
- (3) improvement in student performance in the subject areas of reading and mathematics, and
- (4) other improvement areas identified by the state board.

#### Funding

Ten percent of the lottery proceeds outlined in LB 705 would be allocated as follows:

- 8.75% would be used for STEEM grants; and
- 1.25% would be used for School Improvement Grants.

### **Youth Organizations – LB 705**

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<b>LB 805</b>	<i>Sponsor</i>	<i>Subject</i>
	von Gillern	Requires access to students in schools by a youth organization

*Section within LB 705:* 126.

*Operative Date:* September 2, 2023.

LB 805 as amended into LB 705 requires each school district, upon request, to allow a representative of any “youth organization” to provide:

- (i) oral or written information to the students of such school district regarding the youth organization and how the youth organization furthers the educational interests and civic involvement of students in a manner consistent with good citizenship, and
- (ii) services and activities to any student of such school district who is a member of the youth organization.

Each requesting youth organization must be permitted to provide such information, services, and activities in a school building or on the school grounds of a school in each school district at least once during each school year.

Each school district must make a good faith effort to select a date, time, and location for each requesting youth organization to provide such information, services, or activities that is mutually agreeable to the school district and to the youth organization. Oral information may only be provided during noninstructional time.

Prior to allowing a representative of a youth organization to provide information, services, or activities at a school, the representative will be subject to a background check. Except as otherwise provided by the measure or by the rules and regulations of the Nebraska State Patrol, the parameters of the background check will be determined by the relevant school district.

A school district may prohibit any representative of a youth organization that has been convicted of a felony from providing information, services, or activities at any school in the school district. Each representative of a youth organization is responsible for all costs associated with obtaining such background checks.

The measure provides that nothing may be construed to supersede a parent's ability to exercise any rights such parent has under a school district policy established under the Parental Involvement Act (§ 79-531).

The measure defines “youth organization” as a corporation chartered by Congress and listed in 36 U.S.C. Subtitle II, Part B, as of January 1, 2023.

## **Student Discipline – LB 705**

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<b>LB 632</b>	<i>Sponsor</i>	<i>Subject</i>
	McKinney	Prohibits suspension of students in prekindergarten through 2nd grade

*Sections within LB 705:* 58, 60.

*Operative Date:* July 1, 2023 (Section 58); September 2, 2023 (Section 60).

LB 632 as amended into LB 705 prohibits an elementary school from suspending a student in pre-kindergarten through second grade. Each school district is required to develop a policy to

implement this provision, which must include disciplinary measures inside the school as an alternative to suspension.

### Exception

An elementary school may suspend a student in pre-kindergarten through second grade if the student brings a “deadly weapon” 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 his/her designee, or at a school-sponsored activity or athletic event.

Under the Nebraska Criminal Code (§ 28-109), “deadly weapon” is defined as any firearm, knife, bludgeon, or other device, instrument, material, or substance, whether animate or inanimate, which in the manner it is used or intended to be used is capable of producing death or serious bodily injury.

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<b>LB 705</b>	<i>Sponsor</i>	<i>Subject</i>
	Murman	Behavioral Intervention Training and Teacher Support Act

*Sections within LB 705:* 2-5.

*Operative Date:* July 1, 2023.

Sections 2 to 5 of LB 705 create the Behavioral Intervention Training and Teacher Support Act, which includes new school employee training requirements and the implementation of a behavior awareness point of contact program.

### ***Behavioral Intervention Training***

Beginning in school year 2024-25, the ESUCC must:

- (a) ensure annual behavioral awareness training is available statewide and
- (b) develop, implement, and administer an ongoing statewide teacher support system.

Beginning in school year 2026-27, each school district must ensure that each administrator, teacher, paraprofessional, school nurse, and counselor receives behavioral awareness training.

Each administrator, teacher, paraprofessional, school nurse, and counselor who has received the training must receive a behavioral awareness training review at least once every three years. Each school district may offer such training, or similar training, to any other school employees at the discretion of the school district.

In addition, all school employees must have a basic awareness of the goals, strategies, and schoolwide plans included in the training.

Behavioral awareness training must include, but not limited to, evidence-based training on a continuum that includes:

- (a) Recognition of detrimental factors impacting student behavior, including, but not limited to, signs of trauma;
- (b) Positive behavior support and proactive teaching strategies, including, but not limited to, expectations and boundaries; and
- (c) Verbal intervention and de-escalation techniques.

By July 1, 2025, and each July 1 thereafter, each school district must submit a behavioral awareness training report to the ESUCC. The report must include the school district behavioral awareness training plan and summarize how such plan fulfills the requirements.

By December 31, 2025, and each December 31 thereafter, the ESUCC must submit a report electronically to the Education Committee summarizing (i) the behavioral awareness training reports received by school districts, (ii) the various trainings provided across the state, the teacher support system, and (iii) a financial report of funding received and expended in accordance with the Behavioral Intervention Training and Teacher Support Act.

***Points of Contact***

Each school district must designate one or more school employees as a “behavioral awareness point of contact” for each school building or other division as determined by the school district. Each point of contact must be trained in behavioral awareness and must have knowledge of community service providers and other resources that are available for the students and families in the school district.

Each school district must indicate each behavioral awareness point of contact for the school district on the district website and in any school directory for the school that the behavioral awareness point of contact serves.

Each school district must maintain or have access to a registry of local mental health and counseling resources. The registry must include resource services that can be accessed by families and individuals outside of school.

Each point of contact must coordinate access to support services for students whenever possible. If information for an external support service is provided to an individual student, then school personnel must notify a parent/guardian of the student in writing unless the recommendation involves law enforcement or child protective services.

*Notes:* Behavioral awareness training and the teacher support system will be funded by the Behavioral Training Cash Fund. Eight percent of the lottery funds available for education purposes would be used for this training.

Any funding received by a school district for behavioral awareness training would be considered special grant funds for purposes of TEEOSA.

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<b>LB 774</b>	<i>Sponsor</i> Vargas	<i>Subject</i> Provides comprehensive changes to the Student Discipline Act
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*Sections within LB 705: 58, 61-74.*

*Operative Date: September 2, 2023.*

*Background: Senator Vargas has introduced legislation similar to LB 774 since 2018:*

- LB 999 (2018) – Indefinitely postponed;
- LB 515 (2019) – Passed in 2020; vetoed;
- LB 198 (2021) – Placed on General File; Indefinitely postponed; and
- LB 774 (2023) – Placed on General File; merged into LB 705; passed and signed into law.

In 2020, LB 515 was passed by a narrow 26-7 vote and ultimately vetoed by the Governor. In his veto message, dated April 17, 2020, Governor Ricketts stated:

*It is not wise public policy to turn school discipline matters into court proceedings or arbitration. The bill disregards the safety of teachers and other students. Student discipline must balance the rights of students and the need for a safe learning environment. While well intentioned, LB 515 misses that mark. School districts have contacted me to share their concerns that the bill will adversely affect their staff and students. These concerns are serious and cannot be ignored.*

Since 2018, Senator Vargas has used the same language in his Statement of Intent:

[A]amends portions of the Student Discipline Act in an attempt to clarify and build on original legislative intent: “to assure the protection of all elementary and secondary school students’ constitutional right to due process and fundamental fairness within an orderly and effective educational process.”

LB 774 as amended into LB 705 amends the Student Discipline Act in several areas and also adds new sections to the Act.

### Mandatory Reassignment

LB 774 amends the definition of “mandatory reassignment” from currently meaning “the involuntary transfer of a student to another school in connection with any disciplinary action” to “the involuntary transfer of a student to another school.”

### Short Term Suspension

Under current provisions of the Act, the principal must send a written statement to the student and his/her parent or guardian describing the student's conduct, misconduct, or violation of the rule or standard and the reasons for the action taken within 24 hours or such additional time as is reasonably necessary following the suspension.

LB 774 specifies that such action may not exceed an additional 48 hours.

The principal must make a reasonable effort to hold a conference with the parent or guardian before or at the time the student returns to school.

LB 774 specifies that such effort must be documented in writing.

### Completion of Classwork

LB 774 adds a new section to the Act (replacing a similar existing provision) stating that any student who is suspended SHALL be given an opportunity to complete any classwork and homework missed during the period of suspension, including, but not limited to, examinations. Each school district must develop and adopt guidelines that provide such student with the opportunity to complete classwork and homework. *Such guidelines may not require the student to attend the school district's alternative programs for expelled students in order to complete classwork and homework.* The guidelines must be provided to the student and a parent or guardian at the time of suspension.

### Alternative Education Programs

LB 774 provides that at the conclusion of an expulsion, a school district must reinstate the student and accept nonduplicative, grade-appropriate credits earned by the student during the term of his or her expulsion from any Nebraska-accredited institution or institution accredited by one of the six regional accrediting bodies in the U.S.

### Decision to Recommend Discipline

LB 774 provides that, if a principal makes a decision to discipline a student by long-term suspension, expulsion, or mandatory reassignment, such decision must be made within two school days after learning of the alleged student misconduct.

Under current provisions of the Act, the school must, within two school days after the decision, send written notice by registered or certified mail to the student and his/her parent or guardian informing them of the rights established under the Act.

The Act requires that such written notice must include a statement that, before long-term suspension, expulsion, or mandatory reassignment can be invoked, the student has a right to a hearing, upon request.

LB 774 stipulates that 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 pursuant to district guidelines which shall not require the student to attend the school district's alternative programs for expelled students in order to complete classwork or homework.

### Hearing

Current provisions of the Act do not preclude the student or the student's parent, guardian, or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.

LB 774 strikes “hearing stage” and inserts “the time the long-term suspension, expulsion, or mandatory reassignment takes effect.”

The bill provides that, if a hearing is requested within five school days after receipt of the notice, the superintendent shall “recommend appointment” (rather than appoint) a hearing examiner within two school days after receipt of the hearing request.

The student or the student's parent or guardian may request the designation of a hearing examiner other than the hearing examiner recommended by the superintendent if notice of the request is given to the superintendent within two school days after receipt of the superintendent's recommended appointment.

Upon receiving such a request, the superintendent must provide one alternative hearing examiner who is not an employee of the school district or otherwise currently under contract with the school district and whose impartiality may not otherwise be reasonably questioned.

The superintendent may also provide an additional list of hearing examiners that may include hearing examiners employed by or under contract with the school district. The student or the student's parent or guardian must, within five school days, select a hearing examiner to conduct the hearing who was recommended, provided as an alternative hearing examiner, or included on an additional list, if any, and must notify the superintendent in writing of the selection.

The superintendent must appoint the selected hearing examiner upon receipt of such notice.

Individuals whose impartiality may be reasonably questioned would include, but not be limited to, individuals who:

- (i) Have a personal bias or prejudice concerning a party;
- (ii) Have personal knowledge of evidentiary facts concerning the proceeding;
- (iii) Have served as legal counsel to the school district; or
- (iv) Have a spouse who is an employee of, or is under contract with, the school district.

A qualified hearing examiner must be an individual who has knowledge of the Act, training in its statutory requirements, or experience conducting student hearings.

Expenses and fees of any hearing examiner, in connection with the hearing, must be paid by the school board.

The hearing must be held within a period of five school days after appointment of the hearing examiner, but such time may be changed by the hearing examiner for good cause with consent of the parties.

The principal or legal counsel for the school, the student, and the student's parent, guardian, or representative have the right to receive a copy of all (not just examine) the records and written statements referred to in the Student Discipline Act as well as the statement of any witness in the possession of the school board or board of education no later than 48 hours prior to the hearing.

#### Witnesses

LB 774 requires that the school district must make available those witnesses who have knowledge of or were involved in the alleged misconduct and subsequent discipline of the student if such witnesses are requested by the student or the student's parent, guardian, or representative and such witnesses are employees or under contract with the school district.

### Final Disposition

LB 774 requires that, after a hearing, a report must be made by the hearing examiner of his/her findings and a recommendation of the action to be taken, which report must be made to the superintendent and the student or the student's parent or guardian within ten calendar days after the hearing and must explain, in terms of the needs of both the student and the school board, the reasons for the particular action recommended.

The bill requires the superintendent to notify the student or the student's parent or guardian of the superintendent's determination within five school days after receipt of the hearing examiner's report.

Written notice of the findings and recommendations of the hearing examiner and the determination of the superintendent must be made by certified or registered mail or by personal delivery to the student or the student's parent or guardian. Upon receipt of the written notice by the student, parent, or guardian, the determination of the superintendent would take immediate effect unless the student or the student's parent or guardian appeals the written notice of determination of the superintendent.

### Duration of Expulsion

Under current provisions of the Act, the expulsion of a student would be for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within 10 school days prior to the end of the first semester, in which case the expulsion would remain in effect through the second semester, or (b) within 10 school days prior to the end of the second semester, in which case the expulsion would remain in effect for summer school and the first semester of the following school year subject to an automatic review at the start of the first semester.

LB 774 provides that, if the misconduct occurred prior to the last 10 school days of the first semester, and the expulsion takes effect in the second semester because the recommendation for expulsion was appealed to a hearing examiner or the school board, the length of the expulsion may not exceed the number of days it would have been in effect had the appeal not been made.

### Final Action of Board

LB 774 amends the existing of the Act pertaining to final action of the board and states that final action must be taken within three calendar days after the hearing and be evidenced by personally delivering or mailing by certified mail a copy of the board's decision to the student and his or her parent or guardian within three calendar days after the final action.

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<b>LB 811</b>	<i>Sponsor</i> Murman	<i>Subject</i> Change provisions relating to the Student Discipline Act and provide for use of physical contact or physical restraint or removal from a class in response to student behavior, provide for behavioral awareness and intervention training, and change provisions relating to lottery funds used for education
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*Sections within LB 705:* 1, 58, 59, 78.

*Operative Date:* July 1, 2023.

*Background:* The controversial legislation was the subject of five separate legislative measures by two different state senators (Groene and Murman) over the course of six years. NSEA was the only education-related organization to support these measures and NCSA took the lead in opposition. The focus of the various proposals was the use of physical force/intervention of students and the removal of students from the classroom by teachers.

- LB 595 (2017) – Placed on General File; Indefinitely postponed
- LB 147 (2019) – Placed on General File; Indefinitely postponed
- LB 673 (2021) – Indefinitely postponed
- LB 1179 (2022) – Indefinitely postponed
- LB 811 (2023) – Placed on General File; merged into LB 705; passed and signed into law

LB 811 as amended into LB 705 modifies the Student Discipline Act.

By July 1, 2025, NDE is required to develop and adopt a model policy relating to (i) behavioral intervention, behavioral management, (ii) classroom management, and (iii) removal of a student from a classroom in a school. The model policy must include appropriate training for school employees on behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in schools and how frequently the training must be required.

By August 1, 2025, each school district must develop and adopt a policy consistent with or comparable to the model policy developed by NDE, which will be a requirement for accreditation. The policy must be filed with the Commissioner of Education. The policy developed and adopted by a school district must be included with any notifications required under the Student Discipline Act.

Beginning in school year 2026-27, each school district must ensure that any school employee who has behavioral management responsibilities participates in behavioral awareness and intervention training consistent with the school district policy developed and adopted. The training must be provided by the school district or such school district's ESU.

Each school district must, either independently, or through its ESU, develop and provide behavioral awareness and intervention training to employees from the school who have behavioral management responsibilities. If such training is provided by the ESU, the training must be available to any ESU employee and any member school district employee that works in a school

and has behavioral management responsibilities. The training must be consistent with the model policy developed by NDE.

This measure also amends accreditation laws (Section 79-703). Beginning August 1, 2025, accreditation standards will require each school district to develop and adopt a policy relating to behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom.

*Note:* LB 705 (Section 1) provides that 8% of the lottery proceeds dedicated for education are set aside for behavioral training. This funding source would exist for fiscal years 2024-25 through 2028-29.

**Textbook Loan Program – LB 705**

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<b>LB 647</b>	<i>Sponsor</i>	<i>Subject</i>
	McDonnell	Relates to purchase and loan of textbooks for K-12 private schools

*Section within LB 705:* 80.

*Operative Date:* September 2, 2023.

LB 647 as amended into LB 705 modifies the Textbook Loan Program (§ 79-734). The measure changes provisions relating to the purchase and loan of textbooks for children enrolled in kindergarten to twelfth grade at a private school.

Beginning July 1, 2024, NDE must assume the reasonability of the textbook loan program and purchases for non-public schools. NDE is authorized to utilize up to 5% of the program’s appropriated funds to administer the program.

NDE may also contract with a third-party vendor to assist in carrying out the implementation of the program.

The current allocation to the Textbook Loan Program is \$1,465,500 so the 5% being allocated to administer the program is equal to \$73,275.

**Diploma Program – LB 705**

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<b>LB 648</b>	<i>Sponsor</i>	<i>Subject</i>
	McDonnell	Develops a workforce diploma program

*Sections within LB 705:* 96, 97.

*Operative Date:* June 2, 2023.

LB 648 as amended into LB 705 modifies the Diploma of High School Equivalency Assistance Act, which was created in 2013.

Under current law (§ 79-2304), the Legislature sets aside funds to be used by NDE to provide assistance to institutions that offer high school equivalency programs

This measure enhances the existing law by expanding services and programs to support the completion of the general educational development program. Each institution must offer to eligible individuals adult dropout recovery services, including recruitment and learning plan development, and provide proactive coaching and mentoring to such individuals, culminating in qualification for a high school diploma. “Eligible individuals” would include adults and out-of-school youths 16 years of age or older who are not enrolled or required to be enrolled in secondary school under state law and who have not previously earned a high school diploma or diploma of high school equivalency.

*Note:* LB 814 (Section 50) provides funding in the amount of \$750,000 per year for the Diploma of High School Equivalency Assistance Act.

**Juvenile Justice – LB 705**

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<b>LB 708</b>	<i>Sponsor</i>	<i>Subject</i>
	Arch	Requires memo of understanding for the sharing of data relevant to students

*Section within LB 705:* 122.

*Operative Date:* June 2, 2023.

LB 708 as amended into LB 705 requires a memo of understanding for the sharing of data relevant to students.

By October 1, 2023, NDE, DHHS, the Office of Probation Administration, and the State Court Administrator must enter into a memorandum of understanding for the sharing of data relevant to students who are under the jurisdiction of the juvenile court.

The purpose of the sharing of data is to provide systems-wide coordination to improve educational opportunities and outcomes and to facilitate service coordination for such students. The memorandum must include the intent for NDE to contract with an outside consultant with expertise in the education of court-involved students to assist in the development of such policies and procedures.

The consultant must provide recommendations addressing issues that include, but not limited to, the following:

- (a) Identifying and defining the population of students whose data should be collected and shared;
- (b) Defining the specific types of data to be collected and shared;
- (c) Identifying shared data systems;
- (d) Identifying the entities and persons for which the data should be accessible;

- (e) Identifying both federal and state legal responsibilities and confidentiality parameters; and
- (f) Developing a uniform approach for the transfer of educational credits.

The development of the policies and procedures for the sharing of data must be collaborative and must include input from the appropriate entities including, but not limited to, NDE, DHHS, the Office of Probation Administration, the State Court Administrator, the juvenile court system, the superintendent of schools for the youth and rehabilitation centers, public school districts, educators, and court-involved students and their parents.

The consultant must provide a draft report containing the recommendations to the appropriate agency representatives and the Commissioner of Education, the chief executive officer of DHHS, and the Chief Justice of the Supreme Court by September 1, 2024.

NDE must complete a final report detailing the recommendations of the consultant and any policies and procedures that are being considered for adoption by December 1, 2024.

*\*\* End of Summary, LB 705 \*\**

<b>LB 727</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Passed</i>	<i>Subject</i>
	Linehan	Revenue	46-0 6/1/23	Change provisions relating to revenue and taxation

LB 727 was a Revenue Committee priority bill containing a host of revenue-related measures. Sections 49 and 50 amend the Property Tax Request Act, which was passed in 2021 under LB 644. The “644” provisions of LB 727 attempt to address some but certainly not all the concerns expressed since the original measure was passed two years ago.

***Definitions***

“Property tax request” is redefined as the total amount of property taxes requested to be raised for a political subdivision through the levy imposed pursuant to section 77-1601, excluding the amount to be levied for the payment of principal or interest on bonds issued or authorized to be issued by a school district.

***Joint Public Hearing***

*Attendees*

LB 727 provides that at least one elected official from each participating political subdivision must attend the joint public hearing. An elected official may be the designated representative from a participating political subdivision. The presence of a quorum or the participation of elected officials at the joint public hearing does not constitute a meeting as defined under the Open Meetings Act.

*Note:* Neither LB 727 or any other piece of legislation amended the Open Meetings Act in the 2023 Session. Therefore, the posters of the Open Meetings Act currently in use would be sufficient for another year.

*Presentation and Information*

The information in the required presentation by each political subdivision that participates in the joint public hearing must be electronically sent to the county assessor (not the county clerk) by September 4th (formerly September 5th).

The county clerk must notify the county assessor of the date, time, and location of the joint public hearing no later than September 4th (formerly September 10th).

***New Requirement***

Each participating political subdivision must also maintain a prominently displayed and easily accessible link on the home page of its website to the political subdivision's proposed budget. This would not be applicable if: (i) the political subdivision is a county with a population of less than 10,000 inhabitants, (ii) a city with a population of less than 1,000 inhabitants, or (iii) for joint public hearings prior to January 1, 2024, a school district.

***Report***

The county clerk is currently required to prepare a report following the joint public hearing. LB 727 requires additional information in this report as follows:

- The name of each political subdivision that participated in the joint public hearing;
- The real growth value and real growth percentage for each participating political subdivision;
- The amount each participating political subdivision seeks to increase its property tax request in excess of the allowable growth percentage; and
- The number of individuals who signed in to attend the joint public hearing.

*Final Note:* LB 727 (Section 114) amends the operative date for the School District Property Tax Limitation Act (LB 243) to June 7, 2023.

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<b>LB 753</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Passed</i>	<i>Subject</i>
	Linehan	Revenue	33-11 5/24/23	Adopt the Opportunity Scholarships Act and provide tax credits

*Operative Date:* LB 753 is effective on September 2, 2023 and operative on January 1, 2024.

*Severability Clause:* The severability clause is attached to LB 753 so that if any section or any part of any section is declared invalid or unconstitutional, the declaration would not affect the validity or constitutionality of the remaining portions.

LB 753 creates the Opportunity Scholarships Act, which provides a nonrefundable tax credit for qualifying taxpayers who make contributions to scholarship-granting organizations for education scholarships.

The measure allows individuals, passthrough entities, estates, trusts and corporations to claim a nonrefundable income tax credit of up to 50% of their state income tax liability on contributions made to nonprofit organizations that grant scholarships to students to attend private school.

Contributions from individuals, passthrough entities and corporations are capped at \$100,000, and contributions from estates or trusts are limited to \$1 million.

Only Nebraska residents are eligible for the scholarships, which may be used to pay tuition and fees at a qualifying privately operated elementary or secondary school.

A scholarship granting organization must provide the state Department of Revenue with sufficient information to show that it will use a tiered system that prioritizes certain students.

The department may grant \$25 million in credits in 2024, 2025 and 2026. After that, if at least 90% of the credits in any given year are claimed, the annual limit will increase by 25%. Annual increases may continue until the total credit amount reaches \$100 million.

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<b>LB 814</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Passed</i>	<i>Subject</i>
	Arch	Appropriations	42-3 5/18/23	Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2025, and appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021

LB 814 represents the mainline appropriation bill for the 2023-25 biennium and provides funding for career and technical education, which was introduced as part of LB 610 (Lippincott).

The measure includes appropriations for Agency 13 (NDE) and all relevant budget items.

Under Section 50 of LB 814, the measure incorporates the provisions of LB 610 (Lippincott) to appropriate funds to NDE for Career and Technical Education in the amount of \$5,116,000 for each of the next two fiscal years. The funds will be distributed between secondary and postsecondary schools according to the formula used for federal Perkins funds with each school district receiving no less than \$7,500. The appropriation also includes \$200,000 for both FY2023-24 and FY2024-25 to be evenly distributed between the various Career Education student organizations.

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<b>LB 818</b>	<i>Sponsor</i>	<i>Committee</i>	<i>Passed</i>	<i>Subject</i>
	Arch	Appropriations	41-3 5/18/23	Provide for transfers of funds, create funds, and change and eliminate provisions regarding the sources, uses, and transfers of funds

LB 818 represents the part of the biennium budget package devoted to the transfer of funds.

The Appropriations Committee included the provisions of LB 681 (part of the Governor’s school finance proposal) within LB 818, to create the Education Future Fund and transfer \$1 billion to

NDE from the General Fund in FY2023-24 into the newly created fund. The budget plan includes \$250 million for the second year of the biennium (FY2024-25).

*\*\* The measure includes intent to appropriate \$250 million to the Education Future Fund in fiscal year 2025-26 and each fiscal year thereafter. \*\**

LB 705 (section 89) amends LB 818 (section 22) to amend TEEOSA (§ 79-1021) to create the Education Future Fund and provide the following priorities for the Fund:

- (a) To fully fund equalization aid under TEEOSA;
- (b) To fund reimbursements related to special education;
- (c) To fund foundation aid under TEEOSA;
- (d) To increase funding for school districts in a way that results in direct property tax relief, which means a dollar-for-dollar replacement of property taxes by a state funding source;
- (e) To provide funding for a grant program created by the Legislature to address teacher turnover rates and keep existing teachers in classrooms;
- (f) To provide funding to increase career and technical educational classroom opportunities for students. Such funding must provide students with the academic and technical skills, knowledge, and training necessary to succeed in future careers;
- (g) To provide funding for a grant program created by the Legislature to provide students the opportunity to have a mentor who will continuously engage with the student directly to aid in the student's professional growth and give ongoing support and encouragement to the student;
- (h) To provide funding for extraordinary increases in special education expenditures to allow school districts with large, unexpected special education expenditures to more easily meet the needs of all students; and
- (i) To provide funding to help recruit teachers throughout the state by utilizing apprenticeships through a teacher apprenticeship program and an alternative certification process.

## II. Interim Studies

### A. Education Committee

#### LR 129

*Introduced by:* DeKay.

*Purpose:* The purpose of this resolution is to propose an interim study to examine the shortage of sports officials in Nebraska including, but not limited to, the shortage of officials registered by the Nebraska Schools Activities Association for the sports of baseball, basketball, football, softball, soccer, swimming and diving, track and field, volleyball, and wrestling. In order to carry out the purposes of this resolution, the committee shall consider the input of the Nebraska Schools Activities Association.

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#### LR 144

*Introduced by:* Erdman, Halloran.

*Purpose:* The purpose of this resolution is to propose an interim study to examine the subject of school choice where all education funding is distributed on a per student basis and follows the student to the school of their choice.

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#### LR 145

*Introduced by:* Conrad, Blood, DeBoer, Hughes, Ibach, Raybould, Walz.

*Purpose:* The purpose of this resolution is to propose an interim study to explore the role of both the State of Nebraska and individual school districts in finding solutions to address the impact of the inability to afford menstrual products, often called "period poverty", among students.

Period poverty can adversely affect an individual's health and wellbeing. Period poverty exacerbates the cycle of poverty by further marginalizing girls and women, causing them to miss educational opportunities.

Several states have sought to address these negative impacts by enacting legislation requiring local school districts to provide free menstrual products in schools. Nebraska has in recent years addressed these issues with updates to state policy relating to sales tax on menstrual products and access to menstrual products in jails, juvenile facilities, and state prisons.

This interim study should examine how other states have successfully enacted legislation to address the inequity created by period poverty and to assess the cost of providing feminine hygiene products to students across the State of Nebraska.

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## **LR 147**

*Introduced by:* Murman.

*Purpose:* The purpose of this resolution is to propose an interim study relating to parental involvement in public schools. The study shall include, but need not be limited to, an examination of:

- (1) The current statutory requirements relating to parental involvement in schools;
  - (2) Potential statutory changes to such requirements; and
  - (3) The discussions and issues raised at the public hearing for Legislative Bill 374 introduced during the First Session of the One Hundred Eighth Legislature.
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## **LR 148**

*Introduced by:* Murman.

*Purpose:* The purpose of this resolution is to propose an interim study to examine the use of federal funds from the federal Elementary and Secondary School Emergency Relief Fund and the use of the Launch Nebraska website by the State Department of Education. The study shall include, but need not be limited to:

- (1) The State Department of Education's use of federal funds from the federal Elementary and Secondary School Emergency Relief Fund;
  - (2) Content promoted and shared by the State Department of Education on the Launch Nebraska website; and
  - (3) The overall use of the Launch Nebraska website.
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## **LR 149**

*Introduced by:* Murman.

*Purpose:* The purpose of this resolution is to propose an interim study related to social-emotional learning. The study shall include, but need not be limited to:

- (1) The core concepts of social-emotional learning;
  - (2) How school personnel in this state utilize social-emotional learning in the classroom; and
  - (3) How social-emotional learning relates to teaching about topics such as race, racism, sexual education, and mental health.
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## LR 152

*Introduced by:* Hughes.

*Purpose:* The purpose of this resolution is to propose an interim study to examine all factors that may impact a school district's ability to attract and retain qualified superintendents and administrators and the impact such factors have upon the salary and benefits provided.

- (1) The study shall include, but need not be limited to:
    - (a) The ability of school districts to readily obtain data relevant to the development of competitive compensation for superintendent and other administrator positions;
    - (b) A comparability analysis of the current compensation for superintendents for school districts categorized by the size of the district, the geographic location of the district, and the population of the community in which the district is located;
    - (c) An analysis of how superintendent compensation is influenced by qualifications and work experience;
    - (d) The correlation between the salaries and benefits offered to superintendents and the ability of a school district to recruit and retain individuals for such positions;
    - (e) How overall compensation for superintendents is influenced by other roles and duties performed by superintendents such as athletic director or principal;
    - (f) An analysis of school administrator compensation in Nebraska compared to school administrator compensation around the country;
    - (g) An analysis of school administrator compensation in Nebraska compared to compensation for other tax-funded professions in Nebraska and around the country; and
    - (h) Recommendations for any possible statutory changes to the Superintendent Pay Transparency Act.
  - (2) In order to carry out the purpose of this resolution, the committee shall seek the assistance of stakeholders in public education, including, but not limited to, school board members, administrators, and advocacy groups.
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## LR 166

*Introduced by:* Walz.

*Purpose:* The purpose of this resolution is to propose an interim study to examine the impact of government-imposed mandates on school districts across the State of Nebraska.

Article VII, section 1, of the Constitution of Nebraska states that the "Legislature shall provide for the free instruction in the common schools of this state of all persons between the ages of five and twenty-one years." Understanding the accumulation of mandates over time from local,

state, and federal governments imposed on local school districts and the changes, or lack thereof, in revenue is important to the State of Nebraska as both have a significant impact on the ability to maintain the strong education system of Nebraska.

This interim study shall include, but need not be limited to, an examination of the following:

- (1) History and impact of state and federal mandates on school districts;
- (2) History and impact of changes in revenue sources for school districts;
- (3) History and impact of the gap that may or may not exist between the historical change in cost of mandates and sources of revenue for school districts; and
- (4) Potential recommendations for legislation to address any such gap and the implications of such legislation. In order to carry out the purpose of this resolution, the committee shall seek the input of the State Department of Education, school boards, school administrators, teachers, and educational service units of Nebraska.

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## **LR 170**

*Introduced by:* Dungan, Cavanaugh, J., Cavanaugh, M., Conrad, DeBoer, Fredrickson.

*Purpose:* The purpose of this resolution is to propose an interim study to assess and examine whether student journalists and scholastic journalism is supported and promoted in public high schools and postsecondary institutions in Nebraska and free from censorship and inappropriate government interference or intervention.

The First Amendment to the Constitution of the United States is a bedrock for American values. The right of free speech and expression is fundamental to the State of Nebraska and the United States. The United States Supreme Court has held that youth and students are entitled to the right of free speech and expression and the rights of students at high schools and postsecondary institutions has often been the epicenter of modern conversations on the First Amendment.

This right includes the corollary right of the freedom of the press and by extension student reporters and student news media entities. The freedom of the press is critical to a democracy in which the government is accountable to the people. A free media functions as a watchdog that can investigate and report on government wrongdoing. When press freedom is harmed, holding the government accountable when it missteps or overreaches becomes more difficult. It is important that this principle is instilled in the next generation.

There is concern regarding the degree of commitment to the First Amendment rights of students and scholastic journalism in Nebraska public schools. For instance, in August 2022, Northwest Public Schools in Grand Island, Nebraska, shut down its fifty-four-year-old student newspaper and eliminated the journalism program in apparent response to an issue covering LGBTQ topics being published.

The interim study should examine whether the creation of affirmative statutory protections for student journalists and student media advisors in public high schools and postsecondary educational institutions are justified in order to ensure that First Amendment rights are protected.

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**LR 192**

*Introduced by:* Linehan.

*Purpose:* The purpose of this resolution is to propose an interim study to examine the relationship between joint public agencies and public education matters.

This study should include, but need not be limited to:

- (1) An examination of the history of existing joint public agencies that wield power over any public education matters, the purpose of the formation of such joint public agencies, and how such joint public agencies are governed;
- (2) An examination of the powers that joint public agencies wield and any limitations of such powers;
- (3) A determination of the overall reach and scope of joint public agencies involved in public education; and
- (4) A review of how joint public agencies are held accountable to school districts, educational service units, residents, or other agencies that the joint public agencies work with.

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**LR 220**

*Introduced by:* Brewer, Murman, Raybould, Wayne.

*Purpose:* The purpose of this resolution is to propose an interim study to examine laws governing school security policy.

The study should include, but need not be limited to, an examination of the following:

- (1) Laws governing school security;
- (2) Laws governing the possession of both lethal and less-lethal weapons on school campuses and at school-sponsored events;
- (3) Nebraska's laws on school security as compared to policies and laws enacted in other states to facilitate school security operations;
- (4) Whether persons other than certified law enforcement officers might be utilized to provide armed school security with appropriate training; and
- (5) Any other potential policy changes regarding school security that the Legislature may consider.

## LR 228

*Introduced by:* Brandt, Dorn, Hughes, Jacobson.

*Purpose:* The purpose of this resolution is to propose an interim study to examine the issues related to Legislative Bill 320 introduced in the One Hundred Eighth Legislature of Nebraska, First Session. The study should include, but need not be limited to:

- (1) An evaluation of equalization aid to school districts and the decreased amounts of equalization aid provided to school districts over the past fifteen years and potential methods to restore and raise equalization aid to school districts;
- (2) An evaluation of the real property values used to calculate the local effort rate yield within the Tax Equity and Educational Opportunities Support Act formula and the impact on school districts;
- (3) An evaluation of the impact of the real property values used within the Tax Equity and Educational Opportunities Support Act formula on the property tax levy within school districts;
- (4) An evaluation of the disparity in property tax equity among school districts; and
- (5) A recommendation for changes to the Tax Equity and Educational Opportunities Support Act formula to create improved property tax equity across the state as was the original intent of the Tax Equity and Educational Opportunities Support Act.

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## LR 240

*Introduced by:* Murman.

*Purpose:* The purpose of this resolution is to propose an interim study to examine the impact of consolidation of educational service units.

This study shall include, but need not be limited to, an examination of the following:

- (1) What additional responsibilities could be given to educational service units if such units were consolidated;
- (2) Whether administrative costs for educational service units would be lower if such units were consolidated;
- (3) How consolidation would affect the tax base and levy authority of educational service units;
- (4) How to promote transparency within educational service units and about the responsibilities of educational service units;
- (5) How to promote joint academic opportunities for community colleges and school districts with educational service units; and
- (6) How to promote opportunities for educational service units to assist with mental health in schools.

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**LR 246**

*Introduced by:* Linehan.

*Purpose:* The purpose of this resolution is to propose an interim study to research the Metropolitan Omaha Educational Consortium. The study shall include, but need not be limited to:

- (1) An examination of what the Metropolitan Omaha Educational Consortium has accomplished over the last twenty years, including, but not limited to:
  - (a) How the consortium has improved education in metropolitan schools;
  - (b) What issues the consortium has identified as common to its members; and
  - (c) What projects the consortium has undertaken and finished, the results of such projects, and how the results of such projects are used; and
- (2) An examination of how the Metropolitan Omaha Educational Consortium is governed and how it is held accountable to its members.

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**LR 251**

*Introduced by:* Dover, Aguilar, Armendariz, Ballard, Bosn, Bostar, Cavanaugh, J., DeBoer, DeKay, Fredrickson, Hardin, Holdcroft, Hughes, Ibach, Linehan, Lippincott, Moser, Sanders, Vargas, von Gillern.

*Purpose:* The purpose of this resolution is to propose an interim study to explore the development of registered apprenticeship program sponsors within Nebraska's education system for early childhood care and education. Nationally, the apprenticeship model has been shown to be an effective tool for training students in early childhood care and education. Apprenticeships offer a unique mode of instruction and an avenue for earning pay while training on the job. In Nebraska, seventy-four percent of children under six years of age live in households with all available parents in the workforce, which is the sixth highest amount among all states. Nebraska's current workforce capacity for early childhood care and education is insufficient to meet the needs of working families. The apprenticeship model is an effective way to serve both the interests of prospective students in early childhood care and education and the needs of Nebraska families.

This interim study shall include, but need not be limited to, an examination of the following:

- (1) The growing need for early childhood care and education in Nebraska;
- (2) The registered apprenticeship programs for early childhood care and education at the United States Department of Labor;
- (3) The available federal resources for the establishment of such programs;

- (4) The education infrastructure in the state to support such programs and existing state resources for such programs; and
- (5) Any public-private partnership opportunities for expanding the instruction and training infrastructure of early childhood care workers and educators, including an examination of similar initiatives in other states.

## **B. Business and Labor Committee**

### **LR 225**

*Introduced by:* Riepe.

*Purpose:* The purpose of this resolution is to propose an interim study to determine ways to incentivize the growth in the number of apprenticeship programs and youth apprenticeship participants in Nebraska. The manufacturing sector of the Nebraska economy is one of the most important sectors of the Nebraska economy with wage rates that exceed the statewide average rate of pay.

There are currently more than two thousand five hundred unfilled job openings in the manufacturing sector in Nebraska and that number does not include positions that employers would create if they could expand. Filling vacant positions and expansion of the manufacturing sector, particularly in rural Nebraska, is inhibited by the lack of an adequate number of job candidates. Additionally, the construction and engineering sectors are in need of significant increases in their specialized workforce to support the infrastructure development needs of Nebraska. A strong infrastructure is critical to the economic stability and growth of Nebraska.

Developing apprenticeships for youth, former juvenile offenders, and individuals transitioning to independence after living in foster care would offer an opportunity for Nebraska to create a talent pipeline for these three critical sectors and retain youth in their local communities. This interim study should seek to identify barriers to growth to allow the Legislature to pursue data-driven policy solutions for these key industry sectors.

The study should include, but need not be limited to, data collection and information gathering regarding:

- (1) Apprenticeships in manufacturing, construction, and engineering in Nebraska and the impact of the apprenticeships on the state's economy;
- (2) The potential for increasing apprenticeship participation through apprenticeships for youth, former juvenile offenders, and individuals transitioning to independence after living in foster care;
- (3) The projected growth of Nebraska's manufacturing, construction, and engineering sectors; and
- (4) The potential for growth of employment in the manufacturing, construction, and engineering sectors in Nebraska if an adequate workforce exists.

## C. Health Committee

### LR 229

*Introduced by:* Sanders.

*Purpose:* The purpose of this resolution is to propose an interim study to examine the lack of education and support services and any other obstacles for foster parents. This study should include, but need not be limited to, an examination of the following:

- (1) The education and support services available for foster parents to support foster children;
- (2) What education and support services could be provided to enable foster parents to support and potentially adopt foster children;
- (3) What education and support services could be provided to enable foster parents to support children after adoption; and
- (4) Any other obstacles to foster parents preventing their ability to support and potentially adopt foster children, including, but not limited to, lack of any other resource and legal obstacles.

## D. Judiciary Committee

### LR 125

*Introduced by:* Conrad, Blood, Cavanaugh, J., DeBoer, Dungan, Hughes, McKinney, Wayne.

*Purpose:* The purpose of this resolution is to propose an interim study to review juvenile justice involvement for youth who are excessively absent or truant from school. Under current law, school truancy can be a basis for juvenile court jurisdiction, which means prosecutors can file a juvenile court case against a child who has an excessive number of unexcused absences. Truancy cases are a type of status offense authorized to be charged under subdivision (3)(b) of section 43-247.

During the One Hundred Eighth Legislature of Nebraska, First Session, senators have introduced bills relating to excessive absenteeism and truancy as a juvenile status offense. The legislation has included providing alternatives to court proceedings by investing in local pretrial diversion programs, requiring schools to exhaust services to address absenteeism prior to referring a child for prosecution, and eliminating truancy from the Nebraska Juvenile Code as an independent basis for a juvenile court filing.

School absenteeism is often an indicator of some other behavior or trauma that youth are experiencing, including challenges with mental or behavioral health, parental neglect or abuse, substance use, learning or other disabilities, and other challenges. Child welfare and juvenile justice best practices encourage policymakers to increase community-based interventions that

address the underlying causes of status offenses and eliminate or avoid formal court interventions.

The interim study shall include, but need not be limited to:

- (1) An examination of the history and present legal framework for addressing excessive absenteeism and truancy, the cost to the educational system to address chronic or excessive absenteeism, and the cost of state aid dedicated to community-based interventions for youth;
- (2) An examination of the variance of chronic or excessive absenteeism in Nebraska between school districts, diversion programs focused on chronic absenteeism, and referrals to county attorneys for formal court intervention, including demographic information and how chronic absenteeism may disproportionately affect communities of color, non-English-speaking students, and students with disabilities;
- (3) A review of local programs addressing excessive absenteeism and truancy supported through community-based aid dollars, other community-based programs that address behaviors that lead to status offense filings based on truancy, and the outcomes for youth resulting from such diversionary programs; and
- (4) A review of any programs used by probation to address chronic absenteeism within probation districts and the outcomes for youth resulting from such programs.

The interim study should also review the practices and policies of other states to determine what responses these jurisdictions have taken to address school absenteeism. The study should have the ultimate goal of enabling an approach to school absenteeism that improves youth and family engagement and minimizes or avoids court involvement.

## **E. Retirement Committee**

### **LR 157**

*Introduced by:* McDonnell.

*Purpose:* The purpose of this resolution is to propose an interim study to examine the public employees' retirement systems administered by the Public Employees Retirement Board, including the State Employees Retirement System of the State of Nebraska, the Retirement System for Nebraska Counties, the School Employees Retirement System of the State of Nebraska, the Nebraska State Patrol Retirement System, and the Nebraska Judges Retirement System. The study may also examine the retirement system administered under the Class V School Employees Retirement Act. The study shall examine issues as they relate to the funding needs, benefits, contributions, and the administration of each retirement system.

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### **LR 158**

*Introduced by:* McDonnell.

*Purpose:* The purpose of this resolution is to propose an interim study to carry out the provisions of section 13-2402, which requires the Nebraska Retirement Systems Committee to monitor underfunded defined benefit plans administered by political subdivisions. The study shall include a public hearing for the presentation of reports by political subdivisions with underfunded defined benefit plans.

James B. Gessford  
Daniel F. Kaplan  
Gregory H. Perry  
Joseph F. Bachmann\*  
R. J. Shortridge\*  
Joshua J. Schauer\*  
Derek A. Aldridge\*\*  
Justin J. Knight\*\*\*  
Charles Kaplan  
Haleigh B. Carlson  
Sara J. Tonjes



PERRY, GUTHERY, HAASE & GESSFORD, P.C., L.L.O.

Of Counsel  
Thomas M. Haase

\*Also admitted in Iowa  
\*\* Also admitted in Kansas  
\*\*\*Also admitted in Colorado

Ernest B. Perry (1876-1962)  
Arthur E. Perry (1910-1982)  
R.R. Perry (1917-1999)  
Edwin C. Perry (1931-2012)

## MEMORANDUM

To: Dr. Larianne Polk, ESU 7 Administrator  
From: Perry Law Firm  
Date: June 5, 2023  
RE: School District Annual Policy Service Update

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### A. REQUIRED POLICY UPDATES

1. **Policy 1101 - Use of School Facilities: Student Groups**– LB 805 was amended into Section 126 of LB 705. LB 805 requires schools to allow designated youth organizations the opportunity to provide information to students at school. The update to Policy 1101 incorporates these new requirements.

2. **Policy 5004 – Full-time and Part-time Enrollment & Policy 5103 – Extracurricular Activity Discipline** – LB 705 revised the part-time enrollment and extracurricular activity eligibility laws. Generally, part-time students now have more flexibility to participate in the public school district’s extracurricular activity program. The updates to 5004 and 5103 incorporate these new changes.

3. **Policy 5006, Resolution, and Sample Letter** – Sections 55 through 57 of LB 705 revamp Nebraska’s option enrollment laws for special education students. Under these new laws, a District generally cannot declare its entire special education program to be at capacity. Instead, a District must review and assess an option student’s needs on a case-by-case basis and make an individualized determination of whether the District has the capacity to provide the needed services or accommodations to that student. The updates to Policy 5006, the Capacity Resolution, and Sample Letter reflect these updates. Boards should plan to include these new changes when reviewing and approving the capacity resolutions for option students. LB 705 requires the Resolution be adopted by October 15th of each school year. In addition, two main areas of Policy 5006 are highlighted to draw attention to optional parts of the Policy. If your Board wants to keep or alter one (or neither) optional provision, you can remove or alter the other (or both) optional provisions.

**4. Policy 5101 – Student Discipline** – LB 705 includes a number of significant changes to Nebraska’s Student Discipline Act, including:

- A. No pre-kindergarten through second grade student may be suspended from school, unless they bring a deadly weapon to school, in a school vehicle, or to a school activity;
- B. Students cannot be compelled to attend an alternative education program to complete homework or coursework;
- C. Shorter timeframes for the administration’s investigation of alleged student misconduct; and
- D. Significant changes to the expulsion/long-term appeal process (which does not need to be in formal board policy but will require administrators to learn these new rules for the 2023-2024 school year).

**5. Policy 5102 – Alternative Education** – LB 705 revised the alternative education requirements for expelled students. The update to Policy 5102 incorporates these new changes.

**6. Policy 5205 – Graduation** – Prior to this session, the Legislature enacted LB 452 and LB 1112 that required financial literacy coursework prior to a student’s graduation. These requirements become effective during the 2023-2024 school year, so Policy 5025 has been updated to reflect the new financial literacy requirement.

**7. Policy 6212 – Assessments—Academic Content Standards** – The State Board of Education has updated Language Arts and Mathematics content standards. The updated Policy reflects the accurate dates of the new content standards.

**8. Policy 6215 – Collection of Information Relating to Dyslexia**– This session, LB 298 was signed into law. LB 298 requires public school districts to submit information about student dyslexia to NDE. NDE will collect that data and provide a report to the Legislature about dyslexia in public schools. This data must be provided to NDE by July 1st each year. To ensure that the Board complies with this new reporting requirement, we have added Policy 5602.

**9. Policy 6284 - Initiations, Hazing, Secret Clubs and Outside Organizations** – LB 705 (via LB 805) repealed Neb. Rev. Stat. § 79-2,103. This statutory reference has been removed from Policy 6284.

**10. Policy 6600 – Special Education** – There are several updates to the general special education policy to conform with recent developments and interpretations about special education law and a public school’s obligations.

**11. Policy 6700 – Firearm Policy** – LB 77 was one of the first bills signed into law this session. LB 77 expanded conceal carry rights but still prohibits concealed firearms on school grounds. The update to Policy 6700 clarifies that concealed firearms cannot lawfully be possessed on school grounds, with limited exceptions. Schools may (but are not legally required to) also choose to post notices at school to alert members of the public that concealed firearms are not permitted on school property.

**12. Policy 6921 – Seizure Safe Schools** – Last year, LB 639 required schools to develop plans for students with seizure disorders. This past 2022-2023 school year has resulted in confusion about who needs to be trained and how staff need to comply with the law. To ensure the Board is in compliance with the Seizure Safe Schools Act, we recommend adopting Policy 6921.

**13. Policy 6930 – Behavioral Points of Contact** – Last year, LB 852 passed to require schools to designate behavioral points of contact. To ensure compliance with this law, Policy 6930 confirms the District’s obligations in policy. In addition, Section 4 of LB 705 from this session slightly modifies these requirements. Note that LB 705 also requires behavioral awareness points of contact are required to be listed on the school’s website and in the student handbook.

**14. Policy 8130 – Annual Organizational Meeting** – Neb. Rev. Stat. §§ 576, 577, and 578 require the Board to appoint a secretary. These statutes also identify the secretary’s duties and responsibilities. In some districts, the appointment of the board secretary has differed from the appointment of the recording secretary (the person who takes notes). To avoid this confusion, we have clarified this potential distinction in Policy 8130.

## **B. OPTIONAL POLICY AND/OR HANDBOOK UPDATES**

**1. Policy 4171 – Resignation of Certificated Employees** – With the ongoing teacher shortage, more and more school boards look to hold teachers to their contracts. Under state statute, a certificated employee cannot simultaneously be under multiple contracts with different districts. State law also allows a district to impose a deadline for certificated employees to indicate their intent to return to work for the district. However, not all districts have been as diligent as they should about establishing these deadlines or clearly articulating the process for certificated employees to request a release from their contract. As a result, to better clarify the district’s position on requests for releases, we recommend adopting Policy 4171.

**2. Policy 5602 – Naloxone** – Some schools have begun storing Naloxone (Narcan) in their school buildings. A sample policy is provided if your Board would like to formally approve allowing Naloxone in schools.

**3. Policy 6288 – Artificial Intelligence** – The use of artificial intelligence (like ChatGPT) is certainly on the rise. School boards have the option to adopt a policy to specifically address how students may incorporate artificial intelligence without violating the District’s plagiarism rules.

Internal Board PoliciesNondiscrimination in Education Programs and Activities

It is the policy of the David City Public Schools not to discriminate on the basis of race, national origin, creed, age, marital status, sex or disability or in any other manner prohibited by law in its educational programs, activities, or employment policies as required by Titles VI and VII of the 1964 Civil Rights Act, Title IX of the 1972 Education Amendments, the Federal Rehabilitation Act of 1973 and the Nebraska Equal Educational Opportunity Act, or any other state or federal law.

Any person who believes she or he has been discriminated against, denied a benefit, or been excluded from participation in any district education program or activity on the basis of sex, race or handicap or in any other manner prohibited by law in violation of this policy or any such law may grieve such matters using the adopted grievance procedures of this district. Such procedures shall provide for prompt and equitable resolution of complaints alleging acts of discrimination.

Inquiries regarding compliance with Title IX, the Nebraska Equal Opportunity in Education Act, Section 504 or Title VI or any other state or federal law may be directed to the Activities Director (Brian Hermelbracht 402-367-3187 [hermelbracht@dscouts.org](mailto:hermelbracht@dscouts.org)) of the David City Public Schools at 750 "D" Street, David City, Nebraska, 68632; or in the case of Title IX and the Rehabilitation Act to the Director of the Region VII Office for Civil Rights, 10220 North Executive Hills Boulevard, 8th Floor, Kansas City, Missouri 64123 (816) 891-8026.

Policy Adopted: January 10, 1983

Policy Revised: January 14, 2015

Community RelationsPersonnel - All Employees and StudentsAnti-discriminationA. **Elimination of Discrimination.**

The policy of David City Public Schools is to not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, in admission or access to, or treatment with regard to employment or with regard to its programs and activities.

David City Public Schools and its staff shall comply with all state and federal laws prohibiting discrimination. The Board of David City Public Schools intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination and directs its staff to take all actions necessary to meet this objective.

The Activities Director (Brian Hermelbracht 402-367-3187 hermelbracht@dscouts.org) shall be the Coordinator for anti-discrimination laws (including Title VI, Title IX; the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act of 1973 (Section 504)) and complaints or concerns involving discrimination or compliance with those laws should be addressed to said Coordinator.

B. **Preventing Harassment and Discrimination of Employees and Students.**

1. **Purpose:** David City Public Schools is committed to offering employment and educational opportunity to its employees and students based on ability and performance in a climate free of discrimination. Accordingly, unlawful discrimination or harassment of any kind by administrators, teachers, co-workers or other persons is prohibited. In addition, David City Public Schools will try to protect employees or students from reported discrimination or harassment by non-employees or others in the work place and educational environment.

For purposes of this policy, discrimination or harassment based on a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, is prohibited. The following are general definitions of what might constitute prohibited harassment.

- a. In general, ethnic or racial slurs or other verbal or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital

status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, constitutes harassment when they unreasonably interfere with the person's work performance or create an intimidating work, instructional or educational environment.

- b. Age harassment has been defined by federal regulations as a form of age discrimination. It can consist of demeaning jokes, insults or intimidation based on a person's age.
- c. Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or physical or verbal conduct of a sexual nature by supervisors or others in the work place, classroom or educational environment.

Sexual harassment may exist when:

- (a) Supervisors or managers make submission to such conduct either an explicit or implicit term and condition of employment (including hiring, compensation, promotion, or retention);
- (b) Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment related decisions such as promotion, performance evaluation, pay adjustment, discipline, work assignment, etc.
- (c) The conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working, class room or educational environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching or brushing against another's body.

## 2. **Procedures:**

- a. Employees or students should initially report all instances of discrimination or harassment to their immediate supervisor or teacher. However, if the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student is encouraged to go to the next level of supervision.
- b. If the report is not satisfactorily resolved within ten calendar days, or if the discrimination or harassment continues, please report your complaint to the Superintendent of David City Public Schools.

- c. If a satisfactory arrangement cannot be obtained through the Superintendent, the complaint may be processed to the Board of Education.
- d. The person to whom the complaint is made is to thoroughly investigate the complaint and work with the person filing the complaint to seek an appropriate resolution so the discrimination or harassment can be remedied and put to an end.
- e. Complaints of discrimination or harassment will be treated with the utmost confidence, consistent with resolution of the problem.
- f. Based on the results of the investigation, appropriate corrective action, up to and including discharge of offending employees, etc., may be taken.
- g. Under no circumstances will a supervisor or a teacher or the Board threaten or retaliate against a person for alleging discrimination or harassment.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.  
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;

Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.  
Section 504 of the Rehabilitation Act of 1973 (Section 504)  
Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)  
Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq.  
Neb. Rev. Stat. Sec. 79-2,115, et seq

Date of Adoption: June 14, 2021

**Complaint Form  
Discrimination, Harassment or Retaliation**

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

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

The applicable coordinator may be contacted if you have questions about filling out this complaint form:  
Students: Brian Hermelbracht, Title IX Coordinator, 750 D Street, David City, NE 68632 (402) 367-3187 (hermelbracht@dcscouts.org).  
Employees and Others: Angela Moore, Business Manager, 750 D Street, David City, NE 68632 (402) 367-4590 (moore@dcscouts.org).

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

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

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

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

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

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

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

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

July 2023

Students (& Employees)Anti-discrimination, Anti-harassment, and Anti-retaliation**A. Elimination of Discrimination.**

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

The David City Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Brian Hermelbracht, Title IX Coordinator, 750 D Street, David City, NE 68632 (402) 367-3187 (hermelbracht@dscouts.org).

Employees and Others: Angela Moore, Business Manager, 750 D Street, David City, NE 68632 (402) 367-4590 (moore@dscouts.org).

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

**B. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.****1. Purpose:**

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

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

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

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

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

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

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

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

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial

investigation to determine whether unlawful harassment occurred (see section entitled “Grievance Procedures,” below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

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

**2. Anti-retaliation:**

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

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

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

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

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

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

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

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

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

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

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

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which

they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.

- d. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

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

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

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

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

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

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

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

If the party is not satisfied with the Superintendent’s determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent’s determination. The Board of Education will review the appeal, the Superintendent’s determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board’s next regularly scheduled Board meeting

(unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, designated compliance officer and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

**4. Confidentiality:**

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

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

**5. Training:**

The District will ensure that relevant District employees, including but not limited to officials, administrators, teachers, substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, bus drivers, and school law enforcement officers, are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

**6. Designated Compliance Coordinators:**

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.

- f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- j. Recommending changes to this policy and grievance procedure.
- k. Performing other duties as assigned.

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

**7. Preventive Measures:**

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

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

Date of Adoption: June 14, 2021; July 10, 2023

**Complaint Form Policy 4003  
Discrimination, Harassment or Retaliation**

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

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

The applicable coordinator may be contacted if you have questions about filling out this complaint form:  
Students: Brian Hermelbracht, Title IX Coordinator, 750 D Street, David City, NE 68632 (402) 367-3187 (hermelbracht@dcscouts.org).  
Employees and Others: Angela Moore, Business Manager, 750 D Street, David City, NE 68632 (402) 367-4590 (moore@dcscouts.org).

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

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

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

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

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

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

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

Received by: \_\_\_\_\_ Signature: \_\_\_\_\_  
Updated July 2023 Date: \_\_\_\_\_

### **Policy 4003 Notice of Nondiscrimination**

The David City Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Brian Hermelbracht, Title IX Coordinator, 750 D Street, David City, NE 68632 (402) 367-3187 ([hermelbracht@dcscouts.org](mailto:hermelbracht@dcscouts.org)).

Employees and Others: Angela Moore, Business Manager, 750 D Street, David City, NE 68632 (402) 367-4590 ([moore@dcscouts.org](mailto:moore@dcscouts.org)).

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

Updated July 2023

Community RelationsTitle IX – Procedure for Complaints of Sexual Harassment**A. Complaint Procedure - Generally**

1. Reporting Procedures: All employees are responsible for helping to prevent sexual harassment. Employees or students who believe they have been subjected to, or believe they have witnessed sexual harassment should follow these procedures:

1. Directly inform the person engaging in the discrimination or harassment that such conduct is offensive and must stop.
2. For employee reporters, contact your principal or supervisor, the principal or supervisor of the offending person, or the Title IX Coordinator if you do not wish to communicate directly with the person whose conduct is offensive or if direct communication with the offending person has been ineffective.
3. Report the matter to the Title IX Coordinator if the offending conduct continues or has not been resolved to your satisfaction after you have reported the matter to a principal or supervisor.
4. For student reporters, contact any teacher, counselor, or administrator, or the Title IX Coordinator.
5. Report to the Title IX Coordinator if you are the adult to whom the student has made a report so that the matter can be properly resolved. The Title IX Coordinator is:

**TITLE IX COORDINATOR CONTACT INFORMATION**

Brian Hermelbracht  
750 D Street  
David City, NE 68632  
402-367-3187  
hermelbracht@dcscouts.org

2. District Actions upon Report of Sexual Harassment or Sexual Misconduct: Upon receipt of a report of sexual harassment, the Title IX Coordinator, or designee, including but not limited to a building principal or assistant principal, will conduct an initial inquiry. The first step of the inquiry will typically include a preliminary meeting between the individual whom the reporting party alleges has been subjected to sexual harassment or sexual misconduct and the Title IX Coordinator, or designee. The initial inquiry may also include a meeting between the Title IX Coordinator, or designee, and the individual whom the reporting party alleges has committed sexual harassment or sexual misconduct. The purpose of these meetings is to gain a basic understanding of the nature and circumstances of the report, it is not intended to be a full investigative interview. During the initial assessment, the reporting party may also receive

information about resources, rights, procedural options, and supportive measures. The Title IX Coordinator, or designee, may inquire into whether the person who has is alleged to have been subject to sexual harassment or misconduct requests resources, no further action, supportive measures, and/or initiation of the “Formal Complaint” process. The Title IX Coordinator will make a reasonable effort to respect the wishes of the person who experienced sexual harassment or sexual misconduct; however, if the reported incident constitutes an imminent or ongoing threat to school safety, based on the assessment of the Title IX Coordinator, then the Title IX Coordinator may file a Formal Complaint, on behalf of the District, with or without the consent or permission of the person who has experienced sexual harassment or sexual misconduct.

With or without a Formal Complaint, allegations of sexual harassment or discrimination shall be investigated and if substantiated, corrective or disciplinary action will be taken, up to and including dismissal from employment, if the offender is an employee, or suspension and/or expulsion, if the offender is a student. Retaliatory action will not be taken against any person for reporting discrimination or harassment. This policy does not limit or prohibit the District from instituting disciplinary measures pursuant to other Board Policy, rules, or other expectations if the District determines that a person violated District rules or expectations.

#### **B. Formal Complaint Process**

The following procedures apply only in the event that a Formal Complaint is filed. All other reports of sexual harassment shall be resolved using the general complaint procedure. Any timelines set forth in the following procedures may be extended by the Title IX Coordinator with notice to the parties.

1. Misconduct Which May Be Investigated Under a Formal Complaint: The Formal Complaint process is only available if the Formal Complaint alleges: (i) conduct which occurs on District grounds or property owned or controlled by the District; (ii) conduct which occurs in the context of District employment or an education program or District-sponsored activity within the United States, and (iii) conduct which occurs when the District has substantial control over both the Respondent and the context in which the sexual harassment or sexual misconduct occurs. The conduct must also fall within one of the following categories: (a) an employee of the District conditioning an aid, service, or benefit of the District on an individual’s participation in unwelcome sexual contact; (b) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the District’s education program or activity; (c) sexual assault; (d) domestic violence; (e) dating violence; or (f) stalking.

2. Parties to a Formal Complaint: The only parties to a Formal Complaint are the Complainant, who is the person alleged to have been subject to misconduct, and the Respondent, the person who is alleged to have committed the misconduct.

3. Filing a Formal Complaint: A Formal Complaint may only be filed by a Complainant or the Title IX Coordinator. An employee or student Complainant may file a Formal Complaint in writing with the Title IX Coordinator in person or by mail, or by electronic mail. The Formal Complaint must be signed by the Complainant or by the Title IX Coordinator.

4. Immediate Actions Upon Receipt of Formal Complaint: Upon receipt of a Formal Complaint, the Title IX Coordinator will conduct an initial assessment of the allegations contained within the Formal Complaint to determine if the allegations in the Formal Complaint, if true, allege misconduct which may be investigated under the Formal Complaint process. If the allegations in the Formal Complaint do not allege misconduct which may be investigated under the Formal Complaint process, the Title IX Coordinator must dismiss the Formal Complaint and may proceed under other District policies or procedures. The Complainant will be provided notice in writing if the Formal Complaint is dismissed.

If the allegations in the Formal Complaint allege misconduct which may be investigated under the Formal Complaint process, the Title IX Coordinator shall provide the following to all known parties: (1) The complaint procedure as outlined in this policy; and (2) Notice of the allegations of sexual harassment, known by the District at the time of filing the Notice, including (i) the identities of the parties involved, if known, (ii) the conduct allegedly constituting sexual harassment, and (iii) the date and location of the alleged incident.

The Title IX Coordinator shall then provide the Formal Complaint and the Notice of the Formal Complaint to the District's Title IX Investigator.

5. Investigation of Formal Complaint: Upon receipt of a Formal Complaint, the Investigator will promptly investigate the allegations contained within, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The Investigator will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this complaint procedure. If the allegation(s) involve possible criminal conduct, the District will notify the Complainant of his or her right to file a criminal complaint, and District employees will not dissuade the Complainant from filing a criminal complaint either during or after the District's investigation.

The Investigator will contact the Complainant, Respondent, and relevant witnesses to schedule interviews. All parties may bring up to two people to this meeting: (1) Support Person and/or (2) Advisor of Choice. The Advisor of Choice may or may not be an attorney. Neither the Support Person nor the Advisor of Choice can direct questions or comments to the Investigator, nor may the Support Person or Advisor of Choice advise a student or employee how to answer the Investigator's questions.

The Investigator will also aim to collect all tangible evidence relevant to the investigation.

The Investigator will complete the investigation within a reasonable time frame, as determined by the Title IX Coordinator. The factors to determine a reasonable time frame include, but are not limited to, the allegations of the Formal Complaint and the number of witnesses that may need to be interviewed. The time frame originally set by the Title IX Coordinator may be extended by the

Title IX Coordinator, upon notice to the parties, as deemed necessary to complete the investigation. Periodic status updates will be given to the parties, when appropriate.

(A) *Neutrality*: The Title IX Coordinator, Investigator, Decision-Maker, or any person designated by the District to facilitate this Formal Complaint process, shall not have any conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. The District shall ensure that Title IX Coordinator, Investigator, Decision-Maker, and any person who facilitates this Formal Complaint process shall receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the fact at issue, conflicts of interest, and bias.

(B) *Burden of Production*: It shall be the Investigator's burden to gather evidence sufficient to reach a determination regarding the outcome of the Formal Complaint. To reach a determination, the investigation will include, but is not limited to:

- i. Providing the parties with the opportunity to present witnesses and provide evidence.
- ii. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- iii. A consideration of various factors, including: (1) the nature of the conduct and whether the conduct was unwelcome, (2) the surrounding circumstances, expectations, and relationships, (3) the degree to which the conduct affected one or more students' education, (4) the type, frequency, and duration of the conduct, (5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, (6) the number of individuals involved, (7) the age and sex, if applicable, of the alleged harasser and the alleged victim(s) of the harassment, (8) the location of the incidents and the context in which they occurred, (9) the totality of the circumstances, and (10) other relevant evidence.
- iv. A review of the evidence using a "preponderance of the evidence" standard. To meet the "preponderance of the evidence" standard, the evidence must show that the discrimination, harassment, or retaliation more likely occurred than did not occur.

(C) *Rights of the Parties*: The Respondent is entitled to a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process. The Investigator must provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The Investigator shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

The District retains the right to place any person on administrative leave during the pendency of the investigation. The District also retains the right to remove a Respondent from the District's educational program prior to the conclusion of the investigation. In the event of a removal, the Respondent shall have the opportunity to challenge the decision for removal by meeting with the Title IX Coordinator to discuss the removal.

(D) *Conclusion of Investigation:* Prior to the conclusion of the investigation, the Investigator shall send each party the evidence that is subject to inspection and review in an electronic format or a hard copy. This information shall be known as the “Draft Investigative Report.” The Draft Investigative Report shall include all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the Investigator does not intend to relay to the Decision-Maker. The parties shall then have ten (10) calendar days to submit a written response, which the Investigator will consider. Responses may not be submitted by the parties’ Advisor of Choice or Support Person, unless such person is the parent or guardian of the Complainant or Respondent. Responses may include corrections to the Investigator’s summary of the parties’ interviews, suggestions for additional investigation, or additional information not known at the time of the interviews. Any new information provided by the parties during the response period will not result in an additional time period for response by the other party unless determined necessary by the Title IX Coordinator. The Investigator is not obliged to respond to any question or requests for information in the parties’ responses. The Investigator will consider the information provided by the parties and will incorporate relevant information into the Final Investigative Report. The Final Investigative Report will fairly summarize the relevant evidence. The Investigator shall then submit the Final Investigation Report to the Decision-Maker. The parties shall each receive a copy of the Final Investigative Report at the same time as the Decision-Maker.

6. Actions Taken By Decision-Maker Upon Receipt of Final Investigative Report: Upon receipt of the Final Investigative Report, the Decision-Maker shall provide 10 days for each party to submit written, relevant questions that a party wants asked of any party or witness. Questions shall be submitted to the Title IX Coordinator who shall determine whether questions are relevant. The Title IX Coordinator shall contact parties or witnesses to request answers to the parties’ relevant questions. The Title IX Coordinator will provide each party, and the Decision-Maker with the answers provided by the opposing party or witness and allow for additional, limited follow-up questions from each party.

7. Notice of Determination: Once the Decision-Maker has received the answers to relevant questions submitted by the parties, the Decision-Maker shall consider the answers and the Decision-Maker shall issue a written determination regarding responsibility by a preponderance of the evidence within a reasonable time frame, as determined by the Title IX Coordinator. The Decision-Maker shall consider all relevant evidence, including inculpatory and exculpatory evidence, and will not consider the credibility of the evidence to be based on a person’s status, such as the Complainant, Respondent, or witness. The Decision-Maker shall provide the written determination to both parties simultaneously. The written determination shall include:

- (a) Identification of the allegations potentially constituting sexual harassment;
- (b) A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
- (c) Findings of fact supporting the determination;
- (d) Conclusions regarding the application of each recipient’s code of conduct to the facts;
- (e) A statement of, and rationale for, the results as to each allegation, including a

determination regarding responsibility, any disciplinary sanctions the recipient imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the Complainant; and

- (f) The recipient's procedures and permissible bases for the Complainant and Respondent to appeal.

The Family Educational Rights and Privacy Act (FERPA) permits the District to disclose relevant information to a student who was discriminated against or harassed.

8. Sanctions: At the conclusion of the investigation, the Decision-Maker may institute disciplinary measures against the Respondent if the Decision-Maker determines that the Respondent engaged in sexual abuse or harassment. Disciplinary measures may include, but are not limited to, in-school suspension, out-of-school suspension, expulsion, and, in the case of an employee disciplinary action, up to and including immediate termination from employment.

The Title IX Coordinator is responsible for coordinating the implementation of supportive measures for the victim(s).

### C. Appeals

If either party is not satisfied with the outcome of the investigation and the decision of the Decision-Maker, they may appeal on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator, or Decision-Maker had a conflict of interest or bias for or against the Complainant or Respondent generally or the individual Complainant or Respondent that affected the outcome of the matter.

The request for an appeal shall be in writing and submitted on the appropriate document. The appeal document shall be submitted to the Superintendent.

Upon notice of an appeal by either party, the Superintendent of Schools shall notify the other party in writing when the appeal is filed and of the appeal procedures, which apply equally to both parties.

The Superintendent shall give both parties a reasonable and equal opportunity to submit a written statement in support of or challenging the outcome.

The Superintendent shall review the investigative report, Decision-Maker's determination, and written statements of the parties and then issue a written decision describing the result of the appeal and the rationale for the result. The Superintendent shall provide the written decision simultaneously to both parties.

**D. Informal Resolution**

If a Formal Complaint is filed, the District may offer the Complainant and Respondent the opportunity to participate in an informal resolution process. The informal resolution process may take place at any time prior to reaching a determination regarding responsibility. The informal resolution process shall only take place upon:

1. Written notice to both parties disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the resolution process and resume the complaint process with respect to the Formal Complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
2. The parties' voluntary, written consent to the informal resolution process; and
3. That the allegations of the Formal Complaint do not involve any allegations that an employee sexually harassed a student.

**E. Record Keeping**

The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings for a period of seven (7) years.

Legal Reference: Title IX

Policy Adopted: June 13, 2022; July 10, 2023

Personnel - Certificated EmployeesResignation of Certificated Employees

Certificated employees are encouraged to notify their immediate supervisor of their plans to resign as soon as practicable. The Board of Education will generally accept all tendered resignations, effective at the end of the current school year, submitted **prior to March 15th**.

The Board delegates to the Superintendent the authority to formally ask certificated employees in writing whether they intend to accept employment with the District for the following school year. The Superintendent shall give employees a deadline to respond to such requests, so long as the deadline occurs after March 14th. Any employee who fails to respond or declines to accept employment for the following school year may be terminated from employment if they refuse to resign.

The Superintendent is further authorized to file a complaint with the Professional Practices Commission for any teacher who abrogates their contract with the District.

Notwithstanding anything to the contrary herein, the Board is not obligated to accept or reject any tendered resignation if the employee is involved in a disciplinary matter or for any other reason that the Board deems to be in the best interest of the District.

Legal Reference: Neb. Rev. Stat. § 79-829.

Date of Adoption: July 10, 2023

Students

Naloxone in School

The Board hereby permits the storage, administration, and implementation of naloxone (also known as Narcan) in school, so long as such storage, administration, and implementation complies with all legal requirements and the best interests of student health.

The Superintendent is hereby delegated the authority to develop rules and regulations to handle and administer naloxone in the event of a suspect opioid overdose, or in other emergency situations that require prompt attention.

Legal Reference: Neb. Rev. Stat. § 28-470

Date of Adoption: July 10, 2023

InstructionArtificial IntelligenceIntroduction

David City Public Schools acknowledges that artificial intelligence continues to emerge as a resource that may assist students with future technology and different wants of learning. However, artificial intelligence also poses a challenge to delineate the responsible use of artificial intelligence with student plagiarism. As a result, the Board of Education adopts this Policy to specifically address how the District will address academic honesty and integrity regarding a student's use of artificial intelligence/

Permissible Uses of Artificial Intelligence in School Assignments

Students may use artificial intelligence or related platforms when any of the following occurs:

1. The student receives advance permission from the teacher for the given assignment or project; or
2. The teacher's classroom rules or expectations established artificial intelligence as a permissible resource for students to access.

Any student with questions about the use of artificial intelligence should contact their teacher in advance of using artificial intelligence to assist with any assignment. It is the responsibility of each student to understand the permissible use (if any) of artificial intelligence in a given class or a particular assignment. Students must be fully forthright and honest about their use of artificial intelligence to assist with any school assignment.

Impermissible Uses of Artificial Intelligence in School Assignments

Unless otherwise permitted by this Policy, students may not use artificial intelligence or related platforms to assist or complete any assignment, project, test, or other school-related task. The impermissible use of artificial intelligence may subject the student to discipline in accordance with the District's plagiarism policy and academic dishonesty rules.

Date of Adoption: July 10, 2023

Internal Board Policies - OrganizationAnnual Organizational Meeting

- A. An organizational meeting of the [Name] School District Board of Education shall be held on or before the third Monday of January of each year for the purposes of seating any new members and electing officers.

The following are procedures for election of officers and other business to take place at the annual organizational meeting of the Board:

1. After new Board members are sworn in, the Board will elect from its members a President, Vice President, Secretary and Treasurer, and if it is determined by the Board of Education to be needed an ex officio secretary and treasurer and those elected will assume office at the organizational meeting.

Upon call for nominations for each office by the Chair, nominations shall be made by written or oral ballot. Voting will be by oral or written ballot on all members nominated and repeated until a majority is achieved for a nominee. If no member receives a majority of votes **after ten (20) ballots or two (2) hours**, the Board member who was the President of the Board during the immediately preceding term shall continue as President. In the event that the previous Board President is no longer a Board member, then the Vice President from the immediately preceding term shall become the President. In the event that both the prior President and Vice President are no longer members of the Board, then the longest tenured Board member shall serve as President. The vote may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes of the meeting.

2. The President shall assume the chair immediately upon the President's election.
3. The motions for the officer elections should read: Move that \_\_\_\_\_ be elected as \_\_\_\_\_ (name of office) to serve a term of one year, or until the person's successor is elected and qualified.

- B. The order of business for meeting should be as follows:

1. Call to Order and Roll Call
2. Oath of Office for most recently elected

3. Elections
  - a. President
  - b. Vice President
  - c. Treasurer
  - d. Secretary
  
4. Approval of committees, positions, and designations
  - a. Consider, discuss and take action to elect Recording Secretary of the BOE
  - b. Consider, discuss and take action to select Legal counsel
  - c. Consider, discuss and take action to elect Committees as determined by the BOE
  - d. Consider, discuss and take action to select Depository bank(s)
  - e. Consider, discuss and take action to select District newspaper(s) of record
  
5. Approval of current Board policies and regulations
  
6. Designate dates for the review of BOE policies
  
7. Dissemination to each Board member of conflict of interest statutes
  
8. Adjournment

Date of Adoption: July 10, 2023

InstructionBehavioral Points of Contact

The Superintendent is delegated the authority to designate one or more behavioral awareness and health points of contact for each school building in the District. The behavioral awareness and health point of contact may be an administrator, nurse, psychologist, or another appropriate staff member. Each behavioral awareness and health point of contact will be trained in behavioral awareness and health and have knowledge of community service providers and other resources that are available for the students and families in the District. The District will maintain or have access to a registry of local mental health and counseling resources for students and parents.

The points of contact will be listed on the District's website and in the student handbook.

The Superintendent shall report the designated behavioral awareness and health points of contact to the Nebraska State Department of Education each year when requested by the Department.

In addition, all District employees who interact with students, as determined by the Superintendent, shall receive at least one hour of behavioral and mental health training with a focus on suicide awareness and prevention training each year. The Superintendent or designee shall be responsible for coordinating this training.

Legal Reference: Neb. Rev. Stat. § 79-11,159  
LB 705, § 4 (2023)

Date of Adoption: July 10, 2023

InstructionSeizure Safe Schools

Each school building will have a “seizure action plan” if the following criteria are met: (1) at least one student in that building has been identified as having a seizure disorder; and (2) that student’s parent or guardian and health care provider have worked with the school to develop a seizure action plan.

Every building with a seizure action plan will have at least one employee who has met the training requirements necessary to administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms.

In accordance with state law, except in the case of an emergency, prior to the administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms by a school employee, a student's parent or guardian must:

1. Provide the school with a written authorization to administer the medication at school;
2. Provide a written statement from the student's health care practitioner containing the following information:
  - a. The student's name;
  - b. The name and purpose of the medication;
  - c. The prescribed dosage;
  - d. The route of administration;
  - e. The frequency that the medication may be administered; and
  - f. The circumstances under which the medication may be administered.
3. Provide the medication to the school in its unopened, sealed package with the intact label affixed by the dispensing pharmacy; and
4. Collaborate with school employees to create a seizure action plan.

If permitted by the student's seizure action plan, a student shall be allowed to possess the supplies, equipment, and medication necessary to treat a seizure disorder in accordance with such seizure action plan.

Any authorization provided by a parent or guardian shall be effective only for the school year in which it is provided and shall be renewed each following school year.

Legal Reference: Neb. Statute 79-3201 to 3207

Date of Adoption: July 10, 2023

InstructionFirearm Policy

It shall be the policy of the David City Public School District to undertake all reasonable efforts to prohibit the unlawful possession, the knowingly and intentionally selling, attempting to sell, providing, loaning, delivering, or in any other way transferring the possession of a firearm to a juvenile, and to prevent the unlawful possession of a firearm, including concealed firearms, in a school, on school grounds, in a school owned vehicle, or at a school sponsored activity or athletic event. This policy shall not apply to the issuance of firearms to or possession by members of the Armed Services of the United States, active or reserve, National Guard of the State, or reserve officers training corp, peace officers, off duty cops, or other duly authorized law enforcement officers when on duty or training or when contracted by a school to provide school security or school event contract services. Further, nothing in this policy shall be construed to require school action when a firearm is lawfully possessed by a person receiving instruction, or instruction under the immediate supervision of an adult instructor, or as to firearms contained within a private vehicle operated by a non-student adult when the firearm is not loaded, is encased, and is either in a locked firearm rack that is on a motor vehicle or is in a case that is expressly made for the purpose of containing a firearm and that is completely zipped, snapped, buckled, tied or otherwise fastened with no part of a firearm exposed.

Any unlawful use or possession of a firearm, including concealed firearms, as described in this policy and as described by statute shall as soon as is reasonably possible be reported to an appropriate peace officer. Nothing in this policy shall be construed to prevent the district from carrying out regular disciplinary procedures as have been adopted by the Board of Education or as otherwise authorized by law.

Legal Reference: Neb. Rev. Stat. Sec. 28-1204.04

Date of Adoption: July 10, 2023

InstructionSpecial Education

David City Public Schools adopts this special education policy with the intent that the policy maintains the District's compliance with all applicable laws affecting special education services and programs. The Superintendent or designees shall develop regulations or procedures to implement these policies. Employees and contractors of the District are expected to comply with these policies and all regulations, guidelines and procedures related to this policy in all respects.

The District will abide by all state and federal laws relating to special education. The District's special education policy and regulations, guidelines and procedures related to this policy are to be interpreted so as to be in compliance with such laws. In the event of changes in law, the school administration shall be authorized to implement modifications of practice to comply with such changes (whether the changes impose more or less stringent procedural or substantive requirements) until such time as amended policies are adopted by the Board of Education. References herein to 92 NAC 51 citations are made to Rule 51 as in effect on the date of the adoption of these policies. In the event of renumbering or other revisions to Rule 51, the policy shall be interpreted and implemented consistent with such renumbering or revisions.

**1. Free Appropriate Public Education**

A free appropriate public education shall be made available to all children with disabilities residing in the District, including children with disabilities who have been suspended or expelled, from date of verification through the school year in which the child is no longer eligible or the student reaches twenty-one (21) years of age, whichever occurs earlier. An Individualized Education Plan ("IEP") will be created for each such child that will enable the student to make progress appropriate in light of the student's unique circumstances.

Legal Reference: 92 NAC 51-004.01 through 004.03A and 007.07C2 through 007.07C6

**2. Full Educational Opportunity Goal**

The District shall take steps to ensure that its children with verified disabilities, through the age of twenty-one, have available to them the variety of educational programs and services available to children without disabilities in the areas served by the District, including art, music, industrial arts, family consumer science education, and vocational education.

Legal Reference: 92 NAC 51-004.11A

**3. Child Find**

All children from birth to age twenty-one (21) with disabilities residing in the District, including children with disabilities who are homeless or are wards of the state or attending nonpublic schools, regardless of the severity of their disabilities, who are in need of special education and related services, will be identified, located and evaluated. A practical method shall be developed and implemented by the administration to determine which children with disabilities are currently receiving needed special education and related services. The District will implement multiple methods to provide parents, guardians, and community members with information regarding how to refer a child for an evaluation and the identification process and will publish an annual notice of any significant activity that is designed to identify, locate, or evaluate children to

publicly notify parents, guardians, or appointed surrogates. The District's child find process will be consistent with Federal and Nebraska regulations. Legal Reference: 92 NAC 51-006.01 through 006.01A2

#### **4. Pre-Referral Interventions**

For a school age student, a general education student assistance team (SAT) or a comparable problem solving team shall be used prior to referral for multidisciplinary team evaluation. The SAT or comparable problem solving team shall utilize and document problem solving and intervention strategies to assist the teacher in the provision of general education. If the student assistance team or comparable problem solving team feels that all viable alternatives have been explored, a referral for multidisciplinary evaluation shall be completed. A referral shall include information from the SAT or comparable problem solving team, meeting the requirements of 92 NAC 51-006.01B and a listing of the members of the SAT or comparable problem solving team.

Legal Reference: 92 NAC 51-006.01B

#### **5. Disability Verification and Eligibility**

Eligibility for services will be determined by a multidisciplinary team based on the results of a comprehensive evaluation. The multidisciplinary team will identify whether a child is eligible for special education services based on the disability categories identified by Nebraska and Federal regulations. The multidisciplinary team will rule out the determinant factor is due to a lack of appropriate instruction in reading or math or due to lack of English proficiency. The team will prepare a written report documenting all evaluation findings in accordance with Federal and Nebraska requirements that will be provided to the parent, guardian, or appointed surrogate. When a child is not eligible for services, the multidisciplinary team will determine if general education interventions or strategies are needed.

Legal Reference: 92 NAC 51-006.03; 92 NAC 51-006.04B through 006.04N;

#### **6. Individualized Education Program (IEP)**

An individualized education program, or an individualized family service plan, is to be developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007 by teams that will include all roles identified within Federal and Nebraska rules. Any draft of an IEP that is developed will not be considered final until it is reviewed and revised based on the team, including the parent, guardian, or appointed surrogate, input, and consensus. The district will make reasonable efforts to obtain informed consent from the parent, guardian, or appointed surrogate for special education placement on the IEP form before services are initiated. Revocation of consent for services must be documented by the parent, guardian, or appointed surrogate in writing.

Legal Reference: 92 NAC 51-007

#### **7. Least Restrictive Environment**

To the maximum extent appropriate, children with disabilities, through the age of twenty-one, including children in public or private institutions or other care facilities, are to be educated with children who are not disabled. Placement for a student with a disability will be based upon a completed IEP developed by a group of persons, including the parent, guardian, or appointed surrogate, knowledgeable about the child, the meaning of the evaluation data, and the placement options. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment will occur only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services

cannot be achieved satisfactorily (the “Least Restrictive Environment Rules”). The District will ensure that a continuum of alternative placements is available to meet the needs of children with disabilities, particularly those in disproportionate groups, for special education and related services.

Legal Reference: 92 NAC 51-008.01

### **8. Procedural Safeguards**

Children with disabilities and their parents, guardians, or appointed surrogates shall be afforded the required procedural safeguards. Parents, guardians, and appointed surrogates will be given a copy of their procedural safeguards annually or upon initial referral or parental (parent, guardian, or appointed surrogate) request for evaluation; upon request by a parent, guardian, or appointed surrogate; upon receipt by the school district or approved cooperative of the first occurrence of the filing of a complaint under 92 NAC 51-009.11 and the first occurrence of filing a special education due process case under 92 NAC 55; and in accordance with the discipline procedures in 92 NAC 51-016.

Legal Reference: 92 NAC 51-009.01 through 009.07; 009.10 through 009.12; 009.14, 006.07

### **9. Disciplinary Removal of Children with Disabilities**

School personnel may remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension as long as those removals do not constitute a change of placement. The District defines a change of placement as it is defined under 92 NAC 51-016. The school district will ensure that school personnel appropriately consider unique circumstances on a case-by-case basis when determining whether a change in placement has occurred. Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the school district, the parent, and relevant members of the student’s IEP shall conduct a manifestation determination pursuant to 92 NAC 51-016. If the conduct which gave rise to the violation of the school code is determined to be a manifestation of the student’s disability, any change of placement for the student will only be made by a student’s IEP team. For disciplinary changes in placement that would exceed ten (10) consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child’s disability, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures that would be applied to children without disabilities.

Legal Reference: 92 NAC 51-016

### **10. Evaluation, Identification, and Reevaluation Procedures**

Children with disabilities shall be evaluated, identified, and reevaluated by a team of multidisciplinary qualified professionals in accordance with 92 NAC 51-006. The MDT of a child suspected of having a specific learning disability shall include the additional requirements in accordance with 92 NAC 51-006.04K. The District will make reasonable efforts to obtain written permission for evaluation in accordance with Federal and Nebraska rules. Revocation for consent for evaluation must be documented by the parent, guardian, or appointed surrogate in writing.

The documented results of the evaluation will be provided to parent, guardian, or appointed surrogate and included in student files. All evaluation components will be at district expense. The

District will utilize a variety of assessment instruments to ensure district teams have access to appropriate measures to complete evaluations. The district will follow any publisher guidelines for assessments and will not use outdated or culturally inappropriate tools.

The District will respond to a request for an Independent Educational Evaluation without unnecessary delay. The parent, guardian, or appointed surrogate will be given written notice of the District's decision to either move forward with the Independent Educational Evaluation or to initiate a hearing to determine the appropriateness of the evaluation. If the District agrees to move forward with the evaluation, locations of any evaluator shall be within a reasonable distance of the District. A reasonable distance means within 100 miles of the school building the child attends and within Nebraska. In the event this geographic area restriction would prevent a parent, guardian, or appointed surrogate from obtaining an Independent Educational Evaluation, the location of the evaluator may be outside the specified geographic area but must be within Nebraska. The District will provide the parent, guardian, or appointed surrogate with a list of qualified agencies/evaluators within the geographic area. The evaluators are to have their rates approved by the Nebraska Department of Education to be authorized to conduct the evaluation.

Legal Reference: 92 NAC 51-006

#### **11. Confidentiality of Personally Identifiable Information**

A system of safeguards will be implemented to protect the confidentiality of student records and information in accordance with law.

Legal Reference: 92 NAC 51-003.16, 003.20, 009.03 through 009.03M3

#### **12. Transition of Children from Part C to Preschool Programs**

Children participating in early intervention programs under Part C of the IDEA (early intervention services) will be appropriately evaluated, identified, and have services under Part B of the IDEA by age 3 in a manner consistent with 92 NAC 52-008. Children receiving early intervention services under Part C of the IDEA may continue to receive Part C services, upon parental consent, until the August 31st following the child's third birthday. The District will participate in transition planning conferences arranged by the designated lead agency.

Legal Reference: 92 NAC 52-008

#### **13. Children in Nonpublic Schools**

To the extent consistent with the number and location of children with disabilities in the District who are enrolled by their parents, guardians, or appointed surrogates in nonpublic elementary and secondary schools in the District, provision will be made for the participation of those children in the programs assisted or carried out under Part B of the IDEA (services for school-aged children) by providing them with special education and related services.

Legal Reference: 92 NAC 51-012.08 and 015

#### **14. Personnel Standards and Personnel Development**

Personnel providing special education or related services to children with disabilities shall be appropriately and adequately prepared and trained in accordance with IDEA requirements and the District will take measurable steps to recruit, hire, train and retain personnel meeting the requirements of IDEA to provide such services.

Legal Reference: 92 NAC 51-010

**15. Accessibility of IEP and Responsibility to Implement**

A child's IEP shall be accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for the IEP's implementation. Each of the aforementioned providers shall be informed of his or her specific responsibilities related to implementing the child's IEP, and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP. All providers who are responsible for the implementation of a child's IEP are expected to implement the child's IEP according to its terms.

**16. Participation in and Reporting of State and District Wide Assessments**

All children with disabilities shall be included in all general state and district wide assessment programs, including assessments described under section 612(a)(16)(A) of the IDEA with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs. The District will make available to the Nebraska Department of Education the information necessary to carry out its duties relating to the reporting of children with disabilities participation in assessments.

Legal Reference: 92 NAC 51-004.05

**17. Suspension and Expulsion Rates**

The District will examine data, including data disaggregated by race/ethnicity, gender, LEP status, and disability category, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities.

Legal Reference: 92 NAC 51-004.06E

**18. Access to Instructional Materials**

As part of any printed instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of printed instructional materials, the District will enter into a written contract with the publisher of the printed instructional materials to:

- A. Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Material Access Center, electronic files containing the contents of the printed instructional materials using the National Instructional Materials Accessibility Standard, or
- B. Purchase instructional materials from the publisher that are produced in, or may be rendered in specialized formats.

Legal Reference: 92 NAC 51-004.15

**19. Over-Identification and Disproportionality**

Procedures shall be in place to ensure that testing and evaluation materials and procedures utilized for the evaluation and placement of children with disabilities will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it is clearly not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child. All District special education provisions will be equitably available to all children regardless of race, ethnicity, language, location, transience, income level, and access to medical care.

Legal Reference: 92 NAC 51-006.02C

**20. Prohibition on Mandatory Medication**

Children shall not be required to obtain a prescription for a controlled substance as a condition of attending school, receiving an evaluation to determine whether a child has a disability or the nature and extent of special education and related services the child needs, or receiving special education services.

Legal Reference: 92 NAC 51-004.11D; 21 U.S.C. §812(c)

**21. Transportation**

Transportation will be provided for children with disabilities who are eligible for transportation and residents of the school district as required by law to access academic, related services, and nonacademic services and activities as determined by the child's IEP. Except when a parent is transporting only his or her child, the District shall require that the driver and vehicle meet the standards required by 92 NAC 91 and 92.

Legal Reference: 92 NAC 51-014.01 through 014.02

**22. Surrogates**

A surrogate will be appointed, and other action taken to ensure the rights of children with a disability as required by law. The surrogate may represent the child in all matters related to the identification, evaluation, and educational placement of a child and the provision of a free appropriate public education to the child.

Legal Reference: 92 NAC 51-009.10

**23. Early Intervention Services – Consent**

When a parent refuses to provide consent under 92 NAC 52, a meeting will be held or offered to explain to the parents how their failure to consent affects the ability of their child to receive services under 92 NAC 52.

Legal Reference: 92 NAC 52

Legal Reference: 34 CFR Parts 300, 303 and 304  
Neb. Rev. Stat. Sec. 79-1110 to 79-1167  
92 NAC 51, 52 and 55

Date of Adoption: July 10, 2023

InstructionInitiations, Hazing, Secret Clubs and Outside Organizations

Initiations. Initiations by classes, clubs or athletic teams are prohibited except with the approval of the administration. Any student who engages in or encourages initiations that have not been approved by the administration is subject to disciplinary action, up to and including denial of any or all school privileges and expulsion.

The administration may only give consent to initiation activities that are consistent with student conduct expectations and that do not present a risk of physical or mental injury or belittlement.

Hazing. Hazing by classes, clubs, athletic teams or other student organizations are prohibited. Hazing means any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any school organization. Such prohibited hazing activity includes whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, sexual conduct, nudity, or any brutal treatment or the performance of any act which endangers the physical or mental health or safety of any person or the coercing of any such activity. Hazing is prohibited even though the person who has been the subject of the hazing consents to the activity. Any student who engages in or encourages hazing is subject to disciplinary action, up to and including denial of any or all school privileges and expulsion.

Secret Organizations. It is unlawful for students to participate in or be members of any secret fraternity or secret organization that is in any degree a school organization. Any student who violates this restriction is subject to disciplinary action, up to and including denial of any or all school privileges and expulsion.

Outside Organizations. It is unlawful for any person, whether a student of the District or not, to enter upon the school grounds or any school building for the purpose of rushing or soliciting, while there, any student to join any fraternity, society, or association organized outside of the schools. Any person who violates this restriction is subject to criminal prosecution and removal and exclusion from school grounds.

Legal Reference: Neb. Rev. Stat. Sections 79-2,101 to 79-2,102  
Student Discipline Act, Neb. Rev. Stat. Sections 79-254 to  
79-296  
Neb. Rev. Stat. Sections 28-311.06 to 28-311.07

Date of Adoption: July 10, 2023

StudentsCollection of Information Relating to Dyslexia

The District will collect and maintain the following information relating to dyslexia during each school year:

- (1) Testing for a specific learning disability in the area of reading, including tests that identify characteristics of dyslexia and the results of such tests;
- (2) The number of students identified as having a reading issue, including dyslexia, pursuant to the assessment administered under the Nebraska Reading Improvement Act and Policy 6213;
- (3) The number of students identified in Paragraph (2) that have shown growth on the measure used to identify the reading issue; and
- (4) All other data required by law and/or the District's special education obligations.

By July 1st of each year, the District will provide the Nebraska State Department of Education with information collected about dyslexia, as requested by the Department.

Any student or parent/guardian with questions or concerns about dyslexia are encouraged to contact the District's Director of Special Education.

Legal Reference: LB 298 (2023)

Date of Adoption: July 10, 2023

InstructionAssessments—Academic Content Standards

The Board of Education adopts the academic content standards of the State Board of Education (“State Board”). The adoption of the academic content standards includes the:

- Language Arts standards that were adopted by the State Board in September, 2021;
- Mathematics standards that were approved by the State Board in September, 2022;
- Science standards that were adopted by the State Board in September, 2017; and
- Social Studies standards that were adopted by the State Board in November, 2019.

Unless other action is taken, the Board of Education adopts the standards of the State Board as such standards are subsequently adopted or amended by the State Board.

The administration shall be responsible for implementing assessments on the state standards in accordance with the procedures established by the State Board and the Department of Education, including conducting assessments in the same subject areas and the same grade levels as established in the state standards, and the reporting of scores and sub-scores.

This policy does not supersede the existing standards adopted by the Board of Education except as set forth herein.

Legal Reference: Neb. Rev. Stat. Sections 79-760 to 79-760.05

Date of Adoption: July 10, 2023

Graduation Requirements

The graduation requirements for David City Public Schools students shall be 265 academic credits.

Students must successfully complete the following course requirements to be eligible for graduation:

40 credits of English

35 credits of Social Science including 10 credits of World History, 5 credits of Geography, 15 credits of American History, and 5 credits of American Government

30 credits of Math including 10 credits of Algebra I and 10 credits of Geometry

30 credits of Science including 10 credits of Natural Science (Biology) and 10 credits of Physical Science

10 credits of Information Technology Applications I

10 credits of Career and Technical Education Elective classes or Fine Arts elective classes

5 credits of Personal Finance completed the junior or senior year

10 credits of Physical Education

5 credits of Health

5 credits of Speech

The remaining required 85 credits can be from elective classes, including work experience or internship opportunities.

**Beginning with the class of 2025, students will be required to complete the FAFSA. However, parents will have the right to sign a waiver.**

Legal Reference: Neb. Rev. Stat. Sec. 79-729  
Neb. Rev. Stat. Sec. 79-3003  
NDE Rule 10

Policy Adopted: January 13, 1997  
Policy Reviewed/Revised: July 14, 2003; June 11, 2007; April 13, 2009; March 8, 2010  
March 14, 2011; May 9, 2017; March 12, 2018; December 2019  
July 10, 2023

StudentsAlternative Education Programs or Plans For Expelled Students

In the event action is being taken to expel a student from this school district, the Administration may offer the student an alternative school, class, or educational program (hereinafter referred to as an "alternative program"); or (2) the development of a plan of behavior modification, educational objects, and financial resources and community programs available to meet the behavioral and educational objects, and monthly reviews to assess the student's progress toward meeting the specified goals and objects. An expelled student may not be required to attend the alternative program.

**A. ALTERNATIVE EDUCATION PROGRAM:**

The Superintendent or Superintendent's designee is hereby granted the authority to arrange and plan for a student's alternative educational program, based on the available resources and student's individual circumstances.

**B. EDUCATION PLAN PROGRAM:**

If the administration elects not to provide an alternative education program, or if a student declines to participate in the alternative education program, the following procedures shall be followed:

(1) A conference shall be called by a school administrator and held to assist the district in the development of a plan with the participation of a parent or a legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved with juvenile justice.

(2) The plan shall be in writing and adopted by a school administrator and presented to the student and the parent or legal guardian.

(3) The plan shall:

(a) Specify guidelines and consequences for behaviors which have been identified as preventing the student from achieving the desired benefits from the educational opportunities provided,

(b) Identify educational objectives that must be achieved in order to receive credits toward graduation,

(c) Specify the financial resources of the community programs available to meet both the educational and behavioral objects identified, and

(d) Require the student to attend monthly reviews in order to assess the student's progress toward meeting the specified goals and objectives.

The school district shall submit such plan on the form "Section 79-266(2) Plan" attached to this policy as Appendix "1".

Legal Reference:     Neb. Rev. Stat. Sec. 79-266  
                          NDE Rule 17

Date of Adoption:    July 10, 2023

**SECTION 79-266(2) PLAN**

Student: \_\_\_\_\_

Date and Participants: \_\_\_\_\_

(List parent or legal guardian, school representative, and community or agency representative)

**(a) Guidelines and Consequences for Behaviors**

The student has been recommended for expulsion for conduct as specified in correspondence and memoranda recently provided to the student and the student's parents or guardian. This conduct has had the effect of preventing the student from achieving the desired benefits from the educational opportunities provided. The student is expected to conform his conduct to the school rules for which he has been recommended for expulsion and all other established school rules. Further disciplinary measures, including possible future expulsions, can result from future violations of such behavioral guidelines and expectations.

**(b) Educational Objectives**

In order to graduate, the student needs to receive the credits listed in Attachment "A", subject to future modifications in graduation requirements.

**(c) Financial Resources and Community Programs Available**

The financial resources and community programs available to meet the educational and behavioral objectives identified in this plan include school resources (e.g., upon return from the recommended expulsion, counseling with the school counselor, and meetings with the school administration and teachers) and community organizations which assist young people (e.g., civic organizations, local college and university programs, and community college programs).

**(d) Monthly Reviews & Other**

During the period of the expulsion, the student shall be required to attend monthly reviews with the Principal or designee to assess the student's progress toward meeting the specified goals and objectives. The student shall be responsible for contacting the named school official to schedule the monthly meetings. (Attach separate sheet for any additional information or terms of plan).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted by the school administrator after a conference held to assist the district in the development of the plan with the participation of a parent or legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved in juvenile justice, and presented to the student and parent or legal guardian at the conference prior to the student being expelled in accordance with law.

Adopted by \_\_\_\_\_  
[Administrator]

Attachments: Attachment "A" (academic credits needed to graduate or other, if applicable)

StudentsStudent 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: July 10, 2023

## Appendix 1 Option Enrollment Capacity

**The following is Appendix “1” to Policy 5006 for the 2023-2024 School Year.** The Board of Education hereby sets forth the maximum number of option students for the 2023-2024 school year in any program, class, grade level or school building or in any special education programs operated by this school district, based upon available staff, facilities, projected enrollment of resident students, projected number of students with which this school district will contract based on existing contractual arrangements, and availability of appropriate special education programs. **Any program, class, grade level, or school building which has “0” as the No. of Option Students Allowed is hereby declared unavailable to option students due to lack of capacity.**

<b>PROGRAM</b>	<b>PROGRAM CAPACITY</b>	<b>PROJECTED ENROLLMENT</b>	<b>NO. OF OPTION STUDENTS ALLOWED</b>
Pre-Kindergarten (18 BW; 54 DC)	72	60	12
Kindergarten (20 BW; 45 DC)	65	46	19
First Grade (20 BW; 45 DC)	65	37	28
Second Grade (20 BW; 45 DC)	65	53	12
Third Grade (20 BW; 45 DC)	65	42	23
Fourth Grade (20 BW; 45 DC)	65	44	21
Fifth Grade (20 BW; 45 DC)	65	43	22
Sixth Grade (20 BW; 45 DC)	65	37	28
K-6 Building Capacity (BW 140; DC 315)	455	302	153
*K-6 Special Education Capacity (BW 20; DC 60)	80	100	0; over capacity
Seventh Grade	72	44	28
Eighth Grade	72	61	11
7-8 Building Capacity	144	105	39
*7-8 Special Education Capacity	20	19	1
Ninth Grade (Freshmen)	72	54	18
Tenth Grade (Sophomores)	72	43	29
Eleventh Grade (Juniors)	72	51	21
Twelfth Grade (Seniors)	72	48	24
9-12 Building Capacity	288	196	92
*9-10 Special Education Capacity	20	10	10
*11-12 Special Education Capacity	20	12	8

Revised: July 2023; Enrollment from NDE Count

\* Special education capacity will be determined on a case-by-case basis in accordance with state law and the available resources as determined by the District’s Director of Special Education or designee.

**5006 OPTION ENROLLMENT RESOLUTION**

**WHEREAS**, the School Board is required by law to adopt by resolution policies and specific standards for acceptance or rejection of option enrollment applications by October 15th for the following school year; and,

**WHEREAS**, the School Board has received and reviewed evidence and information submitted by the administration and other sources and made determinations thereon with respect to standards for acceptance or rejection and with respect to the capacity of this school district to accept option enrollment students based upon available staff, available facilities, projected enrollment, and availability of special education programs for the following school year; and,

**WHEREAS**, the School Board has determined that the educational interests of this school district would be best served by adoption of the resolutions, and the policies and specific standards herein contained.

**NOW, THEREFORE, BE IT RESOLVED** that the Option Enrollment Policy presented to the School Board as Policy 5006, and Appendix "1" to such Policy 5006, should be and the same are hereby adopted, and any previous policy or interpretation or application of the option enrollment program which is or has been inconsistent with the Policy 5006, and Appendix "1" to such Policy 5006, are repealed effective on the date of the passage of this resolution,

**BE IT FURTHER RESOLVED** that all paragraphs, subparagraphs, and portions of words of this Resolution, of Policy 5006, and Appendix "1" to such Policy 5006 are severable and that in the event any of the same are determined to be invalid for any reason, such determination shall not affect the validity of any of the remainder of the same.

**BE IT FURTHER RESOLVED** that policies and specific standards for acceptance or rejection of option enrollment applications should be and are hereby adopted, for applications filed after adoption of this resolution, and are hereinafter set forth:

The above Resolution, having been read in its entirety, member \_\_\_\_\_ moved for its passage and adoption, member \_\_\_\_\_ seconded the same. After discussion and on roll call vote, the following members voted in favor of passage and adoption of the above Resolution: \_\_\_\_\_.  
The following members voted against the same: \_\_\_\_\_.  
The following members were absent or not voting: \_\_\_\_\_. The Resolution having been consented to and approved by a majority of the members of the School Board, was declared as passed and adopted by the President at a duly held and lawfully convened meeting in full compliance with the Nebraska open meetings law.

**DATED** this 11th day of October, 2023.

**DAVID CITY PUBLIC SCHOOLS**

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

Attest: \_\_\_\_\_  
Secretary

Monday, July 10, 2023

Policy 5006 Appendix 2 Sample Letter

Parent Name  
Address  
City, State, Zip

Re: Option Enrollment – Student Name

Dear Parent:

I am writing to notify you of the rejection of your:

- \_\_\_ option enrollment application
- \_\_\_ request for a release approval.

Reason for Rejection: The reason for the rejection is that your application or request does not meet the conditions for approval that are set forth in the District’s option enrollment policy and/or state law. Additional reasons for the rejection are set forth in the completed application form, which is enclosed.

Special Education Capacity Determination: If the option application disclosed or revealed that the student would receive or could be eligible to receive special education or related services, the District conducted an individualized analysis to determine capacity. After this careful individualized assessment, the District’s Director of Special Education or designee concluded that the District does not have the capacity to provide the student with the following services and accommodations:

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Appeal Process: The parent or legal guardian may appeal a rejection of an application or of a request to release. The appeal is to be filed with the State Board of Education within thirty days after the date the notification of rejection is received. A sample petition form for an appeal can be found on the Nebraska Department of Education’s website (<https://www.education.ne.gov/>).

Professionally,

Dr. Chad Denker, DCPS Supt

Enclosure: Completed Option Enrollment Application (sent via certified mail)

## Appendix “1” to Option Enrollment Policy

**The following is Appendix “1” to Policy 5006 for the 2023-2024 School Year.** The Board of Education hereby sets forth the maximum number of option students for the 2023-2024 school year in any program, class, grade level or school building or in any special education programs operated by this school district, based upon available staff, facilities, projected enrollment of resident students, projected number of students with which this school district will contract based on existing contractual arrangements, and availability of appropriate special education programs. **Any program, class, grade level, or school building which has “0” as the No. of Option Students Allowed is hereby declared unavailable to option students due to lack of capacity.**

<b>PROGRAM</b>	<b>PROGRAM CAPACITY</b>	<b>PROJECTED ENROLLMENT</b>	<b>NO. OF OPTION STUDENTS ALLOWED</b>
Pre-Kindergarten (18 BW; 54 DC)	72	54	<b>not accepted</b>
Kindergarten (20 BW; 45 DC)	65	46	19
First Grade (20 BW; 45 DC)	65	37	28
Second Grade (20 BW; 45 DC)	65	53	12
Third Grade (20 BW; 45 DC)	65	42	23
Fourth Grade (20 BW; 45 DC)	65	44	21
Fifth Grade (20 BW; 45 DC)	65	43	22
Sixth Grade (20 BW; 45 DC)	65	37	28
K-6 Building Capacity (BW 140; DC 315)	455	302	153
K-6 Special Education Capacity (BW 20; DC 60)	80	100	0; over capacity
Seventh Grade	72	44	28
Eighth Grade	72	61	11
7-8 Building Capacity	144	105	39
7-8 Special Education Capacity	20	19	1
Ninth Grade (Freshmen)	72	54	18
Tenth Grade (Sophomores)	72	43	29
Eleventh Grade (Juniors)	72	51	21
Twelfth Grade (Seniors)	72	48	24
9-12 Building Capacity	288	196	92
9-10 Special Education Capacity	20	10	10
11-12 Special Education Capacity	20	12	8

Revised: July 2023; Enrollment from NDE Count

StudentsOption EnrollmentA. Process and Time Lines to Option In

For a student to attend David City Public Schools as an option enrollment student, the student's parent or legal guardian must submit an application to the Board of Education of the David City Public School District between September 1 and March 15 for enrollment during the following and subsequent school years (the "application period").

Upon receipt of an application, the Superintendent or the Superintendent's designee shall provide the resident school district with the name of the applicant on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission.

**Provisions for Waiver of Application Deadline**

The application deadline will be waived by the School District for applications to option into the David City Public School District, provided that the application contains a release approval from the resident district and satisfies any other requirements of law. Further, the application deadline shall not be waived if the application is for enrollment in any program, class, grade level or school building or in any special education programs operated by this School District which have been determined by the School District to be at capacity in accordance with the capacity standards (Appendix "1"), and no waiver of the deadline shall be made for such an application regardless of whether such capacity determinations are declared invalid for any reason.

B. Rejection of Applications; Reasons

1. Capacity: An option enrollment application shall be rejected in the event the capacity of a program, class, grade level, or school building operated by the School District would be exceeded by acceptance of the application, and an option enrollment application shall be rejected in the event the application is for enrollment in a program, class, grade level, or school building which has been declared unavailable to option students due to lack of capacity.

The Director of Special Education shall review on a case-by-case basis all option applications for students that would receive or could be eligible to receive special education or related services. If the Director or designee determines that the District does not have the capacity to provide the student with the appropriate services and accommodations, then the Director or designee shall send a denial notice to the parent(s) or guardian(s) and include a description of services and accommodations that the District does not have the capacity to provide.

2. Timeliness: An option enrollment application shall be rejected in the event the application is not filed on or before the April 1<sup>st</sup> immediately preceding the school year in which enrollment is sought, and the filing deadline has not been waived.

3. Previous Option Enrollment: An option enrollment application shall be rejected in the event the student has previously filed an option enrollment application for enrollment in any School District and has had such application accepted, unless a statutory exception to the “one-time” rule is applicable to the student’s circumstance.
4. Other Reasons: An option enrollment application may be rejected in the event the Superintendent, the Superintendent’s designee, or the School District determines: The application is not submitted on a form prescribed by the State Department of Education, is not completely and accurately filled in, is not received within the time required by law, or any additional information requested to be supplied is not supplied to the School District within the time lines indicated; or in the event acceptance of the application is not required by law. Matters which are legally prohibited from being considered as standards for acceptance or rejection of applications (including “previous academic achievement, athletic or extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings” and further including, without limitation, race, national origin, and gender) shall not be considered as reasons for acceptance or rejection.

C. Priority of Acceptance

Priority shall be accorded in the following order: (1) first, to those applications required to be given priority by law, (2) second, to those with a sibling in attendance at [Name] Public Schools, with priority within this group being given to those who had earliest filed applications, and (3) third to those without an option student sibling in attendance at [Name] Public Schools, with priority within this group to those who had earliest filed applications.

Filing date determinations are made by the Superintendent, or the Superintendent’s designee. In the event applications within a group are received at the same or substantially the same time, priority as between such same-date applications shall be determined on the basis of random drawing.

D. Determination of Capacity

The School District will determine and set, on an annual basis, the maximum number of option enrollment applications the School District will accept in any program, class, grade level or school building operated by this School District, based upon available staff, facilities, projected enrollment of resident students, projected number of students with which this School District will contract based on existing contractual arrangements, and may declare a program, class or school unavailable to option students due to lack of capacity. Such determinations may be made in the form of an Appendix “1” to this Policy. The determination and declaration made for any school year shall continue in effect for the next and subsequent school years unless otherwise determined and/or declared. The capacity for special education services shall be determined on a case-by-case basis as determined by the Director of Special Education or designee.

E. Releases for Options Out

A request for release of a resident student of the David City Public School District who submits an enrollment option application after March 15 or any other statutory deadline will be granted unless the release shall not be granted if the administration is considering or has recommended expulsion of the student at the time the application is filed, and the administration determines it is appropriate to complete the expulsion process.

The Superintendent or the Superintendent's designee is hereby authorized to execute such releases on behalf of the School District and the School District, subject to subsequent ratification by the School District.

F. Notification of Acceptance or Rejection

In the case of an application to option enroll into the David City Public School District, the Superintendent or the Superintendent's designee shall notify, in writing, the parent or legal guardian of the student and the resident school district whether the application is accepted or rejected on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission.

If an option enrollment application or a request for release is rejected by the David City Public School District, the Superintendent or the Superintendent's designee shall provide written notification to the parent or guardian stating the reasons for the rejection and the process for appealing such rejection to the State Board of Education. Such notification shall be sent by certified mail.

G. Applications Subsequent to Relocations or Mergers

An option enrollment application does not require a release and shall be accepted or rejected within forty-five days after filing in the following circumstances:

1. the student relocated to a different resident school district after February 1, or
2. the student's option school district merged with another district effective after February 1, and
3. the application is for attendance during the immediately following and subsequent school years.

H. Status of Option Student

A student who is admitted under the enrollment option program shall be treated as a resident student, and in such regard shall be required to provide such enrollment information and documentation as is required for enrollment of other students (e.g., certified birth certificate and evidence of physical examination, visual evaluation and immunization), shall be required to be enrolled on a full-time basis, and shall be required to adhere to student conduct rules. The building assignment for an option student, as well as classroom and grade level assignments, shall be determined by the administration.

An option student shall not be entitled to transportation except as required by law.

Transportation or transportation reimbursement will be provided in the following circumstances:

1. The David City Public School District may, upon mutual agreement with the parent or legal guardian of an option student, provide transportation to the option student on the same basis as provided for resident students. The school district may charge the parents of each option student transported a fee sufficient to recover the additional costs of such transportation.
2. Option students who qualify for free lunches are eligible for either free transportation or transportation reimbursement from the option school district. The District's policy is that the District selects which service (transportation or reimbursement) is to be provided to students.
3. For option students receiving special education services, the transportation services required in the student's Individualized Education Plan shall be provided by the resident school district.

I. Information Regarding Schools, Programs, Policies and Procedures.

As part of the option enrollment program, the administration shall make information about the David City Public Schools and its school, programs, policies and procedures available to all interested persons and shall have a copy of the option enrollment policy and regulations available at each school building.

Legal Reference: Neb. Rev. Stat. Sections 79-232 to 79-246

Date of Adoption: July 10, 2023

## Students

### Extracurricular Activity

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

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

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

#### Safety

The District's philosophy is to maintain an activities program which recognizes the importance of the safety of the participants. To ensure safety, participants are required to become fully familiar with the dangers and safety measures established for the activity in which they participate, to adhere to all safety instructions for the activity in which they participate, to inform their coach or sponsor when they are injured or have health problems that require their activities be restricted, and to exercise common-sense.

#### Warning for Participants and Parents

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

## **Section 2 Extracurricular Activity Code of Conduct**

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

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

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

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

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

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

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

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

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

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

1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
2. Use of violence, force, coercion, threat, intimidation, bullying, harassment or similar conduct in a manner that constitutes a substantial interference with school or extracurricular activity purposes or making any communication that a reasonable person would interpret as a serious expression of an intent to harm or cause injury to another.
3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property, repeated damage or theft involving property or setting or attempting to set a fire of any magnitude.
4. Causing or attempting to cause personal injury to any person, including a school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect another person shall not constitute a violation.
5. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from a student or making a threat which causes or may be expected to cause a disruption to school operations.
6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon (including personal safety or security devices, such as tasers, mace and pepper spray, unless a District administrator gives prior approval) or that has the appearance of a weapon, or bringing or possessing any explosive device, including fireworks, on school grounds or at a school function or event, or in a manner that is unlawful or contrary to school activity rules.
7. 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.
9. Sexual assault or attempting to sexually assault any person. Engaging in sexual conduct, even if consensual, on school grounds or at a school function or event.
10. Engaging in any activity forbidden by law which constitutes a danger to other students, interferes with school purposes or an extracurricular activity, or reflects a lack of high ideals.
11. Repeated violation of any of the school rules.
12. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
13. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to a school employee, school volunteer, or student. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, national origin, or religion.
14. Dressing or grooming in a manner which is dangerous to the student's health and safety or a danger to the health and safety of others or repeated violations of dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work and discipline of the school or of an extracurricular activity; dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.
15. Willfully violating the behavioral expectations for those students riding [Name] Public Schools buses or vehicles used for activity purposes.
16. Failure to report for the activity at the beginning of the season. Reporting for one activity may count as reporting on time if there is a change in activity within the season approved by the coach or the supervisor.
17. Failure to participate in regularly scheduled classes on the day of an extracurricular activity or event.
18. Failure to attend scheduled practices and meetings. If circumstances arise to prevent the participant's attendance, the validity of the reason will be determined by the coach or sponsor. Every reasonable effort should be made to notify the coach or sponsor prior to any missed practice or meeting.
19. All other reasonable rules or regulations adopted by the coach or sponsor of an extracurricular activity shall be followed, provided that participants shall be advised by the coach or sponsor of such rules and regulations in writing.

20. Failure to comply with any rule established by the Nebraska School Activities Association, including, but not limited to, the rules relating to eligibility.

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

This Code of Conduct, and all school, coach, and sponsor level codes of conduct for extracurricular activities, are to be interpreted in accordance with free speech rights. Using social media sites, even while not on school grounds or at a school activity, to engage in conduct or speech that constitutes bullying, harassment, threats, advocates or depicts illegal activity (e.g., illegal drug use, alcohol use, or sexual activity), or causes a substantial disruption to school activities (or is reasonably forecast to create a substantial disruption) may result in discipline, including suspension or removal from the team or the activity, subject to free speech rights. These activities are to be reported to school administration. Consequences will be determined by coaches, sponsors and/or administration.

### **Drug and Alcohol Violations.**

#### **Meaning of Terms.**

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

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

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

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

In these situations, a violation would not exist if the alcohol is in the control of a parent or guardian or other responsible adult (age 21 or older) such that students are not allowed to access the alcohol. A violation would also not exist if the student did not know or have a reasonable basis to know that alcohol would be present, and the student leaves the location where the alcohol is present as soon the student could safely do so. (Students are expected to leave immediately, but are not to do so in a manner that would endanger them. For example, you are not to leave in a car being driven by a person who

has been drinking just to get away from the alcohol party immediately when there is no other way to get home. Instead, you should call for a safe ride home and, while waiting, clearly distance yourself from the alcohol).

### **Consequences.**

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

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

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

### **Drugs and Alcohol.**

An activity participant who violates the drug or alcohol rules (other than steroids) shall be prohibited from participating in any extracurricular activity for the following minimum periods:

1. First Violation: 45 days.
2. Second or Any Subsequent Offense: One calendar year.
3. Reduction for Self-Reporting: If the student has self-reported, the first violation shall be reduced to 21 days for the first violation. A commensurate reduction (approximately one-half, as determined by the administration) for a second or subsequent violation shall be given for self-reporting.
4. Reduction for Participation in Chemical Dependency Program: If the student and parents agree to participate in a school-approved program for chemical dependency, the consequence will be reduced to only the next activity in which the student was to participate (including at least one contest) in the case of a first violation, and to a commensurate reduction (approximately 80%, as determined by the administration, for a second or subsequent violation).

The program must be administered by a certified alcohol and drug abuse counselor and be approved by the school authorities. The student will need to successfully complete the approved chemical dependency program. Proof of successful completion of program must be submitted in writing to the Activities Director. Failure to participate and successfully complete the approved chemical dependency program may cause the participating student to be suspended from extracurricular activities for one calendar year. All costs associated with the program are to be borne by the student/parent or guardian.

5. More Serious Violations: In the event of more serious drug or alcohol violations, such as students engaging in use of especially serious drug offenses (cocaine, meth, etc.) or procuring alcohol for minors, the consequence of the violation is not limited

by the foregoing, and may be established in the good discretion of the administration.

**Steroid Offenses.** A student who possesses, dispenses, delivers, or administers anabolic steroids shall be prohibited from participating in any extracurricular activity for the following minimum periods:

1. First Violation: 30 consecutive days.
2. Second or Any Subsequent Offense: One calendar year.

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

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

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

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

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

All students are expected to be honest and forthright with school officials. In the event the coach or activity sponsor or any school administrator asks a student participant for information pertaining to compliance (or lack of compliance) by the student or other student participants with the Code

of Conduct or eligibility conditions for participation in activities, the student is expected to fully, completely, and honestly provide the information. Students may be disciplined for a failure to be honest and forthright.

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

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

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

1. Investigation. The school official(s) considering the suspension will conduct a reasonable investigation of the facts and circumstances and determine whether the suspension will help the student or other students, further school purposes, or prevent an interference with a school purpose.
2. Meeting. Prior to commencement of the suspension, the school official considering the suspension or their designee will provide the student an opportunity to give the student's side of the story. The meeting for this purpose may be held in person or via a telephone conference.
  - a. The student will be given oral or written notice of what the student is accused of having done, an explanation of the evidence the school has, and the opportunity to explain the student's version. Detail is not required where the activity participant has made a self-report or otherwise admits the conduct. Names of informants may be kept confidential where determined to be appropriate.
  - b. The suspension may be imposed prior to the meeting if the meeting can not reasonably be held before the suspension is to begin. In that case the meeting will occur as soon as reasonably practicable. The student is responsible for cooperating in the scheduling of the meeting.
3. Notice Letter. Within two school days (two business days if school is not in session), or such additional time as is reasonably necessary following the suspension, the Athletic Director or the Athletic Director's designee will send a written statement to the student and the student's parents or guardian. The statement will describe the student's conduct violation and the discipline imposed. The

student and parents or guardian will be informed of the opportunity to request a hearing.

4. Informal Hearing Before Superintendent. The student or student's parent/guardian may request an informal hearing before the Superintendent. The Superintendent may designate the Athletic Director or another administrator not responsible for the suspension decision as the Superintendent's designee to conduct the hearing and make a decision.
  - a. A form to request such a hearing must be signed by the parent or guardian. A form will be provided with the notice letter or otherwise be made available by request from the Principal's office.
  - b. The request for a hearing must be received by the Superintendent's office within five days of receipt of the notice letter.
  - c. If a hearing is requested:
    - i. The hearing will be held within ten calendar days of receipt of the request; subject to extension for good cause as determined by the Superintendent or the Superintendent's designee.
    - ii. The Superintendent or the Superintendent's designee will notify the participants of the time and place of the hearing a reasonable time in advance to allow preparation for the hearing.
    - iii. Upon conclusion of the hearing, a written decision will be rendered within five school days (ten calendar days if school is not in session). The written decision will be mailed or otherwise delivered to the participant, parents or guardian.
    - iv. A record of the hearing (copies of documents provided at the hearing and a tape recording or other recordation of the informal hearing) will be kept by the school if requested sufficiently in advance of the hearing by the parent/guardian.
5. No Stay of Penalty. There will be no stay of the penalty imposed pending completion of the due process procedures
6. Opportunity for Informal Resolution. These due process procedures do not prevent the student or parent/guardian from discussing and settling the matter with the appropriate school officials at any stage.

### **Section 3 Attendance**

Student participants are expected to meet the following attendance expectations:

1. Attend school regularly. Students who have "excessive absences" as determined under the school's attendance policy are ineligible to participate in extracurricular activity contests or performances. Students who have four or more unexcused absences in the semester of participation will be ineligible to participate in extracurricular activity contests or performances.

2. Be on time for all scheduled practices, contests and departure for contests. In the event a participant is unable to attend a practice or contests the participant should contact the coach or sponsor in advance.
3. On the day of a contest, performance or other activity, be in attendance for the full day. A student who is not in attendance the full day is ineligible for the contest, performance, or activity.

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

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

#### **Section 4 Academic Standards**

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

1. Be enrolled in at least 25 credit hours in the semester of participation.
2. Maintain passing grades in all courses. A student who is not passing one or more classes at progress reporting times will be ineligible to participate in extracurricular activity contests or performances if the grade remains below passing one week after progress reporting time. The student will remain ineligible until the student is passing all classes.
3. Maintain an overall "C" average to participate in extracurricular activities, except school dances.
4. Academic requirements do not apply to:
  - (A) Instructional field trips which are a part of the scheduled course learning experience; or
  - (B) Activities or events which are a part of the student's grade requirements.

Eligibility criteria for part-time students is governed by Policy 5004, NSAA bylaws, and state law.

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

Date of Adoption: July 10, 2023

Community RelationsUse of School Facilities: Student Groups

1. Access by Youth Organizations. The District will allow, upon request, a representative of a recognized youth organization to provide: (1) oral or written information to students regarding the youth organization and how such youth organization furthers the educational interests and civic involvement of students in a manner consistent with good citizenship; and (2) services and activities to any student who is a member of such youth organization. A “recognized youth organization” is limited to those group listed in 36 U.S.C. Subtitle II, Part B. Each requesting youth organization will be permitted to provide information at school at least once during each school year. The administration will make a good faith effort to find a mutually agreeable date, time, and location for each requesting youth organization, though the administration shall have the ultimate authority to select the date, time, and location for any requesting youth organization. Under no circumstances will any requesting youth organization be permitted to provide oral information to students during instructional time, unless previously approved by the Superintendent or Superintendent’s designee. Every representative from a requesting youth organization must submit to, at the organization’s cost, a background check. The Superintendent or Superintendent’s designee may refuse to allow an individual to be on school grounds if the individual’s background check discloses a prior felony conviction or if, in the Superintendent’s discretion, the background check otherwise reveals concerns about student safety. Nothing in this Paragraph preempts or undermines any provision of the District’s Parental Involvement Policy.
  
2. Equal Access to Student Groups. In the event any of the secondary schools (grades 6-12) have a limited open forum as defined in the Equal Access Act, such school(s) shall not deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings. A limited open forum for this purpose exists if the secondary school grants an offering to or opportunity for one or more non-curriculum related student groups to meet on school premises during noninstructional time.

All such student meetings at school are subject to the following requirements:

- a. the meeting must be voluntary and student-initiated;
- b. there must be no sponsorship of the meeting by the school or its agents or employees;
- c. employees or agents of the school are present at religious meetings only in a non-participatory capacity;
- d. the meeting must not materially and substantially interfere with the orderly conduct of educational activities within the school; and
- e. non-school persons may not direct, conduct, control, or regularly attend activities of the student group.

The administration shall in all respects maintain the District in compliance with the Equal Access Act.

3. Equal Access to Outside Groups Meeting at School. If the District provides an opportunity for one or more outside youth or community groups to meet on school premises or in school facilities before or after school hours, the District shall make that opportunity available to other similarly situated groups. The administration shall in all respects maintain the District in compliance with the Equal Access Act.

Legal Reference: 20 U.S.C. Section 4071-4074 (Equal Access Act)  
20 U.S.C. Sec. 7905 (Boy Scouts of America Equal Access Act) & 34  
CFR Part 108  
LB 705, § 126.

Date of Adoption: July 10, 2023

Internal Board Policies - OrganizationAnnual Organizational Meeting

- A. An organizational meeting of the David City School District Board of Education shall be held on or before the third Monday of January of each year for the purposes of seating any new members and electing officers.

The following are procedures for election of officers and other business to take place at the annual organizational meeting of the Board:

1. After new Board members are sworn in, the Board will elect from its members a President, Vice President, Secretary and Treasurer, and if it is determined by the Board of Education to be needed an ex officio secretary and treasurer and those elected will assume office at the organizational meeting.

Upon call for nominations for each office by the Chair, nominations shall be made by written or oral ballot. Voting will be by oral or written ballot on all members nominated and repeated until a majority is achieved for a nominee. If no member receives a majority of votes **after ten (20) ballots or two (2) hours**, the Board member who was the President of the Board during the immediately preceding term shall continue as President. In the event that the previous Board President is no longer a Board member, then the Vice President from the immediately preceding term shall become the President. In the event that both the prior President and Vice President are no longer members of the Board, then the longest tenured Board member shall serve as President. The vote may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes of the meeting.

2. The President shall assume the chair immediately upon the President's election.
3. The motions for the officer elections should read: Move that \_\_\_\_\_ be elected as \_\_\_\_\_ (name of office) to serve a term of one year, or until the person's successor is elected and qualified.

- B. The order of business for meeting should be as follows:

1. Call to Order and Roll Call
2. Oath of Office for most recently elected

3. Elections
  - a. President
  - b. Vice President
  - c. Treasurer
  - d. Secretary
  
4. Approval of committees, positions, and designations
  - a. Consider, discuss and take action to elect Recording Secretary of the BOE
  - b. Consider, discuss and take action to select Legal counsel
  - c. Consider, discuss and take action to elect Committees as determined by the BOE
  - d. Consider, discuss and take action to select Depository bank(s)
  - e. Consider, discuss and take action to select District newspaper(s) of record
  
5. Approval of current Board policies and regulations
  
6. Designate dates for the review of BOE policies
  
7. Dissemination to each Board member of conflict of interest statutes
  
8. Adjournment

Date of Adoption: July 10, 2023

## Students

### Full-time and Part-time Enrollment

#### Full-time Enrollment

Students must be enrolled in David City Public Schools on a full-time basis. Full-time basis is defined as attending classes for the full instructional day within the public school system.

Exceptions are permitted only for:

1. enrolled students attending another state accredited institution such as a vocational-technical school or a college or university for school credit;
2. enrolled students taking the limited number of credits needed to graduate in the school year;
3. enrolled students in need of modified school attendance as an accommodation for a disability or similar unique circumstance;
4. enrolled students receiving special education services where the student's IEP requires a modified schedule, or non-enrolled students receiving special education services or other legally mandated services required to be provided to eligible resident children under state and federal laws and regulations;
5. students from other school districts participating in programs offered by the District pursuant to an interlocal agreement or other arrangement approved by the School Board; and
6. non-public school students in accordance with the policies and procedures set forth in this policy.

#### Part-Time Enrollment of Non-Public School Students

The School Board shall allow the part-time enrollment of students who are residents of the school district and who are also enrolled in a private, denominational, or parochial school or in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements. Such students are referred to herein as "non-public school students."

The School Board establishes the following guiding principles for enrollment of non-public school students:

- (1) The primary school for a non-public school student is the student's private, denominational, parochial or home school.
- (2) Enrollment of a non-public school student in [Name] Public Schools is allowed for the purpose of providing enhanced educational opportunities not otherwise available to the non-public school student. It is not to supplant programming of the student's primary school.
- (3) Non-public school students are not to be given priority over full-time students.
- (4) Non-public school students are to be enrolled only in programs or courses that are educationally appropriate for the student.
- (5) Enrollment of non-public school students is not to negatively affect the educational services to be provided to full-time students.

The School Board establishes the following specific policies and procedures for enrollment of non-public school students. In the event the specific policies and procedures require interpretation or do not fully resolve an issue, the above established guiding principles are to be considered.

A. Non-Public School Student Enrollment Application Procedures.

1. Application. Parent or guardian must submit an Application of Non-Public School Student for Part-Time Enrollment to the principal of the school the student desires to attend.
2. Deadline for Applications. The application must be received by August 1<sup>st</sup> preceding the school year the student wishes to enroll.
  - a. Change of Residence Exception: The application deadline for a student who becomes a resident of the District after the school year has commenced is: 20 calendar days after the student becomes a resident of the District. The principal may delay enrollment until the next following quarter or semester starts, or at such other time as determined to be educationally appropriate.
  - b. High School Course Exception: The application deadline for a student who desires to enroll in a second semester high school course is December 1<sup>st</sup>.
3. Action on Applications. The principal will review the application and will notify the parent of the approval or denial of the application within 2 weeks of receipt of the application or 2 weeks prior to the start of school or 2 weeks prior to the start of the next semester, whichever is later.
4. Appeals. The parent or guardian may appeal the principal's action to deny their application. Any such appeal must be submitted to the Superintendent within 14 calendar days from the date of the principal's action. The appeal shall be in writing and shall be decided on the basis of the written submission. The Superintendent may request the parent or guardian to provide further explanation or information and the appeal may be denied in the event the parent or guardian fails to fully respond on a timely basis. The Superintendent shall decide the appeal within 10 calendar days of the submission of the appeal. The Superintendent may make a decision later than the 10 days in the event good reason for delay exists. Good reason includes but is not limited to the Superintendent being unable to gather the information the Superintendent determines necessary to make the decision within the decision period.
5. Annual Applications. Part-time enrollment is determined annually. Application must be made each school year. There will be no guarantee that enrollment will be continued from one year to the next.

B. Non-Public School Student Admission

1. Admission Requirements. Students must meet the normal admission requirements. This includes the requirements that the student: be a resident of the District, be of school attendance age and not have graduated or have received a GED.
2. Admission Process. Students must complete the normal enrollment process and forms required by the District and/or the building for enrollment of all children. This includes the requirements relating to: birth certificates, immunizations, physical examinations, and visual evaluations.

C. Non-Public School Student Enrollment Standards

1. Maximum Enrollment. Students may not enroll in more than 2 middle school or high school courses during any one semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day.
2. Capacity Limits. Enrollment will ordinarily be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes will not ordinarily not be available for non-public school students.
3. Integrated Courses. Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
4. Educationally Appropriate Programs and Courses. Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
5. Selection of Courses. Subject to Paragraphs 1 through 4 of this Paragraph C, and all other applicable provisions of this Policy, non-public school students may select their courses.

D. Non-Public School Student Policies

1. General Standard. Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except

where appropriate to reflect their part-time status.

2. Building assignment. Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.
3. No Partial Part-Time Enrollment. Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District-wide assessments, as full-time students.
4. Student Conduct Policies. Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.
5. Attendance. Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
6. Presence on School Grounds. Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made in the discretion of the principal or the principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.
7. Transportation. Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement, unless otherwise required by law. Full-time students will be given first consideration for parking on the high school campus.
8. Academic Honors. Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent the student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.

9. Extracurricular Activities. Any student who is a resident of the District and who is enrolled in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements may participate in any of the District's extracurricular activity programs to the same extent and subject to the same requirements, conditions, and procedures as a full-time student in the District. The District's Activities Director will coordinate with the student's parent or guardian to secure assurances of compliance with these expectations. Any student covered by this subsection must enroll in five credit hours through the District in any semester. There shall be no preference given to any student participating in any extracurricular activity based off their status as a full-time or part-time student. Part-time students will be expected to comply with the same or similar expectations as full-time students to participate in any activity, including team rules. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

Legal Reference: Neb. Rev. Stat. Sec. 79-2,136 and Sec. 79-526  
LB 705, § 75  
Title 92, Nebraska Administrative Code, Chapter 10

Date of Adoption: July 10, 2023

Community RelationsPersonnel - All Employees and StudentsAnti-discriminationA. **Elimination of Discrimination.**

The policy of David City Public Schools is to not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, in admission or access to, or treatment with regard to employment or with regard to its programs and activities.

David City Public Schools and its staff shall comply with all state and federal laws prohibiting discrimination. The Board of David City Public Schools intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination and directs its staff to take all actions necessary to meet this objective.

The Activities Director (Brian Hermelbracht 402-367-3187 hermelbracht@dscouts.org) shall be the Coordinator for anti-discrimination laws (including Title VI, Title IX; the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act of 1973 (Section 504)) and complaints or concerns involving discrimination or compliance with those laws should be addressed to said Coordinator.

B. **Preventing Harassment and Discrimination of Employees and Students.**

1. **Purpose:** David City Public Schools is committed to offering employment and educational opportunity to its employees and students based on ability and performance in a climate free of discrimination. Accordingly, unlawful discrimination or harassment of any kind by administrators, teachers, co-workers or other persons is prohibited. In addition, David City Public Schools will try to protect employees or students from reported discrimination or harassment by non-employees or others in the work place and educational environment.

For purposes of this policy, discrimination or harassment based on a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, is prohibited. The following are general definitions of what might constitute prohibited harassment.

a. In general, ethnic or racial slurs or other verbal or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital

status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, constitutes harassment when they unreasonably interfere with the person's work performance or create an intimidating work, instructional or educational environment.

- b. Age harassment has been defined by federal regulations as a form of age discrimination. It can consist of demeaning jokes, insults or intimidation based on a person's age.
- c. Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or physical or verbal conduct of a sexual nature by supervisors or others in the work place, classroom or educational environment.

Sexual harassment may exist when:

- (a) Supervisors or managers make submission to such conduct either an explicit or implicit term and condition of employment (including hiring, compensation, promotion, or retention);
- (b) Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment related decisions such as promotion, performance evaluation, pay adjustment, discipline, work assignment, etc.
- (c) The conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working, class room or educational environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching or brushing against another's body.

## 2. **Procedures:**

- a. Employees or students should initially report all instances of discrimination or harassment to their immediate supervisor or teacher. However, if the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student is encouraged to go to the next level of supervision.
- b. If the report is not satisfactorily resolved within ten calendar days, or if the discrimination or harassment continues, please report your complaint to the Superintendent of David City Public Schools.

- c. If a satisfactory arrangement cannot be obtained through the Superintendent, the complaint may be processed to the Board of Education.
- d. The person to whom the complaint is made is to thoroughly investigate the complaint and work with the person filing the complaint to seek an appropriate resolution so the discrimination or harassment can be remedied and put to an end.
- e. Complaints of discrimination or harassment will be treated with the utmost confidence, consistent with resolution of the problem.
- f. Based on the results of the investigation, appropriate corrective action, up to and including discharge of offending employees, etc., may be taken.
- g. Under no circumstances will a supervisor or a teacher or the Board threaten or retaliate against a person for alleging discrimination or harassment.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.  
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;

Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.  
Section 504 of the Rehabilitation Act of 1973 (Section 504)  
Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)  
Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq.  
Neb. Rev. Stat. Sec. 79-2,115, et seq

Policy Adopted: June 14, 2021

Policy Revised: July 10, 2023

## Students

### Full-time and Part-time Enrollment

#### Full-time Enrollment

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1. enrolled students attending another state accredited institution such as a vocational-technical school or a college or university for school credit;
2. enrolled students taking the limited number of credits needed to graduate in the school year;
3. enrolled students in need of modified school attendance as an accommodation for a disability or similar unique circumstance;
4. enrolled students receiving special education services where the student's IEP requires a modified schedule, or non-enrolled students receiving special education services or other legally mandated services required to be provided to eligible resident children under state and federal laws and regulations;
5. students from other school districts participating in programs offered by the District pursuant to an interlocal agreement or other arrangement approved by the School Board; and
6. non-public school students in accordance with the policies and procedures set forth in this policy.

#### Part-Time Enrollment of Non-Public School Students

The School Board shall allow the part-time enrollment of students who are residents of the school district and who are also enrolled in a private, denominational, or parochial school or in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements. Such students are referred to herein as "non-public school students."

The School Board establishes the following guiding principles for enrollment of non-public school students:

- (1) The primary school for a non-public school student is the student's private, denominational, parochial or home school.
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- (3) Non-public school students are not to be given priority over full-time students.
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  - a. Change of Residence Exception: The application deadline for a student who becomes a resident of the District after the school year has commenced is: 20 calendar days after the student becomes a resident of the District. The principal may delay enrollment until the next following quarter or semester starts, or at such other time as determined to be educationally appropriate.
  - b. High School Course Exception: The application deadline for a student who desires to enroll in a second semester high school course is December 1<sup>st</sup>.
3. Action on Applications. The principal will review the application and will notify the parent of the approval or denial of the application within 2 weeks of receipt of the application or 2 weeks prior to the start of school or 2 weeks prior to the start of the next semester, whichever is later.
4. Appeals. The parent or guardian may appeal the principal's action to deny their application. Any such appeal must be submitted to the Superintendent within 14 calendar days from the date of the principal's action. The appeal shall be in writing and shall be decided on the basis of the written submission. The Superintendent may request the parent or guardian to provide further explanation or information and the appeal may be denied in the event the parent or guardian fails to fully respond on a timely basis. The Superintendent shall decide the appeal within 10 calendar days of the submission of the appeal. The Superintendent may make a decision later than the 10 days in the event good reason for delay exists. Good reason includes but is not limited to the Superintendent being unable to gather the information the Superintendent determines necessary to make the decision within the decision period.
5. Annual Applications. Part-time enrollment is determined annually. Application must be made each school year. There will be no guarantee that enrollment will be continued from one year to the next.

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C. Non-Public School Student Enrollment Standards

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3. Integrated Courses. Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
4. Educationally Appropriate Programs and Courses. Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
5. Selection of Courses. Subject to Paragraphs 1 through 4 of this Paragraph C, and all other applicable provisions of this Policy, non-public school students may select their courses.

D. Non-Public School Student Policies

1. General Standard. Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except

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5. Attendance. Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
6. Presence on School Grounds. Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made in the discretion of the principal or the principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.
7. Transportation. Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement, unless otherwise required by law. Full-time students will be given first consideration for parking on the high school campus.
8. Academic Honors. Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent the student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.

9. Extracurricular Activities. Any student who is a resident of the District and who is enrolled in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements may participate in any of the District's extracurricular activity programs to the same extent and subject to the same requirements, conditions, and procedures as a full-time student in the District. The District's Activities Director will coordinate with the student's parent or guardian to secure assurances of compliance with these expectations. Any student covered by this subsection must enroll in five credit hours through the District in any semester. There shall be no preference given to any student participating in any extracurricular activity based off their status as a full-time or part-time student. Part-time students will be expected to comply with the same or similar expectations as full-time students to participate in any activity, including team rules. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

Legal Reference: Neb. Rev. Stat. Sec. 79-2,136 and Sec. 79-526  
LB 705, § 75  
Title 92, Nebraska Administrative Code, Chapter 10

Date of Adoption: July 10, 2023