

Board of Education Regular Meeting

Monday, August 10, 2015 8:00 PM

1. Call to Order

2. Flag Salute

3. Open Meetings Act

4. Roll Call

5. Review of Agenda

Motion to approve the agenda as presented Passed with a motion by Denise Ourada and a second by John Worthing.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

6. Citizen's Comments

7. Consent Agenda

Motion to approve the Consent Agenda as presented Passed with a motion by JC Ourada and a second by Morgan Meier.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

7.1. Approval of Minutes of Previous Meeting(s)

7.2. Payment of Invoices for \$58,561.25

7.3. Financial Reports

8. Old Business

8.1. Consideration of adoption of policies 3560, 9340, 6600, 6212, 3450, 7050, 1200, 4002, 4003(a), 4003(b), 5401, 5401(z), 6286, 5001, 5418, 6115

I move to adopt Board policies 3560, 9340, 6600, 6212, 3450, 7050, 1200, 4002, 4003(a), 4003(b), 5401, 5401(z), 6286, 5001, 5418, 6115 , as presented and to repeal and rescind all existing Board policies that pertain to the same matters or that are otherwise conflicting, including without limitation existing policies Passed with a motion by Lynette Mitchell and a second by JC Ourada.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

9. New Business

9.1. Multicultural Education report

10. Reports

10.1. Principal's Report

10.2. Superintendent Report

11. Next Regular Meeting on September 14, 2015 at 8:00pm.

12. Adjournment

Motion to adjourn meeting at 9:03pm Passed with a motion by Denise Ourada and a second by John Worthing.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

Board of Education Regular Meeting

July 20, 2015 8:20 PM

Elm Creek Public Schools Media Center /Board of Education meeting room

Attendance Taken at 8:26 PM:

Present Board Members:

Jeff Meads
Morgan Meier
Lynette Mitchell
Denise Ourada
JC Ourada
John Worthing

I. Call to Order

II. Flag Salute

III. Open Meetings Act

IV. Roll Call

V. Review of Agenda

Motion Passed: Motion to approve the agenda as presented passed with a motion by John Worthing and a second by JC Ourada.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

VI. Citizen's Comments

VII. Consent Agenda

Motion Passed: Motion to approve the Consent Agenda as presented passed with a motion by John Worthing and a second by Morgan Meier.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

VII.A. Approval of Minutes of Previous Meeting(s)

VII.B. Payment of Invoices for \$159,532.01

VII.C. Financial Reports

VII.D. Approve Robyn Dietz as Food Service Director.

VIII. Old Business

IX. Executive Session

Motion Passed: Motion to enter into Executive Session at 8:30PM passed with a motion by Denise Ourada and a second by Jeff Meads.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

Motion Passed: Motion to exit from Executive Session at 9:12PM passed with a motion by Denise Ourada and a second by Lynette Mitchell.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X. New Business

X.A. Consideration of purchase of Social Science materials from McGraw Hill publishers.

Motion Passed: I recommend the purchase of Social Science materials from McGraw Hill passed with a motion by John Worthing and a second by Denise Ourada.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.B. Consider the purchase of a mini-van

Motion Passed: I recommend the purchase of a mini-van not to exceed \$21,000 passed with a motion by Morgan Meier and a second by JC Ourada.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.C. Consideration of pay rates for non-certified employees.

Motion Passed: I make a motion to pay a 3% increase for non-certified staff and 4% for administrative assistants passed with a motion by Jeff Meads and a second by Morgan Meier.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.D. Consideration of pay rate for Activities Director

Motion Passed: I make the motion to offer the activities director \$6000 flat rate passed with a motion by Denise Ourada and a second by JC Ourada.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.E. Consider reaffirmation of the district's parental involvement policy.

Motion Passed: I recommend the reaffirmation of the district's parental involvement policy, passed with a motion by Lynette Mitchell and a second by Morgan Meier.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.F. Consider approval of the district's student fees policy.

Motion Passed: I recommend the approval of the district's student fees policy, passed with a motion by John Worthing and a second by Denise Ourada.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.G. Approval of Policy 3560, Records Management.

Motion Passed: I recommend the approval of Policy 3560, Records Management, passed with a motion by John Worthing and a second by Denise Ourada.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.H. Approval of Policy 9340

Motion Passed: I recommend the approval of Policy 9340, passed with a motion by JC Ourada and a second by Morgan Meier.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.I. Approval of Policy 6600

Motion Passed: I recommend the approval of Policy 6600, passed with a motion by Jeff Meads and a second by JC Ourada.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.J. Approval of Policy 6212 - Assessments

Motion Passed: I recommend the approval of policy 6212 passed with a motion by Lynette Mitchell and a second by Jeff Meads.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.K. Approval of Policy 3540 - Bidding Construction

Motion Passed: I recommend the approval of Policy 3540 passed with a motion by Denise Ourada and a second by Morgan Meier.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.L. Approval of Policy 7050 - Bidding Construction

Motion Passed: I recommend the approval of Policy 7050, passed with a motion by Denise Ourada and a second by John Worthing.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.M. Approval of Policies 1200, 4002, 4003, 4003a (notice), 4003b (complaint form), 5401 and 5401z (complaint form)- Anti-harrassment (pregnancy)

Motion Passed: I recommend the approval of policies 1200, 4002, 4003, 4003a (notice), 4003b (complaint form), 5401 and 5401z (complaint form) passed with a motion by Lynette Mitchell and a second by JC Ourada.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.N. Approval of Policy 6286 (Return to Learn from Cancer)

Motion Passed: I recommend approval of policy 6286 passed with a motion by Denise Ourada and a second by Morgan Meier.

Jeff Meads	Yes
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Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.O. Policy 5001 (student admission forms)

Motion Passed: I recommend the approval of Policy 5001 (student admission forms), passed with a motion by Jeff Meads and a second by Lynette Mitchell.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.P. Approval of Policy 5418 (homeless forms)

Motion Passed: I recommend the approval of Policy 5418 (homeless forms), passed with a motion by Denise Ourada and a second by Jeff Meads.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

X.Q. Approval of Policy 6115 (fire drills)

Motion Passed: I recommend the approval of Policy 6115 (fire drills), passed with a motion by JC Ourada and a second by Morgan Meier.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

XI. Reports

XI.A. Americanism Committee Report

XI.B. Curriculum, Technology and Finance Committee Report

XI.C. Transportation Committee Report

XI.D. Buildings and Grounds Committee Report

XI.E. Principal's Report

XI.F. Superintendent Report

XII. Next Regular Meeting on August 10, 2015 at 8:00PM

XIII. Adjournment

Motion Passed: Motion to adjourn meeting at 10:05PM passed with a motion by Denise Ourada and a second by Morgan Meier.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes

JC Ourada
John Worthing

Yes
Yes

Chairperson

Superintendent

Parental Involvement Hearing

July 20, 2015 8:00 PM

Elm Creek Public Schools Media Center /Board of Education meeting room

Attendance Taken at 8:00 PM:

Present Board Members:

Jeff Meads
Morgan Meier
Lynette Mitchell
Denise Ourada
John Worthing

Absent Board Members:

JC Ourada

I. Call to Order

II. Flag Salute

III. Open Meetings Act

IV. Roll Call

Motion Passed: Motion to excuse JC Ourada from the Hearing passed with a motion by Denise Ourada and a second by John Worthing.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Absent
John Worthing	Yes

V. Receive public comment on the district's parental involvement policy.

VI. Adjournment

Motion Passed: Motion to adjourn meeting passed with a motion by Denise Ourada and a second by Jeff Meads.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Absent
John Worthing	Yes

Chairperson

Superintendent

Student Fees Hearing

July 20, 2015 8:10 PM

Elm Creek Public Schools Media Center /Board of Education meeting room

Attendance Taken at 8:10 PM:

Present Board Members:

Jeff Meads
Morgan Meier
Lynette Mitchell
Denise Ourada
John Worthing

Absent Board Members:

JC Ourada

I. Call to Order

II. Open Meetings Act

III. Roll Call

Motion Passed: Motion to excuse JC Ourada from Student Fee hearing passed with a motion by Denise Ourada and a second by Morgan Meier.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Absent
John Worthing	Yes

IV. Public hearing item: Receive public comment on the district's Student Fee policy.

V. Adjournment

Motion Passed: JC Ourada arrived at 8:18PM Motion to adjourn meeting at 8:23PM passed with a motion by Denise Ourada and a second by Jeff Meads.

Jeff Meads	Yes
Morgan Meier	Yes
Lynette Mitchell	Yes
Denise Ourada	Yes
JC Ourada	Yes
John Worthing	Yes

Chairperson

Superintendent

ELM CREEK SCHOOL BOARD TREASURER'S REPORTS
FOR August 10, 2015

GENERAL FUND - ACCT NO. 137766 (Reconciled 8-7-15)

BANK BALANCE July 1, 2015	\$	1,103,216.43
July 2015 RECEIPTS		
BUFFALO COUNTY	\$	28,416.27
Central Community College	\$	100.00
Dawson County	\$	576.15
ESU#10	\$	1,100.00
NASB - Winter Reimbursement	\$	2,254.69
NDHHS	\$	429.55
Phelps County	\$	5,762.12
TOTAL RECEIPTS	\$	38,638.78
AVAILABLE BALANCE	\$	1,141,855.21
DISBURSEMENTS:		
Bills Paid July, 2015	\$	159,532.01
July PAYROLL	\$	234,554.12
TOTAL DISBURSEMENTS	\$	394,086.13
BOOK BALANCE August 1, 2015	\$	747,769.08
<u>DEPRECIATION FUND - ACCT NO 14832</u>		
BALANCE July 1, 2015	\$	21,448.76
INTEREST	\$	-
BOOK BALANCE August 1, 2015	\$	21,448.76
<u>CERTIFICATES OF DEPOSIT THRU July 31, 2015</u>		
#6692 Bus Depreciation	\$	11,500.00
#6233 Track Maintenance - Issued 8/31/09	\$	16,214.99
#6013 Track Maintenance	\$	55,010.65
#6235 Unknown Capital Outlays - Issued 8/31/09	\$	16,166.67
#2232 Unemployment	\$	10,718.45
#6466 Elm Creek Public Schools (FCCLA-ISSUED 6-21-11)	\$	5,085.45
#6482 Track Maintenance - Issued 8/31/2011	\$	10,149.90
#6701 ECPS-Issued 3-12-15)	\$	24,000.00
CERTIFICATE TOTALS	\$	148,846.11

ELM CREEK SCHOOL BOARD TREASURER'S REPORTS
FOR August 10, 2015

LEASE PURCHASE PROGRAM

Balance August 1, 2015	\$	-
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BUILDING FUND

Balance July 1, 2015	\$	69,347.90
INTEREST	\$	5.83
EXPENSES	\$	-
BUILDING FUND BOOK BALANCE August 1, 2015	\$	<u>69,353.73</u>

CONSTRUCTION FUND

Balance July 1, 2015	\$	-
RECEIPTS	\$	-
DISTRIBUTIONS	\$	-
CONSTRUCTION FUND BALANCE August 1, 2015	\$	<u>-</u>

BOND FUND (OPENED 11-12-09)

BALANCE July 1, 2015	\$	6,438.96
RECEIPTS	\$	-
DISBURSEMENTS	\$	-
August 1, 2015 BALANCE	\$	<u>6,438.96</u>

SAM ACCOUNT (REAP-1173)

BALANCE July 1, 2015	\$	10,193.40
DISBURSEMENTS	\$	-
August 1, 2015 BOOK BALANCE	\$	<u>10,193.40</u>

ELM CREEK SCHOOL BOARD TREASURER'S REPORTS
FOR August 20, 2015

LUNCH FUND

BANK BALANCE July 1, 2015 \$ 49,477.50

July RECEIPTS

LUNCH SALES	\$	1,973.80
FEDERAL REIMBURSEMENT - LUNCH	\$	-
FEDERAL REIMBURSEMENT - BREAKFAST	\$	-
STATE REIMBURSEMENT	\$	-
TRANSFERS FROM GENERAL ACCT	\$	-
TOTAL RECEIPTS	\$	1,973.80

AVAILABLE BALANCE \$ 51,451.30

July DISBURSEMENTS

Payroll Transfer	\$	-
Returned Checks.	\$	-
General Expenses	\$	202.31
Food/Groceries/Milk Etc.	\$	-

TOTAL DISBURSEMENTS \$ 202.31

BANK BALANCE August 1, 2015 \$ 51,248.99

August BILLS

CASH-WA	\$	-
DOUBLE D	\$	-
FOSTERS	\$	-
HEARTLAND REFRIGERATION	\$	-
HILAND DAIRY (FMLY ROBERTS DAIRY)	\$	-
PAYROLL TRANSFER	\$	-
NE FOOD DISTR PROGRAM	\$	-
THOMPSON	\$	-
	\$	-

ACTIVITY FUND
TREASURER'S REPORT
FOR 8-10-15
RECONCILED 8-7-15

Account Description	Begin July	EXPENSES	INCOME	End July
ACCELERATED READER	\$ 2,867.74	\$ -	\$ -	\$ 2,867.74
ALUMNI	\$ 54.28	\$ -	\$ -	\$ 54.28
ANNUAL	\$ (8,071.50)	\$ -	\$ -	\$ (8,071.50)
ATTEND/VAL SCHOL (tea conc)	\$ 1,955.65	\$ -	\$ -	\$ 1,955.65
BAND	\$ (6,748.42)	\$ -	\$ 213.27	\$ (6,535.15)
BAND CLUB	\$ (70.25)	\$ -	\$ 70.25	\$ -
BAND INSTR RENTAL	\$ 455.00	\$ -	\$ -	\$ 455.00
BBALL	\$ (821.99)	\$ -	\$ -	\$ (821.99)
BOARD SCHOLARSHIP FUND	\$ 252.54	\$ -	\$ -	\$ 252.54
BOYS BBALL CLUB	\$ 4,084.16	\$ -	\$ -	\$ 4,084.16
BUFFATEERS/STU COUNCIL	\$ 1,611.94	\$ -	\$ -	\$ 1,611.94
CHEER	\$ 1,959.72	\$ -	\$ -	\$ 1,959.72
CHOIR	\$ (3,268.36)	\$ -	\$ -	\$ (3,268.36)
CHOIR CLUB	\$ 1,412.30	\$ -	\$ -	\$ 1,412.30
CLASS OF 2009	\$ (54.64)	\$ -	\$ -	\$ (54.64)
CLASS OF 2010	\$ 78.45	\$ -	\$ -	\$ 78.45
CLASS OF 2013	\$ 292.21	\$ -	\$ -	\$ 292.21
CLASS OF 2014	\$ 116.95	\$ -	\$ -	\$ 116.95
CLASS OF 2015	\$ 29.30	\$ -	\$ -	\$ 29.30
CLASS OF 2016	\$ (857.18)	\$ -	\$ -	\$ (857.18)
CLASS OF 2017	\$ 1,576.61	\$ -	\$ 500.38	\$ 2,076.99
CLASS OF 2018	\$ 5,067.81	\$ -	\$ -	\$ 5,067.81
CLASS OF 2019	\$ 4,779.61	\$ -	\$ -	\$ 4,779.61
CLASS OF 2020	\$ -	\$ -	\$ -	\$ -
CLASS OF 2021	\$ -	\$ -	\$ -	\$ -
COMP PURCHASE	\$ (152.23)	\$ -	\$ 1.00	\$ (151.23)
CONCESSIONS	\$ (7,978.10)	\$ -	\$ -	\$ (7,978.10)
COURTESY COMMITTEE	\$ 358.50	\$ -	\$ -	\$ 358.50
CROSS COUNTRY	\$ (910.13)	\$ -	\$ -	\$ (910.13)
CROSS COUNTRY CLUB	\$ (0.28)	\$ -	\$ -	\$ (0.28)
DANCE CLUB	\$ (476.35)	\$ -	\$ -	\$ (476.35)
DRAMA	\$ (272.99)	\$ -	\$ -	\$ (272.99)
ELEM PLAYGROUND	\$ 52,444.73	\$ -	\$ -	\$ 52,444.73
FBLA	\$ 22.39	\$ -	\$ -	\$ 22.39
FCCLA*	\$ (2,941.04)	\$ 3,805.11	\$ 2,770.95	\$ (3,975.20)
FCS - PATTERNS	\$ 105.76	\$ -	\$ -	\$ 105.76
FINE ARTS	\$ 111.83	\$ -	\$ -	\$ 111.83
FOB CHECKOUT	\$ 2,100.00	\$ -	\$ -	\$ 2,100.00
Page 4 of 5				

ACTIVITY FUND
TREASURER'S REPORT
FOR 8-10-15
RECONCILED 8-7-15

Account Description	Begin July	EXPENSES	INCOME	End July
FOOTBALL	\$ (10,427.59)	\$ -	\$ -	\$ (10,427.59)
FOOTBALL CLUB	\$ 5,289.31	\$ 156.00	\$ -	\$ 5,133.31
GENERAL DONATION FUND	\$ 770.10	\$ -	\$ 69.00	\$ 839.10
GENERAL EXPENSES/INCOME	\$ (36,712.47)	\$ 2,147.21	\$ 691.98	\$ (38,167.70)
GENERAL POSTAGE	\$ (231.60)	\$ -	\$ 14.40	\$ (217.20)
GIRLS BBALL CLUB	\$ 2,384.61	\$ -	\$ -	\$ 2,384.61
GOLF	\$ (3,054.25)	\$ 227.80	\$ -	\$ (3,282.05)
GOLF CLUB	\$ 420.44	\$ -	\$ -	\$ 420.44
GYM RENT	\$ 5,101.50	\$ -	\$ -	\$ 5,101.50
IND TECH SPECIAL FUND	\$ 1,894.79	\$ -	\$ -	\$ 1,894.79
INSURANCE	\$ 268.85	\$ 6,812.47	\$ 3,626.64	\$ (2,916.98)
IPADs	\$ 5,565.25	\$ -	\$ -	\$ 5,565.25
IRS 125	\$ 312.22	\$ 150.00	\$ -	\$ 162.22
LASER	\$ 10.41	\$ -	\$ -	\$ 10.41
MISCELLANEOUS	\$ 7,210.01	\$ -	\$ 7,200.00	\$ 14,410.01
MOTOR CLUB	\$ 849.57	\$ -	\$ -	\$ 849.57
MUSIC TRIP	\$ 1,824.12	\$ -	\$ -	\$ 1,824.12
NHS	\$ 2,557.31	\$ -	\$ -	\$ 2,557.31
ONE ACT	\$ (418.17)	\$ -	\$ -	\$ (418.17)
PRES FREE SCHOL	\$ (166.36)	\$ -	\$ -	\$ (166.36)
PRESCHOOL	\$ 20,064.75	\$ 600.00	\$ 1,250.00	\$ 20,714.75
PROM	\$ 871.04	\$ -	\$ -	\$ 871.04
RETIREMENT	\$ 44.91	\$ -	\$ -	\$ 44.91
SCHOOL PLAY	\$ 470.55	\$ -	\$ -	\$ 470.55
SIGN ADVERTISING	\$ 9,610.58	\$ -	\$ -	\$ 9,610.58
SPECIAL ED	\$ 39.52	\$ -	\$ -	\$ 39.52
SRS GIFTS	\$ 38.62	\$ -	\$ -	\$ 38.62
SUPERMERCADO	\$ 176.68	\$ -	\$ -	\$ 176.68
SURPLUS PRO	\$ 93.00	\$ -	\$ -	\$ 93.00
TRACK	\$ (6,325.31)	\$ 63.98	\$ 909.29	\$ (5,480.00)
TRACK CLUB	\$ 1,720.51	\$ -	\$ -	\$ 1,720.51
VOLLEYBALL	\$ (13,363.69)	\$ -	\$ -	\$ (13,363.69)
VOLLEYBALL CLUB	\$ 6,540.28	\$ 340.00	\$ -	\$ 6,200.28
WRESTLING	\$ (12,458.77)	\$ -	\$ -	\$ (12,458.77)
WRESTLING CLUB	\$ 2,667.47	\$ 92.50	\$ -	\$ 2,574.97
	\$ 42,752.21	\$ 14,395.07	\$ 17,317.16	45,674.30
* INCOME INCLUDES VOIDED CHECK				
Page 5 of 5				

CHECK REGISTER FOR ACTIVITY ACCOUNT: JULY 2015

Check Number	Date	Paid To	Description	Amount
Bank ID: C Activity Fund				
11916	7/3/2015	MISKO SPORTS	SHIRTS	\$ 156.00
11917	7/3/2015	WOOD MAGAZINE	SUBSCRIPTION	\$ 29.82
11918	7/3/2015	OVERTON GOLF CLUB	FKC	\$ 45.00
11919	7/3/2015	Firstier Bank	CASH FOR NATIONALS	\$ 1,470.00
11920	7/3/2015	Firstier	CASH FOR NATIONALS	\$ 450.00
11921	7/6/2015	Wells Fargo Card Services	GOLF	\$ 182.80
11922	7/9/2015	Lunch Fund	PARENT TRANSFER	\$ 600.00
11923	7/14/2015	ANSLEY SCHOOLS	CAMP	\$ 100.00
11924	7/14/2015	TM SPORTING GOODS	TRACK SPIKES	\$ 23.98
11925	7/15/2015	BRIDGE STREET AUTO	REFUND	\$ 500.00
11926	7/15/2015	MISKO SPORTS	SHIRTS	\$ 240.00
11927	7/17/2015	PAYFLEX SYSTEMS USA	DEP CARE FEES	\$ 150.00
11928	7/17/2015	KENESAW SCHOOLS	DISTRICTS	\$ 40.00
11929	7/17/2015	CORPORATE PAYMENT SYSTEMS	NATIONALS	\$ 3,595.00
11930	7/20/2015	BLUE CROSS BLUE SHIELD OF NE	BOARD, EE PREMIUMS	\$ 6,753.82
11931	7/20/2015	AFLAC	BOARD, EE PREMIUMS	\$ 58.65

Check Register

Direct

Dep.	Check Number	Check Date	Vendor ID	Vendor Name	Amount
	Invoice	Invoice Date	PO Number	Description	

Checks Printed

1 - GENERAL FUND

Bank Account :A - General Fund

00013505	08/10/2015	AGRICOOP	CHS AGRI SERVICE CENTER		
073115	07/31/2015		08/07/2015	VAN, CAR, MOWER - GAS	486.95
				Check Total	486.95
00013506	08/10/2015	ALPHAREH	ALPHA REHABILITATION P.C.		
3550	07/31/2015		08/05/2015	SPED SERVICES	244.90
				Check Total	244.90
00013507	08/10/2015	APPLEINC	APPLE INC		
4346970233	07/23/2015		08/05/2015	IPAD AIR	8,480.00
				Check Total	8,480.00
00013508	08/10/2015	BAUERRI	RICK BAUER		
080115	08/01/2015		08/05/2015	RENT	45.00
				Check Total	45.00
00013509	08/10/2015	BLICK	BLICK ART MATERIALS		
4744522	07/29/2015		08/05/2015	ART SUPPLIES	3,097.64
				Check Total	3,097.64
00013510	08/10/2015	BUFFALOOUT	BUFFALO OUTDOOR POWER LLC		
66359	07/31/2015		08/05/2015	CUSTODIAL	78.96
				Check Total	78.96
00013511	08/10/2015	CENTURY	CENTURYLINK		
070715	07/07/2015		08/05/2015	PHONE	308.94
				Check Total	308.94
00013512	08/10/2015	CHARTERC	CHARTER COMMUNICATIONS		
072415B	07/24/2015		08/05/2015	INTERNET	159.17
				Check Total	159.17
00013513	08/10/2015	COMPUTERH	Computer Hardware, Inc		
105244	07/15/2015		08/05/2015	TECH EQUIPMENT	4,995.00
				Check Total	4,995.00
00013514	08/10/2015	CONSTRUC	Construction Rental Kearney		
244274-2	07/16/2015		08/05/2015	BLADE	129.47
				Check Total	129.47
00013515	08/10/2015	CULLIGAN	CULLIGAN		
071615	07/28/2015		08/05/2015	SOFT SALT	290.50
				Check Total	290.50
00013516	08/10/2015	CYBERA	CYBER ACOUSTICS		

ALL Data

Check Register

Arranged by:
Check Number

Direct

Dep.	Check Number Invoice	Check Date Invoice Date	Vendor ID PO Number	Vendor Name PO Date Description	Amount
	IN226040	07/22/2015		08/05/2015 iPad COVERS	550.00
				Check Total	550.00
00013517		08/10/2015	ESU10	Educational Service Unit 10	
	072315	07/23/2015		08/05/2015 SPED SERVICES	1,347.18
				Check Total	1,347.18
00013518		08/10/2015	ESU11	Educational Service Unit 11	
	2606	07/28/2015		08/05/2015 ODYSSEY WARE	900.00
				Check Total	900.00
00013519		08/10/2015	FAMILYR	FAMILY RESOURCES	
	1430	08/01/2015		08/05/2015 SEPT-OCT-NOV SERVICES	375.00
				Check Total	375.00
00013520		08/10/2015	FOUNDATION	FOUNDATIONS IN PERSONAL FINANCE	
	5701694	07/21/2015		08/05/2015 BOOKS ETC	1,319.86
				Check Total	1,319.86
00013521		08/10/2015	GOPHER	GOPHER	
	8993362	07/30/2015		08/05/2015 WEIGHT TRAIN	565.92
	8993464	07/30/2015		08/05/2015 LIFETIME SPORTS	240.54
				Check Total	806.46
00013522		08/10/2015	GRACZYKS	GRACZYK SPRINKLER & HANDYMAN	
	23175	07/20/2015		08/05/2015 3RD APPLICATION	1,194.00
	2426	07/28/2015		08/05/2015 REPAIRS	97.10
				Check Total	1,291.10
00013523		08/10/2015	GREATAMF	GREAT AMERICAN FINANCIAL SERVICES	
	17297063	07/21/2015		08/05/2015 COPIERS	1,365.45
				Check Total	1,365.45
00013524		08/10/2015	HAPPP	HAPP PUBLISHING	
	073115	07/31/2015		08/05/2015 NOTICES, MINUTES	501.35
				Check Total	501.35
00013525		08/10/2015	INTELL	INTELLICOM COMPUTER CONSULTING	
	184775	07/31/2015		08/06/2015 PHONES	335.40
				Check Total	335.40
00013526		08/10/2015	ISLANDSU	Island Supply Welding	
	138701	07/31/2015		08/05/2015	60.76
				Check Total	60.76
00013527		08/10/2015	KEARNEYG	KEARNEY GLASS-SERVICE	
	ILZR42324	07/21/2015		08/06/2015 REPAIRS	172.00
				Check Total	172.00

Check Register

ALL Data

Arranged by:
Check Number

Direct

Dep.	Check Number Invoice	Check Date Invoice Date	Vendor ID PO Number	Vendor Name PO Date Description	Amount
	00013528	08/10/2015	LASERTEC	LASERTEC OF NEBRASKA	
	51201	07/29/2015		08/05/2015 COPIERS	259.11
				Check Total	259.11
	00013529	08/10/2015	LINWELD	MATHESON TRI GAS	
	50812400	07/31/2015		08/05/2015	116.64
				Check Total	116.64
	00013530	08/10/2015	MENARD	MENARDS - KEARNEY	
	85311	07/12/2015		08/05/2015 BLACK PAINT	6.00
	85501	07/15/2015		08/05/2015 SURG PROTECT, COPPER WIRE	125.77
	85503	07/15/2015		08/05/2015 FENCE POSTS, CONCRETE ETC	679.19
	85584	07/16/2015		08/05/2015 TENSION BAR, CONCRETE	28.34
	85898	07/21/2015		08/05/2015 GRASS SEED, WIRE, BOLTS	89.38
	86438	07/29/2015		08/05/2015 TECH, FENCE, SHELF	179.15
	86533	07/30/2015		08/05/2015 SHOP: PAINT, TOOLS ETC	918.11
				Check Total	2,025.94
	00013531	08/10/2015	MIDWESTFLS	MIDWEST FLOOR SPECIALISTS, INC.	
	13471	08/03/2015		08/06/2015 REFINISH GYM FLOOR	3,670.00
				Check Total	3,670.00
	00013532	08/10/2015	NATIONALA	NATIONAL ART & SCHOOL SUPPLIES, INC	
	51657	06/26/2015		08/05/2015 MRKRS, TAPE, POST-ITS ETC	727.94
				Check Total	727.94
	00013533	08/10/2015	NETS	NEBRASKA EDUCATION TECH SERVICES	
	323	02/24/2015		08/06/2015 NEGOTIAT MBR 4/15 TO 3/16	1,200.00
				Check Total	1,200.00
	00013534	08/10/2015	NPPD	NEBRASKA PUBLIC POWER DISTRICT	
	211010056740-0	07/16/2015		08/05/2015 BUS BARN	27.37
	71615				
	211010056744-0	07/16/2015		08/05/2015 BALLFIELD	27.37
	71615				
	211010056748-0	07/16/2015		08/05/2015 230 EAST CALKINS	5,411.37
	71615				
				Check Total	5,466.11
	00013535	08/10/2015	NSTA	NE SCHOOL TRANSPORTATION ASSN	
	080515	08/05/2015		08/05/2015 STONE-MEMBERSHIP	25.00
				Check Total	25.00
	00013536	08/10/2015	OZANAM	OZANAM/BIST	
	080515	08/05/2015		08/05/2015 BIST 2015-16	6,825.00
				Check Total	6,825.00
	00013537	08/10/2015	PERRY	Perry, Guthery, Haase & Gessford, PC, LLO	
	072615	07/26/2015		08/05/2015 LEGAL SERVICES	140.00

ALL Data

Check Register

Arranged by:
Check Number

Direct

Dep.	Check Number Invoice	Check Date Invoice Date	Vendor ID PO Number	Vendor Name PO Date Description	Amount
				Check Total	140.00
	00013538	08/10/2015	PYRAMID	PYRAMID SCHOOL PRODUCTS	
	S1293429.001	07/20/2015		08/05/2015 OFFICE SUPPLIES	1,840.30
				Check Total	1,840.30
	00013539	08/10/2015	QUILL	Quill	
	6137651	07/22/2015		08/05/2015 LABELS	134.45
	6339569	07/29/2015		08/05/2015 MAILING SEALS	22.22
				Check Total	156.67
	00013540	08/10/2015	RICHMANINC	RICHMAN, INC	
	116	07/19/2015		08/05/2015 SLICE FBALL & PRACTICE FLD	32.00
				Check Total	32.00
	00013541	08/10/2015	SCHOOLM	SCHOOLMATE	
	IN000424361	07/31/2015		08/05/2015 PLANNERS	313.20
	IN000424427	07/31/2015		08/05/2015 PLANNERS	491.05
				Check Total	804.25
	00013542	08/10/2015	SERVICE	SERVICEMASTER OF MID NE	
	11476	07/31/2015		08/05/2015 2010 ADDITION	3,207.00
	11477	07/31/2015		08/05/2015 ELEMENTARY FACILITY	3,442.00
				Check Total	6,649.00
	00013543	08/10/2015	SOURCE	SOURCEGAS LLC	
	201269985434	07/23/2015		08/05/2015 230 EAST CALKINS	184.83
	201536905864	07/23/2015		08/05/2015 225 E BOYD (GYM)	110.80
	201714851803	07/23/2015		08/05/2015 122 NORTH CHURCH	35.95
				Check Total	331.58
	00013544	08/10/2015	STATENE	STATE OF NEBRASKA	
	944489	07/01/2015		08/05/2015	236.79
				Check Total	236.79
	00013545	08/10/2015	VERIZON	VERIZON WIRELESS	
	9748483310	08/01/2015		08/05/2015	93.83
				Check Total	93.83
	00013546	08/10/2015	VILLAGEE	Village Of Elm Creek	
	073115	07/31/2015		08/07/2015	595.00
				Check Total	595.00
	00013547	08/10/2015	WOODWARDS	WOODWARDS DISPOSAL SERVICE	
	NO8623-601	07/25/2015		08/05/2015 DOC DESTRUCTION	25.00
				Check Total	25.00
1 - GENERAL FUND Totals:					58,561.25

Check Register

ALL Data

Arranged by:
Check Number

Direct

Dep.	Check Number	Check Date	Vendor ID	Vendor Name	Amount
Invoice	Invoice Date	PO Number	PO Date	Description	

Total of Checks Printed: 58,561.25

Report Total: 58,561.25

John M. Guthery
Thomas M. Haase
James B. Gessford
Rex R. Schultze***
Daniel F. Kaplan
Gregory H. Perry
Joseph F. Bachmann*
R.J. Shortridge*
Jeanette Stull
Corey L. Stull*
Joshua J. Schauer*
Shawn P. Dontigney
Derek A. Aldridge**
Justin J. Knight****



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****Also Admitted in Colorado

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

Perry Law Firm 2015 Annual Policy Update Service

To: Dr. Wayne Bell, Administrator, ESU 10
From: Gregory H. Perry and Rex R. Schultze
Date: June 19, 2015

This is the 2015 Annual Policy Update.

1. Assessments—Adopt State Standards—Policy 6212

The statute related to adoption of state standards by school districts states:

79-760.02: In accordance with timelines that are adopted by the State Board of Education, but in no event later than one year following the adoption or modification of state standards, each school district shall adopt measurable quality academic content standards in the subject areas of reading, writing, mathematics, science, and social studies. The standards may be the same as, or may be equal to or exceed in rigor, the measurable academic content standards adopted by the state board and shall cover at least the same grade levels.

The Commissioner had previously determined that the adoption of the standards needs to be in the form of a board policy.

We have amended Policy 6212 to incorporate the Language Arts standards that were adopted by the State Board in September, 2014.

2. Bidding Construction—Policies 3540 and 7050

LB 431 amended Neb. Rev. Stat. §73-106 to increase the dollar amount for construction projects which are required to be bid from \$40,000 to \$100,000. Policy 3540 has been amended to reflect that change.

In addition, Policy 7050, which addresses the dollar amount of construction projects that require involvement of an architect or engineer, has been revised to use the same language for the periodic adjustment of the dollar amount that is used in Policy 3540.

3. Electronic Records—Policies 3560 and 9340

LB 365 permits electronic records, including keeping board meeting minutes in electronic form. Policies 3560 and 9340 have been revised to incorporate this change in the law.

4. Special Education—Policy 6600

Policy 6600 has been amended to include additional provisions required by NDE Rule 51, and to incorporate updated citations to Rule 51.

5. Pregnancy—Non-Discrimination Policies

LB 627 amended the Nebraska Fair Employment Act to make it unlawful to discriminate against pregnant women in employment, and to require that accommodations be provided to pregnant employees.

We have amended the non-discrimination policies (1200, 4002, 4003, 4003a (notice), 4003b (complaint form), 5401 and 5401z (complaint form)).

It is not known whether the Nebraska Equal Opportunity Commission will change its non-discrimination poster to reflect the new pregnancy law.

6. Return to Learn from Cancer—Policy 6286

LB 511 requires schools to “establish a return-to-learn protocol for students returning to school after being treated for pediatric cancer.” Policy 6286 responds to this requirement. The policy recognizes that in most cases, the individual details of the accommodations to be provided will be developed by the students’ 504 teams.

7. School Wellness (No Policy Update; Adoption of Regulation Pending)

The Nutrition School Lunch Act was amended in 2010 to authorize the Secretary to establish regulations related to local wellness policies. 42 USC section 1758b. The Secretary put out proposed regulations in 2014. However, on May 11, 2015, the proposed rule was re-published in the Federal Register and opened for another notice and comment period. The comment period ends July 10, 2015, so we can assume the final rule will be adopted sometime thereafter.

Nonetheless, we will proceed to prepare a revised wellness policy and send it out next week.

8. Student Admission Forms—Policy 5001 forms

Policy 5001 includes a set of forms related to student admission. We recently created an affidavit form for early enrollment in Kindergarten in a circumstance in which the family anticipates relocating to another state that would allow admission within the current year. The packet of 5001 forms now includes that affidavit form.

9. Homeless Forms—Policy 5418 forms

Policy 5418 includes forms related to homeless students. One of the forms identified the NDE Homeless Coordinator by name. Given NDE staffing forms, the reference is no longer accurate, so we have modified the form accordingly.

10. Fire Drills—Policy 6115

There has not been a change in the legal requirements for fire drills. However, we gained access to information that has led us to revise Policy 6115 to be compliant with the legal requirements.

Conclusion

If you need anything further with regard to these documents or have questions, please contact either Greg (gperry@perrylawfirm.com) or Rex (rschultze@perrylawfirm.com).

School Districts that receive this Memo and the enclosures should consult with their school attorney for independent legal advice.

Notice of Nondiscrimination

The Elm Creek Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, 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: Jason Sullivan, Principal, 230 East Calkins Ave., Elm Creek, NE 68836, (308) 856 - 4300, jason.sullivan@elmcreekschools.org

Employees and Others: Dean Tickle, Superintendent, 230 East Calkins Ave., Elm Creek, NE 68836, (308) 856 -4300, dean.tickle@elmcreekschools.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 the OCR at 601 East 12th Street, Room 353, Kansas City, MO 64106, (800) 368-1019 (voice), Fax (816) 426-3686, (800) 537-7697 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

**Complaint Form
Discrimination, Harassment or Retaliation**

The Elm Creek Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status, 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: Jason Sullivan, Principal, 230 East Calkins Ave., Elm Creek, NE 68836, (308) 856-4300, jason.sullivan@elmcreekschools.org
Employees and Others: Dean Tickle, Superintendent, 230 East Calkins Ave., Elm Creek, NE 68836, (308) 856 -4300, dean.tickle@elmcreekschools.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: _____

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

The policy of Elm Creek Public Schools is to not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status in admission or access to, or treatment with regard to employment or with regard to its programs and activities.

Elm Creek Public Schools and its staff shall comply with all state and federal laws prohibiting discrimination. The Board of Elm Creek 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 Superintendent 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:** Elm Creek 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, Elm Creek 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 race, color, religion, national origin, sex, disability or age 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 race, color, religion, disability or national origin constitute 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, classroom 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 Elm Creek 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. § 2000d, Title VII, 42 U.S.C. § 2000e, Title IX; 20 U.S.C. § 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. §48-1101 et seq.
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. §621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. §48-1001 et seq.;
Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq.
Section 504 of the Rehabilitation Act of 1973 (Section 504)
Pregnancy Discrimination Act, 42 U.S.C. § 2000e(k)
Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. § 4301 et seq.

Date of Adoption: August 10, 2015

Business OperationsProcedures—Bidding Construction Projects

The District shall bid every project for the construction, remodeling, or repair of any school-owned building or for site improvements when the contemplated expenditures for the project is in excess of \$100,000.00, or such sum as adjusted pursuant to §73-106. The bidding procedures shall comply with the requirements of state law and shall include the following:

1. Notice to Bidders: The Administration shall prepare a notice to bidders containing a general description of the scope of the project being bid; the location of the project; the means of obtaining project documents, including plans and specifications; the date and hour bids will close; and the date, hour and place bids are to be returned, received and opened, and a provision that such bids will be immediately and simultaneously opened in the presence of the bidders or representatives of the bidders, when the hour is reached for the bids to close.
2. Regular Manner of Advertisement for Bids: The notice to bidders shall be published one time in a newspaper of general circulation in the School District. The notice shall be published at least seven (7) days prior to the date designated for the opening of such bids. The Board of Education or Administration may, in its sole discretion, elect to utilize further advertisement for bids as it may determine appropriate to secure a sufficient number of qualified bidders for the scope of the project.
3. Bid Opening: When the hour is reached for such bids to close, bids will be immediately and simultaneously opened in the presence of the bidders or representatives of the bidders.
4. Contract Award: The contract shall be awarded to the lowest responsible bidder as to the extent required by law. When not so required, the award shall be made on the basis of consideration of the contract award criteria determined appropriate by the Board or administration.
5. Performance and Payment Bonds. Whenever any contract is entered into for the erecting, furnishing, or repairing of any building or other public structure or improvement, the contractor shall be required, before commencing such work, to furnish a performance, labor and material payment bond. The bond requirement shall not apply, however, to any project bid or proposed which has a total cost of \$10,000 or less unless the School Board or Administration includes a bond requirement in the specifications for the project. The bond shall be in an amount not less than the contract price. The bond shall be conditioned on the faithful performance of the contract and the payment by the contracting party of all laborers and mechanics for labor that is performed and of all material and equipment rental that is actually used or rented in connection with the improvement project and the performance of the contract. Such bond shall contain such provisions as are required by statutes, and be in a form prescribed and required by the district.

6. Retention of an Architect or Engineer. The School District shall not engage in the construction of any public works involving architecture or engineering unless the plans, specifications, and estimates have been prepared and the construction has been observed by an architect, a professional engineer, or a person under the direct supervision of an architect, professional engineer, or those under the direct supervision of an architect or professional engineer; provided that such requirement shall not apply to any public work in which the contemplated expenditure for the complete project does not exceed one hundred thousand dollars (\$100,000), as adjusted from time to time by § 81-3445 or other applicable law.

7. Additional Procedures. Each bid for which a labor and material bond is required shall be accompanied by a bid bond or certified check in the amount of five percent (5%) of such bid unless the School Board or Administration waives such requirement. The Board of Education or Administration may provide for additional procedures for the procurement, opening and acceptance of bids as deemed appropriate for a particular project.

Legal Reference: Neb. Rev. Stat. ' 52-118; Neb. Rev. Stat. ' 73-101 *et seq.*; Neb. Rev. Stat. ' 73-106; Neb. Rev. Stat. ' 81-3445

Date of Adoption: August 10, 2015

Business OperationsRecords Management and Disposition

1. General Standard. Records should generally be organized, managed, retained and disposed of in accordance with law and the Secretary of State's schedules for retention and disposition of public records.
2. Records Officer. The Superintendent is hereby designated as the records officer of the school district for purposes of this policy. Any questions about the type or category of a record or the required retention period for it should be addressed to the records officer.
3. Electronic Messages. Electronic messages are communications using an electronic system for the conduct of school district business internally, between other state and local government agencies, and with parents, students, patrons and others in the outside world. These messages may be in the form of e-mail, electronic document exchange (electronic fax), and electronic data interchange (EDI). In this policy, the terms electronic messages and e-mail are used, depending on the context, to mean the same thing. The school district's electronic system in which records are collected, organized, and categorized to facilitate preservation, retrieval, use, and disposition is as follows:
 - a. End-User Management. End-user means anyone who creates or receives electronic messages on the school district's electronic system. Electronic messages are to be managed at the end-user's desktop rather than from a central point. Each end-user is responsible for organizing, managing and disposing of records that are part of his or her desktop computer.
 - b. Categories for Retention. Electronic messages fall within three categories: (1) transitory messages; (2) records with a less than permanent retention period; and (3) records with a permanent retention period. End-users are to organize, store, retain and dispose of electronic messages according to these three categories. This means determining which electronic messages require long-term retention, determining who is responsible for making this decision, and establishing storage and disposition requirements for electronic messages.
 - i. *Transitory messages*. Transitory messages include copies posted to several persons and casual and routine communications similar to telephone conversations. For example, as determined on an individual case-by-case basis by the end-user, transitory messages include certain embryonic materials, notes or drafts; unwanted and unneeded "junk" mail; "personal" mail for employees not related to school business; unsolicited sectarian, religious, partisan, political or commercial messages, or political advertising or advertisements promoting particular personal or religious beliefs, a specific ballot question, or controversial topics or positions. There is no retention requirement for transitory messages. Employees

sending or receiving such communications may delete them immediately without obtaining approval.

- ii. *Less than permanent retention records.* These records are governed by the retention period for equivalent hard copy records as specified in the approved records retention and disposition schedules. These records should be converted to hard copy (printed) or an electronic format which can be retrieved and interpreted (downloaded) for the legal retention period. Employees creating or receiving such communications may delete or destroy the records only according to the applicable retention schedule. Questions relating to the retention or destruction of these records should be referred to the records officer.
 - iii. *Permanent/archival retention records.* These are records scheduled for transfer to the Nebraska State Historical Society (NSHS). Decisions relating to such records should be made by the records officer in consultation with NSHS, and the State Records Administrator about either transferring the records or maintaining them in the agency of origin. If the transfer decision is made, the method, frequency and format of the transfer should be determined cooperatively by the records officer, the NSHS, and the State Records Administrator.
- c. Electronic Storage Limitations. The district's computer systems have storage limitations. E-mails are deleted by the computer system within 60 to 90 days to avoid operational problems. End-users are instructed that electronic messages that are required to be maintained past that time period should be converted to hard copy (printed) or an electronic format which can be retrieved and interpreted (downloaded) for the legal retention period. The retention period for the particular record is the best indicator of which storage medium or format to choose.
- d. Proper Use of Electronic Messages.
- i. Non-Discrimination. Electronic messaging is not permitted to be used to promote discrimination on the basis of race, color, national origin, age, marital status, sex, political affiliation, religion, disability or sexual preference; promote sexual harassment; or to promote personal, political, or religious business or beliefs.
 - ii. Permissible Use. Electronic messaging is to be used only for purposes that are consistent with the mission of the school district. Electronic messaging is not permitted to be used for personal purposes except for: incidental, intermittent or occasional use which does not interfere with performance of duties as determined by the administration, use that is authorized pursuant to an individual use agreement, and use that represents a form of the employee's compensation. Electronic messaging is not permitted to be used for personal financial gain or for the purpose of

campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question. Electronic messaging is not permitted to be used for purposes of assisting a non-profit organization except when and to the extent such use serves a school purpose or facilitates school district business.

- iii. Conduct. Employees shall not read electronic messages received by another employee when there is no school purpose for doing so, send electronic messages under another employee's name without the employee's consent or administrative authorization, or change or alter any portion of a previously sent electronic message without administrative authorization.
- iv. Other Regulations. Electronic messaging is subject to all requirements of the school district's "Acceptable Use of Computers, Network, Internet and Websites" policy and may be monitored and accessed at any time without prior notice. The school district has complete authority to regulate all electronic messaging. Electronic messaging is a privilege and not a property right and is not a public forum. Electronic messaging is made available subject to all board policy and regulations, these regulations, building guidelines, use agreements, handbook provisions, and all administrative orders or directives as issued from time to time.

4. Electronic Records

All books, papers, documents, reports, and records kept by the District may be retained as electronic records. Minutes of the meetings of the school board may be kept as an electronic record.

5. Litigation Holds

When litigation against the District or its employees is filed or threatened, the District will take all reasonable action to preserve all documents and records that pertain to the issue. Such action will in particular be taken when the litigation may be filed in federal court or otherwise subject to federal rules of discovery.

As soon as the District is made aware of pending or threatened litigation, a litigation hold directive will be issued by the records officer or designee. The directive will be given to all persons suspected of having records that may pertain to the litigation issue.

The litigation hold directive overrides any records retention schedule that may otherwise call for the disposition or destruction of the records until the litigation hold has been lifted. E-mail and computer accounts of separated employees that have been placed on a litigation hold will be maintained by the records officer until the hold is released.

Employees who receive notice of a litigation hold are to preserve all records that pertain to the litigation issue. This includes preserving electronic messages that would otherwise be deleted by the computer system; such messages are to be converted by the recipients of the litigation hold to hard copy (printed) or electronic format which can be retrieved and interpreted (downloaded) for the duration of the litigation hold.

No employee who has been notified of a litigation hold may alter or delete an electronic or other record that falls within the scope of the hold. Violation of the litigation hold may subject the employee to disciplinary actions, up to and including dismissal, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

6. Settlement Agreements

A public written or electronic record of all settled claims shall be maintained.

The record for all such claims settled in the amount of fifty thousand dollars or more (or one percent of the total annual budget of the School District, whichever is less) shall include a written executed settlement agreement. The settlement agreement shall contain a brief description of the claim, the party or parties released under the settlement, and the amount of the financial compensation, if any, paid by or to the School District or on its behalf. Any such settlement agreement shall be included as an agenda item on the next regularly scheduled public meeting of the School Board for informational purposes or for approval if required.

Any such settled claim or settlement agreement shall be a public record. Nonetheless, specific portions of the record may be withheld from the public to the extent permitted or provided by statute.

The foregoing does not apply to claims made in connection with insured or self-insured health insurance contracts.

Legal Reference: Neb. Rev. Stat. " 84-712 through 84-712.09
 Neb. Rev. Stat. " 84-1201 to 84-1227
 Laws 2010, LB 742
 State Records Administrator Guidelines:
 Schedule 10: Records of Local School Districts (Feb. 1989)
 Schedule 24: Local Agencies General Records (March 2005)
 Electronic Imaging Guidelines (March 2003)

Date of Adoption: August 10, 2015

Personnel - All EmployeesEqual Opportunity Employment

It is the policy of Elm Creek Public Schools to employ the best qualified applicant for each position without regard to sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status, and to not fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status.

There shall be no discrimination by school officials against any employee because of membership or activity in an employee organization or because of protected free speech activities.

Date of Adoption: August 10, 2015

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

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

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

Students: Jason Sullivan, Principal, 230 East Calkins Ave., Elm Creek, NE 68836, (308) 856 -4300, jason.sullivan@elmcreekschools.org

Employees and Others: Dean Tickle, Superintendent, 230 East Calkins Ave., Elm Creek, NE 68836, (308) 856 -4300, dean.tickle@elmcreekschools.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 the OCR at 601 East 12th Street, Room 353, Kansas City, MO 64106, (800) 368-1019 (voice), Fax (816) 426-3686, (800) 537-7697 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

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

The Elm Creek Public Schools 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 race, color, national origin, religion, disability, age, sex, or other protected category, 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 race, color, national origin, religion, disability, age, sex, or other protected category, 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.

District employees, supervisors and administrators must immediately report any complaints, reports, observations, or other information of alleged discrimination to the designated coordinator, even if that District employee is investigating the alleged discrimination as part of the District's student or employee disciplinary process, and provide the complainant with information for filing a complaint of discrimination,

including a complaint form if requested, and contact information for the District's designated coordinator. If the District uses its disciplinary procedures to investigate and resolve an alleged discrimination complaint, those disciplinary procedures will comply with the District's standards for a prompt and equitable grievance procedure outlined in section B.2., below.

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 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 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. Extenuating circumstances do not include summer vacation, and if a designated compliance coordinator or investigator is unavailable, another coordinator or trained employee will be designated to conduct the investigation. 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**. Periodic status updates will be given to the parties, if necessary.

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. An analysis of the appropriate legal standards applied to the specific facts,
- c. Findings regarding whether discrimination occurred, and
- d. If a finding is made that discrimination occurred, the recommended remedy or remedies necessary to eliminate discrimination, including harassment and retaliation, prevent its recurrence, and remedy its effects, if applicable.

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 (see the Remedies section, below, for additional information about remedies). 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 **ten (10) working days** 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 to a student who was discriminated against or harassed (victim), information about the sanction imposed upon a student who was found to have engaged in discrimination or harassment (student who discriminated) when the sanction directly relates to the victim. This includes an order that the student who discriminated stay away from the victim, or that the student who discriminated is prohibited from attending school for a period of time, or transferred to other classes.

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 **ten (10) 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 ten (10) 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 the next scheduled Board meeting to present his or her appeal. The Board will issue a written determination about the appeal **within thirty (30) working days** after receiving the appeal. 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. Remedies:

If the District knows or reasonably should know about possible discrimination, including harassment or violence, the District will take immediate, interim action or measures to protect the alleged victim, ensure the safety of the school community, and prevent further potential discrimination, harassment, or retaliation during the District's pending investigation. These interim measures will be prompt, age-appropriate, effective, and tailored to the specific situation, and may include a change in the student's seating assignment or class, a change in an employee's work area, prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation, and other remedies, such as those listed below.

The District will minimize any burden on the alleged victim when taking interim measures. For instance, the District generally will not remove the alleged victim from his or her class or work area and allow the alleged harasser to remain. In addition the District will ensure that the complainant is aware of his or her Title IX rights, including a strong prohibition against retaliation for reporting discrimination or harassment or cooperating with any investigation or proceeding, and any available resources, such as counseling, health, and mental health services, and the right to file a complaint with local law enforcement, if applicable.

If the District determines that unlawful discrimination or harassment occurred, the District will take prompt and effective action to eliminate the discrimination or harassment, prevent its recurrence, and remedy its effects on the complainant and others, if appropriate. The remedies will be tailored to the specific allegations and facts of each situation, including, but not limited to, the following remedies:

- a. Providing an escort to ensure the complainant can move safely between classes and activities.
- b. Ensuring the complainant and alleged harasser do not attend the same classes.
- c. Moving the alleged harasser to another school or work area within the District.
- d. Providing counseling services or reimbursement, if appropriate.
- e. Providing medical services or reimbursement, if appropriate.
- f. Providing academic support services, such as tutoring.
- g. Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record.

The District may provide remedies for the broader student population as well, including but not limited to:

- a. Offering counseling, health, mental health, or other holistic and comprehensive victim services to all students or employees affected by sexual harassment or sexual violence, and notifying students and employees of campus and community counseling, health, mental health, and other student services.
- b. Designating an individual from the District's counseling center to be "on call" to assist victims of sexual harassment or violence whenever needed.
- c. Providing additional training to the District's designated compliance coordinators and other employees who are involved in addressing, investigating, or resolving complaints of discrimination, harassment, and retaliation, to better respond to specific types of harassment and violence.
- d. Informing students and employees of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by District employees in notifying those authorities.
- e. Creating a committee of students or employees and District officials to identify strategies for ensuring that students and employees:
 - i. Know the school's prohibition against discrimination, harassment, and retaliation.
 - ii. Recognize acts of discrimination, harassment (including acts of violence), and retaliation when they occur.
 - iii. Understand how and to whom to report any incidents of discrimination.
 - iv. Know the connection between alcohol and drug abuse and harassment or violence based on sex or other protected characteristics.
 - v. Feel comfortable that District officials will respond promptly and equitably to reports of discrimination, harassment (including violence) and retaliation.
- f. Conducting periodic assessments of student or employee activities to ensure that the practices and behavior of students or employees do not violate the District's policies against anti-discrimination, anti-harassment, and anti-retaliation.

- g. Conducting in conjunction with students or employees, a “climate check” to assess the effectiveness of efforts to ensure that the District is free from discrimination, harassment (including violence), and retaliation, and using the resulting information to inform future proactive steps that will be taken by the District.

In addition to these remedies, the District may impose disciplinary sanctions against the student or employee who discriminated, harassed, or retaliated against the complainant, up to and including possible expulsion or termination or cancellation of employment.

5. 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.

At the same time, the District will evaluate a confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the District may weigh the confidentiality request against factors such as: the seriousness of the alleged harassment, the complainant's age; whether there have been other harassment complaints about the same individual and the alleged harasser's rights to receive information about the allegations if the information is maintained by the District as an “education record” under FERPA. In some cases, the District may be required to report alleged misconduct or discrimination, such as sexual harassment involving sexual violence, to local law enforcement or other officials, and the District may not be able to maintain the complainant's confidentiality. The District will inform the complainant that it cannot ensure confidentiality, if applicable.

6. Training:

The District will ensure that 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. This training will include, at a minimum, the following areas:

- a. The current legal standards and compliance requirements of anti-discrimination, anti-harassment, and anti-retaliation federal, state, and any local laws and regulations, including several specific examples of discrimination, harassment (including acts of violence because of a person's sex or other protected characteristics), and retaliation.
- b. The District's current anti-discrimination, anti-harassment, and anti-retaliation notice, policies, grievance procedure, and discrimination complaint form, including the specific steps and timeframes of the investigative procedures, and the District's disciplinary procedures.
- c. Identification of the District's designated compliance coordinators and their job responsibilities.
- d. Specific examples and information regarding how to report complaints or observations of discrimination, harassment, or retaliation to appropriate District officials or employees. In addition, the District will emphasize that employees, students, third parties, and others should not be deterred from filing a complaint or reporting discrimination. For instance, if a student is the victim of sexual violence, a form of sexual harassment, but the student is concerned that alcohol or drugs were involved, school staff should inform the student that the District's primary concern is student safety, that any other rules violations will be addressed separately from the sexual violence allegation, and that the use of alcohol or drugs never makes the victim at fault for sexual violence.
- e. Potential consequences for violating the District's anti-discrimination, anti-harassment, and anti-retaliation policies, including discipline.
- f. Potential remedies, including immediate, interim remedies, to eliminate the discrimination, harassment, and retaliation, prevent its recurrence, and remedy its effects.
- g. A description of victim resources, including comprehensive victim services, to address acts of discrimination and harassment, including acts of violence because of a person's sex or other protected characteristics, and a list of those resources for distribution to trainees.

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

7. 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.

8. 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: August 10, 2015

FORMS FOR HEALTH RELATED ADMISSION REQUIREMENTS

1. **Notice of Requirements for Student Admission—Birth Certificate, Immunization, Physical Examination and Visual Evaluation**
2. **Immunization—Affidavit of Refusal—For Reason of Religious Conflict**
3. **Immunization—Affidavit of Refusal—For Reason of Religious Conflict (Alternative: HHS Form)**
4. **Immunization—Affidavit of Refusal—For Medical Reason (HHS Form)**
5. **Immunization—Medical Documentation of Varicella (Chickenpox) Disease (HHS Form)**
6. **Physical Examination or Visual Evaluation---Parent Objection Form**
7. **Waiver of Physical Examination/Visual Evaluation Requirement (HHS Form)**
8. **HHS Summary of the School Immunization Rules and Regulations 2015-2016**
9. **Affidavit (For Child to Enroll Early in Kindergarten)**
10. **Request for Non Disclosure of High School Personal Information to Institutions of Higher Education and Military Recruiters**
11. **Section 9528. Armed Forces Recruiter Access to Students and Student Recruiting Information**

**NOTICE OF REQUIREMENTS FOR STUDENT ADMISSION—
BIRTH CERTIFICATE, IMMUNIZATION, PHYSICAL EXAMINATION
AND VISUAL EVALUATION**

Nebraska law requires that the parents or legal guardian furnish the following documents as a condition of admission to school:

1. A certified copy of the student's birth certificate issued by the state in which the child was born, prior to admission of a child for the first time. Other reliable proof of the child's identity and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced. (Failure to provide the birth certificate does not result in non-enrollment or disenrollment, but does result in a referral to local law enforcement for investigation).
2. Evidence of a physical examination by a physician, physician assistant, or nurse practitioner, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a physical examination.
3. Evidence of a visual evaluation (for school year **2015-2016** and each school year thereafter) by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a visual evaluation. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity.
4. Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox) and Haemophilus Influenzae type b (Hib) and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement refusing immunization or meets other exceptions established by law (refer to Health and Human Services regulations, 173 NAC 3).
5. On and after July 1, 2010, every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products, as such standards existed on January 1, 2009.

Forms to submit objections are available from the school.

The following information is provided to assist a parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify: Information about free or reduced-cost visual evaluations may be obtained from the Nebraska Foundation for Children's Vision (NFCV), nechildrensvision.org, 1633 Normandy Court, Suite A, Lincoln, NE 68512—Fax 402-476-6547—Phone 402-474-7716. To identify a participating SEE TO LEARN doctor nearest you, call 1-800-960-3937. For assistance from VISION USA call 1-800-766-4466. In addition, Lions Clubs throughout Nebraska are committed to assisting disadvantaged families by sponsoring eye exams and eyewear. NOA member doctors will provide eye exams at no cost if no other resources are available.

**AFFIDAVIT
Refusal of Immunization of Student for Religious Reasons**

State of Nebraska

ss.

County of

This Affidavit is being submitted on behalf of

(Name of Student) (Birthdate of Student)

If the student is of the age of majority:

I, _____, of lawful age and being first duly sworn,
(Name of Affiant/Student)
depose and state as follows:

Immunization conflicts with the tenets and practice of a recognized religious denomination of which I am an adherent or member or immunization conflicts with my personal and sincerely followed religious beliefs.

If the student is a minor:

I, _____, as legally authorized representative of
(Name of Affiant)
, of lawful age and being first duly sworn, ,
(Name of Student)
depose, and state as follows:

Immunization conflicts with the religious tenets and practice of a recognized religious denomination of which the student is an adherent or member or immunization conflicts with the student's personal and sincerely followed religious beliefs.

(Signature of Affiant)

SUBSCRIBED AND SWORN to before me this _____ day of _____

Notary Public

**REFUSAL OF IMMUNIZATION
For Medical Reasons**

As the physician of:

Child's Last Name	First Name	Age
Birth Date	School	Grade

A. I have elected to not immunize this student against the following disease(s): (check box*)

- Diphtheria
- Tetanus
- Pertussis
- Polio
- Measles (Rubeola)
- Mumps
- Rubella (German Measles)
- Hepatitis B
- Varicella (chickenpox)

In my opinion, this/these immunization(s) would be injurious to the health and well-being of

- The student
- A member of the student's household or family

Comments _____

Signature of Physician Date

* Each disease for which a vaccine has not been administered must be checked. Parent / guardian must submit dates of immunization for all other diseases.
Printed from the Nebraska Health and Human Services System Web site. www.hhs.state.ne.us

Documentation of Varicella (Chickenpox) Disease

(To be filled out by the parent, guardian, or medical provider of the child/student)

This document is being submitted on behalf of:

_____ (Name of child/student) (Birth date of child/student)

I _____ verify that the above listed child/student
Parent/Guardian/Medical Provider

had the varicella disease in _____ (year).

(Signature of parent/guardian/medical provider)

**PARENT OBJECTION TO
PHYSICAL EXAMINATION OR VISUAL EVALUATION
(For School Admission)**

I am the parent or guardian of the following children who are enrolling in the beginner grade or seventh grade in Elm Creek Public Schools, or who are transferring from out of state into any grade in Elm Creek Public Schools:

Child No. 1: _____
Child No. 2: _____

I understand that state law requires that the school be provided with: (1) evidence of a physical examination by a physician, physician's assistant, or nurse practitioner and (2) a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist. The physical examination and visual evaluation is required to be completed within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity. No such physical examination or visual evaluation shall be required of any child whose parent or guardian objects in writing.

I hereby object in writing to the:

_____ physical examination
_____ visual evaluation
(check one or both)

for the above named child(ren). I will not hold Elm Creek Public Schools responsible for any injury or harm caused by or relating to such refusal to obtain a physical examination or visual evaluation for the above named child(ren).

Dated this ____ day of _____, 20__.

Parent or Guardian

[Legal Reference: Neb. Rev. Stat. sections 79-214(3) and 79-220]



Department of Health and Human Services
Waiver of Physical Examination/Visual Evaluation Requirement

School Name (if desired) _____

Note to Parent/Guardian: please complete and return to the school health office if you wish to have your child waived from these requirements as allowed by Nebraska law. If you have questions, please contact the school nurse or the school office. Thank you.

As a Parent/Guardian of - Student Name	Student ID#
School Name	Grade

I object to the following requirements for school entry as legislated in Nebraska Revised Statutes 79-214 and 79-220.

Check which apply:

- Physical examination by a licensed physician, physician assistant or advance nurse practitioner within six months prior to school entry. *(Applies to: Kindergarten or beginner grade, out of state transfers to any grade, and seventh grade).*
- Visual evaluation by a licensed physician, physician assistant, advanced nurse practitioner, or vision professional (optometrist or ophthalmologist) within six months prior to school entry. *(Applies to: Kindergarten or entry grade and out of state transfer to any grade).*

I understand that I may request information to assist me in receiving information about reduced-cost vision examination as required by NRS 79-220.

I understand provisions in the law allow me to waive the requirement for this examination by my signed statement.

SIGN HERE _____
 Signature of Parent/Guardian Date

Comments: _____

**Summary of the School Immunization Rules and Regulations
For 2015-2016 School Year**

Student Age Group	Required Vaccines
<p>Ages 2 through 5 years enrolled in a school based program not licensed as a child care provider</p>	<p>4 doses of DTaP, DTP, or DT vaccine, 3 doses of Polio vaccine, 3 doses of Hib vaccine or 1 dose of Hib given at or after 15 months of age, *Hib not required after child reaches 5 yrs. of age 3 doses of pediatric Hepatitis B vaccine, 1 dose of MMR or MMRV given on or after 12 months of age, 1 dose of varicella (chickenpox) or MMRV given on or after 12 months of age. Written documentation (including year) of varicella disease from parent, guardian, or health care provider will be accepted. 4 doses of pneumococcal or 1 dose of pneumococcal given on or after 15 months of age. *Pneumococcal not required after child reaches 5 yrs. of age.</p>
<p>Students from Kindergarten through 12th Grade, including all transfer students from outside the State of Nebraska and any foreign students</p>	<p>3 doses of DTaP, DTP, DT, or Td vaccine, one given on or after the 4th birthday, 3 doses of Polio vaccine, 3 doses of pediatric Hepatitis B vaccine or 2 doses of adolescent vaccine if student is 11-15 years of age. 2 doses of MMR or MMRV vaccine, given on or after 12 months of age and separated by at least one month, 2 doses of varicella (chickenpox) or MMRV given on or after 12 months of age. Written documentation (including year) of varicella disease from parent, guardian, or health care provider will be accepted. If the child has had varicella disease, they do not need any varicella shots.</p>
<p>Additionally, for 7th Grade Only</p>	<p>1 dose of Tdap (must contain Pertussis booster)</p>

Source: Nebraska Immunization Program, Nebraska Department of Health and Human Services, 2011. For additional information, call 402-471-6423.

The School Rules & Regulations are available on the internet: <http://www.hhs.state.ne.us/reg/t173.htm> (Title 173: Control of Communicable Diseases - Chapter 3; revised and implemented 2011)
Updated 2/2014

AFFIDAVIT
(For Child to Enroll Early in Kindergarten)

The undersigned, being first duly sworn, states upon oath as follows:

I am the parent or guardian of _____ (Child's name). The Child's date of birth is _____. The Child will reach the age of five years on or after August 1 and on or before October 15 of the current school year.

I elect to enroll the Child this school year and hereby affirm (check or initial appropriate provision for early enrollment):

_____ the Child attended kindergarten in another jurisdiction in the current school year; or

_____ the family anticipates relocation to another jurisdiction that would allow admission within the current year; or

_____ the Child is capable of carrying the work of kindergarten which can be demonstrated through a recognized assessment procedure approved by the board.

IN WITNESS WHEREOF, this affidavit is signed and acknowledged this ____ day of _____, 2015.

Parent or Guardian

STATE OF NEBRASKA)
)
COUNTY OF _____)

ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 2015 by _____.

Notary Public

**Request For Non Disclosure of
High School Student Personal Information
To Institutions of Higher Education or Military Recruiters**

I hereby request that the name, address, and telephone listing of _____ (name of student), a high school student at Elm Creek Public Schools, not be released without prior parental consent to:

_____ institutions of higher education

_____ military recruiters

(check one, both, or none)

Signed by: ___ Student ___ Parent (Check One)

_____ Signature/Date

_____ Print Name

_____ Address

_____ City/State/Zip Code

Note to students/parents: This certificate can be signed by either student or a parent. The provision of this form does not reflect the position of Elm Creek Public Schools that the request for non-disclosure should or should not be made.

“SEC. 9528. ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.

“(a) POLICY.—

“(1) ACCESS TO STUDENT RECRUITING INFORMATION.—Notwithstanding section 444(a)(5)(B) of the General Education Provisions Act and except as provided in paragraph (2), each local educational agency receiving assistance under this Act shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students names, addresses, and telephone listings.

“(2) CONSENT.—A secondary school student or the parent of the student may request that the student’s name, address, and telephone listing described in paragraph (1) not be released without prior written parental consent, and the local educational agency or private school shall notify parents of the option to make a request and shall comply with any request.

“(3) SAME ACCESS TO STUDENTS.—Each local educational agency receiving assistance under this Act shall provide military recruiters the same access to secondary school students as is provided generally to post secondary educational institutions or to prospective employers of those students.

20 USC 7908.

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

The Elm Creek 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 Elm Creek Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, 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: Jason Sullivan, Principal, 230 East Calkins Ave., Elm Creek, NE 68836, (308) 856-4300, jason.sullivan@elmcreekschools.org

Employees and Others: Dean Tickle, Superintendent, 230 East Calkins Ave., Elm Creek, NE 68836, (308) 856 -4300, dean.tickle@elmcreekschools.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 601 East 12th Street, Room 353, Kansas City, MO 64106, (800) 368-1019 (voice), Fax (816) 426-3686, (800) 537-7697 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

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

The Elm Creek 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 race, color, national origin, religion, disability, age, sex, or other protected category, 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 race, color, national origin, religion, disability, age, sex, or other protected category, 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.

District employees, supervisors and administrators must immediately report any complaints, reports, observations, or other information of alleged discrimination to the designated coordinator, even if that District employee is investigating the alleged discrimination as part of the District's student or employee disciplinary process, and provide the complainant with information for filing a complaint of discrimination,

including a complaint form if requested, and contact information for the District's designated coordinator. If the District uses its disciplinary procedures to investigate and resolve an alleged discrimination complaint, those disciplinary procedures will comply with the District's standards for a prompt and equitable grievance procedure outlined in section B.2., below.

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 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 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. Extenuating circumstances do not include summer vacation, and if a designated compliance coordinator or investigator is unavailable, another coordinator or trained employee will be designated to conduct the investigation. 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**. Periodic status updates will be given to the parties, if necessary.

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. An analysis of the appropriate legal standards applied to the specific facts,
- c. Findings regarding whether discrimination occurred, and
- d. If a finding is made that discrimination occurred, the recommended remedy or remedies necessary to eliminate discrimination, including harassment and retaliation, prevent its recurrence, and remedy its effects, if applicable.

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 (see the Remedies section, below, for additional information about remedies). 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 **ten (10) working days** 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 to a student who was discriminated against or harassed (victim), information about the sanction imposed upon a student who was found to have engaged in discrimination or harassment (student who discriminated) when the sanction directly relates to the victim. This includes an order that the student who discriminated stay away from the victim, or that the student who discriminated is prohibited from attending school for a period of time, or transferred to other classes.

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 **ten (10) 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 ten (10) 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 the next scheduled Board meeting to present his or her appeal. The Board will issue a written determination about the appeal **within thirty (30) working days** after receiving the appeal. 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. Remedies:

If the District knows or reasonably should know about possible discrimination, including harassment or violence, the District will take immediate, interim action or measures to protect the alleged victim, ensure the safety of the school community, and prevent further potential discrimination, harassment, or retaliation during the District's pending investigation. These interim measures will be prompt, age-appropriate, effective, and tailored to the specific situation, and may include a change in the student's seating assignment or class, a change in an employee's work area, prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation, and other remedies, such as those listed below.

The District will minimize any burden on the alleged victim when taking interim measures. For instance, the District generally will not remove the alleged victim from his or her class or work area and allow the alleged harasser to remain. In addition the District will ensure that the complainant is aware of his or her Title IX rights, including a strong prohibition against retaliation for reporting discrimination or harassment or cooperating with any investigation or proceeding, and any available resources, such as counseling, health, and mental health services, and the right to file a complaint with local law enforcement, if applicable.

If the District determines that unlawful discrimination or harassment occurred, the District will take prompt and effective action to eliminate the discrimination or harassment, prevent its recurrence, and remedy its effects on the complainant and others, if appropriate. The remedies will be tailored to the specific allegations and facts of each situation, including, but not limited to, the following remedies:

- a. Providing an escort to ensure the complainant can move safely between classes and activities.
- b. Ensuring the complainant and alleged harasser do not attend the same classes.
- c. Moving the alleged harasser to another school or work area within the District.
- d. Providing counseling services or reimbursement, if appropriate.
- e. Providing medical services or reimbursement, if appropriate.
- f. Providing academic support services, such as tutoring.
- g. Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record.

The District may provide remedies for the broader student population as well, including but not limited to:

- a. Offering counseling, health, mental health, or other holistic and comprehensive victim services to all students or employees affected by sexual harassment or sexual violence, and notifying students and employees of campus and community counseling, health, mental health, and other student services.
- b. Designating an individual from the District's counseling center to be "on call" to assist victims of sexual harassment or violence whenever needed.
- c. Providing additional training to the District's designated compliance coordinators and other employees who are involved in addressing, investigating, or resolving complaints of discrimination, harassment, and retaliation, to better respond to specific types of harassment and violence.
- d. Informing students and employees of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by District employees in notifying those authorities.
- e. Creating a committee of students or employees and District officials to identify strategies for ensuring that students and employees:
 - i. Know the school's prohibition against discrimination, harassment, and retaliation.
 - ii. Recognize acts of discrimination, harassment (including acts of violence), and retaliation when they occur.
 - iii. Understand how and to whom to report any incidents of discrimination.
 - iv. Know the connection between alcohol and drug abuse and harassment or violence based on sex or other protected characteristics.
 - v. Feel comfortable that District officials will respond promptly and equitably to reports of discrimination, harassment (including violence) and retaliation.
- f. Conducting periodic assessments of student or employee activities to ensure that the practices and behavior of students or employees do not violate the District's policies against anti-discrimination, anti-harassment, and anti-retaliation.

- g. Conducting in conjunction with students or employees, a “climate check” to assess the effectiveness of efforts to ensure that the District is free from discrimination, harassment (including violence), and retaliation, and using the resulting information to inform future proactive steps that will be taken by the District.

In addition to these remedies, the District may impose disciplinary sanctions against the student or employee who discriminated, harassed, or retaliated against the complainant, up to and including possible expulsion or termination or cancellation of employment.

5. 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,

At the same time, the District will evaluate a confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the District may weigh the confidentiality request against factors such as: the seriousness of the alleged harassment, the complainant's age; whether there have been other harassment complaints about the same individual and the alleged harasser's rights to receive information about the allegations if the information is maintained by the District as an “education record” under FERPA. In some cases, the District may be required to report alleged misconduct or discrimination, such as sexual harassment involving sexual violence, to local law enforcement or other officials, and the District may not be able to maintain the complainant's confidentiality. The District will inform the complainant that it cannot ensure confidentiality, if applicable.

6. Training:

The District will ensure that 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. This training will include, at a minimum, the following areas:

- a. The current legal standards and compliance requirements of anti-discrimination, anti-harassment, and anti-retaliation federal, state, and any local laws and regulations, including several specific examples of discrimination, harassment (including acts of violence because of a person's sex or other protected characteristics), and retaliation.
- b. The District's current anti-discrimination, anti-harassment, and anti-retaliation notice, policies, grievance procedure, and discrimination complaint form, including the specific steps and timeframes of the investigative procedures, and the District's disciplinary procedures.
- c. Identification of the District's designated compliance coordinators and their job responsibilities.
- d. Specific examples and information regarding how to report complaints or observations of discrimination, harassment, or retaliation to appropriate District officials or employees. In addition, the District will emphasize that employees, students, third parties, and others should not be deterred from filing a complaint or reporting discrimination. For instance, if a student is the victim of sexual violence, a form of sexual harassment, but the student is concerned that alcohol or drugs were involved, school staff should inform the student that the District's primary concern is student safety, that any other rules violations will be addressed separately from the sexual violence allegation, and that the use of alcohol or drugs never makes the victim at fault for sexual violence.
- e. Potential consequences for violating the District's anti-discrimination, anti-harassment, and anti-retaliation policies, including discipline.
- f. Potential remedies, including immediate, interim remedies, to eliminate the discrimination, harassment, and retaliation, prevent its recurrence, and remedy its effects.
- g. A description of victim resources, including comprehensive victim services, to address acts of discrimination and harassment, including acts of violence because of a person's sex or other protected characteristics, and a list of those resources for distribution to trainees.

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

7. 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.

8. 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: August 10, 2015

**Complaint Form
Discrimination, Harassment or Retaliation**

The Elm Creek Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition 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: Jason Sullivan, Principal, 230 East Calkins Ave., Elm Creek, NE 68836, (308) 856-4300, jason.sullivan@elmcreekschools.org
Employees and Others: Dean Tickle, Superintendent, 230 East Calkins Ave., Elm Creek, NE 68836, (308) 856 -4300, dean.tickle@elmcreekschools.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: _____

Homeless Education Program

HOMELESS STUDENT ENROLLMENT INFORMATION & PLACEMENT REQUEST

Child's Name: (Last Name) (First Name) (M.I.) Birth Date: Grade

Parent/Guardian Name (Last Name) (First Name) (M.I.) Unaccompanied Youth ("Yes" or "No")

Current Address

Telephone Number: (If phone # not available, phone number of someone who can be contacted and their relationship, if any).

Information provided on this form is confidential.

1. Homeless Status

a. Do you live in any of these following situations?

- sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (example: evicted from home, cannot afford housing, etc.)
in a motel, hotel, campground or similar setting due to lack of alternative adequate accommodations
in emergency or transitional shelters such as domestic violence or homeless shelters or transitional housing shelter or agency
have a primary nighttime residence that is a place not designed for or ordinarily used as a regular sleeping accommodation for humans
in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
None of the above.

b. How long do you anticipate living in current location?

2. School Most Recently Attended

School: (School Name) (City) (State)

Dates of Attendance: to

Grade level when last attended:

3. Eligible for any of these educational and school related activities and services?

Special Education (IDEA) If yes, please identify disability and special education services previously provided :

- English Language Learners (ELL) Gifted Vocational Education
- Other _____

4. Possible Barriers to Education

- No Birth Certificate No immunizations or other medical records
- No School Records Transportation School Selection
- Other issues/barriers _____

5. Requested Services and Activities to be Provided by Homeless Student Program

- Obtaining or transferring records necessary for enrollment
- Emergency assistance related to school attendance
- Expedited evaluations
- Transportation Clothing to meet a school requirement School supplies
- Early childhood program Tutoring or other instructional support
- Before/after-school, mentoring, summer programs
- Referrals for medical, dental, or other health services
- Referral to other programs/services
- Assistance with participation in school programs
- Parent education related to rights/resources
- Coordination between schools and agencies
- Counseling Addressing needs related to domestic violence
- Staff professional development/awareness
- Other _____

6. Placement

a. School placement requested by parent/guardian or unaccompanied youth:

b. Reason(s) for Request: _____

c. Name of "School of Origin" _____

(School of Origin means the school that the child attended when permanently housed or the school in which the child was last enrolled).

Enrollment Date _____

Has student been withdrawn? _____

If so, what was the withdraw date? _____

d. Distance from:

i. Residence to the school of origin (miles): _____

ii. Residence to the school requested (if not school of origin): _____

Parent or Guardian or Unaccompanied Youth's signature

Date

Children living in homeless situations have certain rights under the McKinney-Vento Homeless Assistance Act under No Child Left Behind. Please contact the Homeless Coordinator with any questions.

WRITTEN NOTIFICATION OF ENROLLMENT/PLACEMENT DECISION FOR HOMELESS STUDENT

Child's Name: _____

In compliance with the McKinney-Vento Homeless Assistance Act, the following written notification is provided to:

Parent/Guardian _____ Unaccompanied Youth _____
(Name) (Name)

After reviewing your request to enroll the child, the determinations are as follows:

Homeless student program eligibility:

_____ Child does not qualify under the homeless student program.
_____ Child qualifies under the homeless student program. This determination was based upon: _____

Placement (if enrolled under the homeless student program) was made based on best interest of the student. The placement will be at: _____
(Name)

Explanation for this determination (if not school of origin or the choice of parent/guardian or unaccompanied youth, give detail): _____

If you are not satisfied with the determinations, you have the right to use the dispute resolution process. Contact the Homeless Coordinator and complete a Dispute Resolution Form.

Notices:

- The student has the right to be immediately admitted in the school in which enrollment is sought pending resolution of the dispute.
- You may contact the state coordinator:
Education Specialist & Homeless Education / NCLB Programs
Nebraska Department of Education
<http://www.education.ne.gov/federalprograms/Title%20X.html>
Telephone: (402) 471-1419 Facsimile: (402) 742-2371
- You may seek the assistance of advocates or attorneys.

Administrator

Date

Written Notification Form was given to parent/guardian or unaccompanied youth on _____ (Date).

Homeless Education Program

DISPUTE RESOLUTION FORM

This form should be completed when a dispute arises over school enrollment/placement.

Child's Name: _____

Person completing form: _____
(Name) (Relation to Student)

I may be contacted at (address/phone/e-mail): _____

I wish to dispute the following decision: _____

The decision I am disputing was wrong because (give detailed information in support of your position and use an attachment if necessary): _____

Persons who have information to support my position (include contact information):

I request that the following action be taken on this dispute: _____

Parent or Guardian or Unaccompanied Youth's signature

Date

For School Use

Date received by Homeless Coordinator _____

Determination of Homeless Coordinator

In compliance with the McKinney-Vento Homeless Assistance Act, the following written notification is provided to:

Parent/Guardian _____ Unaccompanied Youth _____
(Name) (Name)

After reviewing the information relevant to your dispute my determination is as follows:

Explanation for this determination: _____

Notice of Right to Appeal: If you are not satisfied with the determination on this dispute, you have the right to appeal as provided for in the Nebraska Department of Education Rule 19. The appeal is to be filed with the Commissioner of Education within 30 calendar days of receipt of this decision. For information about an appeal you may contact the state coordinator:

Education Specialist & Homeless Education / NCLB Programs
Nebraska Department of Education

<http://www.education.ne.gov/federalprograms/Title%20X.html>

Telephone: (402) 471-1419 Facsimile: (402) 471-0117

Administrator

Date

The Determination of the Homeless Coordinator on this dispute was given to parent/guardian or unaccompanied youth on _____ (Date).

InstructionFire Drills

Fire drills shall be conducted at such times and manner as is required by the State Fire Marshal.

The frequency of fire drills shall be as follows:

- at a sufficient frequency to familiarize occupants with the drill procedure as a matter of routine;
- every month in each school building in which the facility is in session;
- subject to the exception that a monthly drill may be deferred in months of severe weather, provided that the required number of annual drills is achieved and not less than four are conducted before the drills are deferred; and
- one additional drill shall be conducted within the first 30 days of a school year.

The manner of conducting fire drills shall be as follows:

- emphasis shall be on conducting an orderly evacuation, rather than speed;
- under varying conditions and at expected and unexpected times;
- participants shall relocate to a predetermined location and remain until recalled or dismissed; and
- all emergency and relocation drill alarms shall be sounded

Crisis Plans

Crisis Plans for emergency responses and directions for tornado, evacuation, lockdown, lockout, shelter in place and fire drill activities have been developed. To be in compliance with the fire code, there are to be nine fire evacuation exercises each school year. Two tornado drills are to be exercised and two lockdown drills practiced each school year.

Since many parents may not be at home, all children and faculty will be normally retained at the school building in case of extreme emergency. The school notification system will be activated to inform parents and guardians regarding where children may be picked up at school or at the evacuation site.

Legal Reference: Neb. Rev. Stat. §79-706

Date of Adoption: August 10, 2015

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, 2014;
- Mathematics standards that were approved by the State Board in October 2010;
- Science standards that were adopted by the State Board in November, 2010; and
- Social Studies standards that were adopted by the State Board in December, 2012.

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. §§ 79-760 to 79-760.05

Date of Adoption: August 10, 2015

Instruction

Activities

Return to Learn From Cancer

The Superintendent or designee shall make available training approved by the chief medical officer of the State on how to recognize that students who have been treated for pediatric cancer and returned to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff.

A 504 team meeting will be held, as appropriate, to develop individual return to learn accommodations and modifications.

Date of Adoption: August 10, 2015

Special Education Policies

Elm Creek Public Schools adopts this special education policy with the intent that the policy maintain 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 from date of diagnosis through the school year in which the student reaches 21 years of age, including children with disabilities who have been suspended or expelled.

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 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 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 and 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.

Legal Reference: 92 NAC 51-006.01 through 006.01A2

4. 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.

Legal Reference: 92 NAC 51-007

5. Least Restrictive Environment

To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are to be educated with children who are not disabled, and 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.

Legal Reference: 92 NAC 51-008.01 through 008.011

6. Procedural Safeguards

Children with disabilities and their parents shall be afforded the required procedural safeguards.

Legal Reference: 92 NAC 51-009.01 through 009.07; 009.10 through 009.12; 009.14, 006.07 and 016.01 through 016.07C

7. Evaluation and Identification Procedures

Children with disabilities shall be evaluated and identified in accordance with 92 NAC 51-006. The District will respond to a request for an Independent Educational Evaluation without unnecessary delay. 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 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(s) 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

8. Confidentiality of Personally Identifiable Information

The confidentiality of student records and information shall be maintained in accordance with law.

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

9. Transition of Children from Part C to Preschool Programs

Children participating in early intervention programs under Part C of the IDEA (early intervention services) and who will participate in preschool programs assisted under Part B of the IDEA (services for school-aged children) shall experience a smooth and effective transition to those preschool programs in a manner consistent with 92 NAC 52-008. The District will participate in transition planning conferences arranged by the designated lead agency.

Legal Reference: 92 NAC 52-008

10. 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 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

11. 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

12. 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

13. Suspension and Expulsion Rates

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

Legal Reference: 92 NAC 51-004.06E

14. Access to Instructional Materials

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

1. 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 print instructional materials using the National Instructional Materials Accessibility Standard, or
2. Purchase instructional materials from the publisher that are produced in, or may be rendered in specialized formats.

Legal Reference: 92 NAC 51-004.15

15. 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.

Legal Reference: 92 NAC 51-003.10; 006.02C

16. 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)

17. Transportation

Transportation will be provided for children with disabilities who are eligible for transportation and residents of the school district as required by law.

Legal Reference: 92 NAC 51-014.01 through 014.02

18. Surrogates

A surrogate will be appointed and other action taken to ensure the rights of children with a disability as required by law.

Legal Reference: 92 NAC 51-009.10

19. 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. § 79-1110 to 79-1167
92 NAC 51

Date of Adoption: August 10, 2015

Bylaws of the Board - MeetingsMinutes

The Board of Education shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed. The resignation of a Board member or any other circumstance that results in a vacancy in office shall be made a part of the minutes.

The minutes shall be prepared by the secretary immediately following the meeting, shall be written, shall be available for inspection by the public and for distribution to the members of the Board within ten (10) working days, or prior to the next convened meeting, whichever occurs earlier, and shall be a part of the agenda for the next regular meeting at which time they shall be corrected, if necessary, and approved.

The minutes shall be kept in the office of the superintendent and shall be public records and open to public inspection during normal business hours.

The minutes may be kept as an electronic record.

Legal Reference: Neb. Rev. Stat. §§ 79-555; 79-570; and 79-577
Neb. Rev. Stat. §§ 84-1408 to 1414

Date of Adoption: August 10, 2015

New Construction

Facilities - Bids and Contracts

All contracts for work related to building construction, remodeling or repair or site improvement in excess of \$100,000, or such sum as adjusted pursuant to §73-106, will be bid in accordance with state statutes. All other contracts will be handled under current district policies and regulations.

Legal Reference: Neb. Rev. Stat. §§ 73-101 to 73-106

Date of Adoption: August 10, 2015

History of Multicultural Education in Nebraska

Multicultural Education was developed by a group of students from Norfolk Public Schools in 1992. By the time Nebraska legislatures reviewed and passed the bill, most of the original students were attending area colleges. They believed in their path and lobbied to have LB 922 become law.

The basis was an infusion of multicultural education into the K-12 curriculum. To meet the requirements of LB 922, the Nebraska Department of Education wrote Rule 16: Rules and Regulations for Approval of School District Multicultural Education Programs.

With LB 922, LB 27 mandated the Nebraska Department of Education design a process of evaluation of the implementation and effectiveness of multicultural programs, including the collection of baseline data.

In 2003, Rule 16: Multicultural Education was rolled into Rule 10 and became part of the schools' accreditation process.

Nebraska Education Law Section 79-721 provides for an evaluation of the effectiveness of the multicultural education program. The following survey is used by NDE to assess district multicultural education programs.

Assessing Your Multicultural Education Program

Policies & Guidelines

Has a philosophy or mission statement been adopted regarding multicultural education in your district?

Are there formal guidelines for multicultural instruction and curriculum?

Is there ongoing staff training regarding multicultural instruction and curriculum?

Are there opportunities for discussion and resolution of issues that arise in the implementation of multicultural instruction and curriculum?

How successful has the infusion of multicultural education in the K-12 curriculum been in your school?

How involved are community members in the implementation of the multicultural education plan?

How involved are community members in the assessment of the multicultural plan?

How extensively does the school's curriculum include the culture, history, and contributions of diverse cultural groups?

How successful are the instructional programs in developing the student's ability to recognize bias and stereotyping in media, literature, and visual and performing arts?

How successful are the instructional programs in providing students the learning activities which will lead to improved relationships among diverse groups of students?

Curriculum & Instruction

How extensively does the curriculum place emphasis on human relations and sensitivity to all races?

How adequate is the library/media center's collection of multicultural resource materials for staff?

How adequate is the library/media center's collection of multicultural resource materials for students?

How adequate is the process for selecting appropriate multicultural education curriculum materials for the core curriculum?

How often does the library/media center use multicultural resource and reference materials for displays and special presentations?

Are there specific guidelines or procedures in place regarding the acquisition of additional multicultural materials in the library or resource room?

Staff & Teaching

How extensively do the administrators, faculty and support staff participate in multicultural education staff development?

Have the multicultural education needs of teachers and staff been assessed?

How frequently are family and community representatives invited to participate in multicultural education workshops?

How involved are community members in the implementation of the district's multicultural education plan?

How often are the instructional materials for the core curriculum reviewed in relation to school guidelines for multicultural education?

How successful are the instructional programs in developing the student's ability to recognize bias and stereotypes in media, literature, and visual and performing arts?

How often does the library/media center use multicultural resources and reference materials for displays and special presentations?

Have multicultural education needs of teachers and staff been assessed?

How frequently are family and community representatives invited to participate in multicultural education workshops?

How effective are staff development programs in providing opportunities to learn how to incorporate multicultural content and instructional strategies into the core curriculum?

Multicultural Education in Your School

How extensively do teachers recognize the need for multicultural education in your school?

How extensively do teachers recognize racial and cultural biases in themselves and attempt to overcome them?

How extensively do teachers recognize racial and cultural biases in students and attempt to overcome them?

Rule 10 Requirements

Does your school improvement process include and incorporate multicultural education?

Does the district curriculum frameworks, guides, or standards incorporate multicultural education?

Elm Creek Public Schools

Multi-Cultural Education

Board Report, August 10, 2015

1. Multi-cultural education in curricular materials.
 - a. Elm Creek Public Schools uses curricular materials that acknowledge the contribution of people regardless of their sex, disability, race, color, religion, veteran status, national or ethnic origin, marital status, pregnancy, childbirth or related medical condition, or other protected status as prescribed by law.
 - b. Our reading materials and textbooks are inclusive of all cultures so that our students can a respect for people who may practice different customs and traditions. Developing a familiarity with different cultures happens through recognizing and celebrating contributions to society of all people, inclusively. Characters in books are varied by culture. The curriculums in science and social science do include and celebrate the accomplishments of people from a variety of cultures.
 - c. Our secondary Spanish courses are an emersion into language and the Hispanic culture. Over the years, elementary students have also been introduced to a variety of cultures through a cultural fair.
 - d. Our district goal of creating better citizens who will thrive in our Republic is only possible if our students can thrive in their relationships with people in a multi-cultural nation and world.
 - e. Our district plan includes a survey of teachers, which tracks the successfulness of our curriculum and instructional strategies with regard to inclusion of multi-cultural educational opportunities for all students. That survey will be presented to the Board of Education for review.



Roger D. Breed Ed.D., Commissioner
Scott Swisher, Ed.D., Deputy Commissioner

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PO Box 94987
Lincoln NE 68509-4987

Tel: (402) 471-2295
Fax: (402) 471-0117
Web: www.education.ne.gov

MEMORANDUM

To: Clerk of the Legislature
Education Committee of the Legislature
State Board of Education
School District Superintendents

From: Scott Swisher, Ed.D., Deputy Commissioner of Education 

RE: Report of Implementation of Multicultural Education

Date: October 29, 2013

This report is a compilation of the implementation data and the baseline survey data required by the enacting legislation, §79-721 thru §79-723 R.R.S. The attached report consists of the following: 1) Introduction with history of the multicultural statute and development of the survey, 2) Procedure for administration, 3) Results of the survey with comparisons to the 2008 survey, and 4) Recommendations based on the survey results.

1. History of the Multicultural Mandate:

- Multicultural statutes were enacted in the spring of 1992.
- The Nebraska Department of Education (NDE) promulgated rules for implementation, outlining the minimum compliance requirements that are now incorporated in Rule 10, Regulations and Procedures for the Accreditation of Schools.
- Each school district developed a plan and timeline for infusing multicultural education into all subject areas of the core curriculum, grade K-12. Those plans were submitted to the Department of Education.
- Plans and timelines were approved for all districts by NDE, and all districts have approved plans and timelines.
- Annually, school districts must submit a multicultural implementation status report for approval to their boards of education.
- The statutes required the Department of Education to design a process for evaluating the implementation and effectiveness of each multicultural education program, including the collection of baseline data. With assistance from the Bureau of Sociological Research, a survey was developed to evaluate the implementation and effectiveness of districts' multicultural education plans. The survey was first conducted in the fall of 1997, the second in the spring of 2003, and the third in the spring of 2008. The fourth and most recent survey was conducted in the spring of 2013, and was done in conjunction with the Data, Research, and Evaluation team of the Nebraska Department of Education.

2. Technical Assistance Provided to Districts:

- Since the 2008 survey, ongoing technical assistance has been made available through workshops, seminars, conferences, specialized training programs, and on-site in-services. These are provided in conjunction with educational associations across the state, local school districts, and Educational Service Units (ESUs).
- Each year the Department of Education multicultural education program coordinator interacts with over 1,000 administrators, teachers, students, and other school staff through these activities. Participants are provided information on curriculum development, classroom practices, program evaluation, and school improvement strategies.
- Due to a decreasing budget for multicultural activities, the professional development provided to educators by the Department of Education multicultural education program coordinator has been made possible through the extensive development of partnerships. These partnering agencies and organizations supply both financial support and the opportunity to create and present programming. Some of these partner agencies and organizations include, but are not limited to: the Nebraska Middle Level Academy; UNMC Science Education Partnership Award grant program; University of Nebraska-Lincoln College of Journalism and Mass Communication; Vision Maker Media (formerly Native American Public Telecommunications); Humanities Nebraska; Midwest Equity Assistance Center from Kansas State University; Educational Service Unit 1; Educational Service Unit 13; Nebraska Council of School Administrators; the North Central Comprehensive Center at McREL in Denver, CO; the Nebraska Commission on Indian Affairs; and the Nebraska Latino American Commission.

3. 2013 Multicultural Education Survey

- The 2013 survey was adapted, with permission, from the *Multicultural Awareness Project for Institutional Transformation (MAP IT)* developed in 2003 by the Multicultural Concerns Committee (MCC) and the Center for Research on Developmental Education and Urban Literacy (CRDEUL) at the University of Minnesota-Twin Cities. MAP IT, and subsequently this survey, is based upon *Diversity Within Unity: Essential Principles for Teaching and Learning in a Multicultural Society* (Banks et al., 2001). Selected questions from the 2008 survey were retained and included in the 2013 survey so that comparisons could be made.
- A list of eligible participants was generated based on the "Position Assignment Code" submitted by school districts via the Nebraska Student and Staff Record System (NSSRS) of NDE. From this list, 450 principals and 450 teachers from public and state-operated districts were randomly selected to participate. All Nebraska public and state-operated superintendents were invited to participate in the survey.
- The anonymous survey was constructed and administered using the SurveyMonkey web application. Surveys were disseminated via an email message from Commissioner Roger Breed on April 17, 2013. Two additional emails were sent on May 24th, 2013 and June 27th, 2013 serving as reminders to complete the survey if they had not done so already. Data collection was closed on the morning of July 1, 2013. The table below displays response rates.

Table 1. Response Rate

	Sample size	Valid emails	Responses	Response rate
Total	1138	1103	705	63.9%
Superintendent	238	238	210	88.2%
Principal	450	439	334	76.1%
Teacher	450	426	161	37.8%

¹SOURCE: Surveying the Effectiveness of Multicultural Education

4. Findings – Comparison to the 2008 Survey

A similar survey was administered to Nebraska public school districts in 2008. While the 2013 survey underwent extensive revision, some of the questions were retained. Below are tables showing comparisons between the 2008 and 2013 surveys.

Table 2. In matters related to multicultural education, overall, I feel this school district is doing a job best characterized as:

Demographic	2008				2013			
	Poor	Fair	Good	Excellent	Poor	Fair	Good	Excellent
Total	3.9%	25.2%	53.6%	17.3%	1.5%	13.1%	60.0%	25.4%
Position type								
Superintendent	0.0%	18.0%	65.7%	16.3%	0.5%	8.6%	65.8%	25.1%
Teacher/Principal	5.4%	27.8%	49.2%	17.6%	2.0%	15.1%	57.3%	25.6%

¹SOURCE: Surveying the Effectiveness of Multicultural Education

- A higher percentage of respondents in 2013 rated that their school district is doing a “good” or “excellent” job overall in matters relating to multicultural education. Over 85 percent of 2013 respondents indicated “good” or “excellent” compared to 71 percent in 2008. The percentage of respondents reporting “poor” or “fair” is down to 14.6 percent in 2013 from 29.1 percent in 2008.

Table 3. Does your school improvement process include and incorporate multicultural education?

Demographic	2008			2013		
	(DK or NA)	No	Yes	(DK) or (NA)	No	Yes
Total	16.9%	18.7%	64.4%	14.1%	18.1%	67.8%
Position type						
Superintendent	10.3%	14.7%	75.0%	13.9%	16.6%	69.5%
Teacher/Principal	19.2%	20.1%	60.7%	14.1%	18.8%	67.1%

¹SOURCE: Surveying the Effectiveness of Multicultural Education

- A total of 64.4 percent of respondents in 2008 indicated that their school improvement process includes and incorporates multicultural education, compared to 67.8 percent in 2013.

Table 4. The district curriculum frameworks, guides, or standards incorporate multicultural education.

Demographic	2008				2013			
	Str. Disagree	Disagree	Agree	Str. Agree	Str. Disagree	Disagree	Agree	Str. Agree
Total	0.7%	5.2%	67.1%	27.0%	1.0%	4.7%	64.2%	30.0%
Position type								
Superintendent	0.9%	2.6%	74.2%	22.3%	0.0%	2.2%	71.4%	26.5%
Teacher/Principal	0.6%	6.2%	64.5%	28.7%	1.6%	5.9%	60.8%	31.7%

SOURCE: Surveying the Effectiveness of Multicultural Education

- Table 4. shows little change between the years but does indicate that over 94 percent of 2013 respondents agree that district curriculum frameworks, guides, or standards incorporates multicultural education.

5. Findings – 2013 Multicultural Education Survey

Cross-tabular Analysis

Participants were asked a number of demographic questions to allow survey responses to be disaggregated and display any discrepancies or patterns between groups. This section will highlight some of the questions that had noticeable differences in response patterns between groups. These differences are of a descriptive nature and further analysis is needed to determine if any of the discrepancies are statistically significant. Please note that these demographic questions were self-reported by the participant and no effort was made to verify the accuracy of the anonymous responses.

Table 5. Are you directly involved in efforts to create a supportive learning environment for students from diverse backgrounds?

Demographic	(DK) or (NA)	Never or almost never	Occasionally	Often	Almost always or always
Total	1.3%	3.0%	17.8%	24.1%	53.8%
Position Type					
Superintendent	2.7%	1.6%	19.7%	23.4%	52.7%
Principal	0.3%	3.1%	12.9%	22.6%	61.0%
Teacher	1.6%	4.7%	26.0%	28.3%	39.4%

SOURCE: Surveying the Effectiveness of Multicultural Education

- Teachers were less likely to respond that they are “almost always or always” directly involved in efforts to create a supportive learning environment for students from diverse backgrounds; 39.4 percent of teachers compared to 61.0 percent of principals and 52.7 percent of superintendents.

Table 6. Do students from a variety of social and cultural groups succeed proportionately in your school district?

Demographic	(DK) or (NA)	Never or almost never	Occasionally	Often	Almost always or always
Total	5.3%	1.6%	12.7%	43.3%	37.2%
Position Type					
Superintendent	3.2%	0.0%	10.6%	41.0%	45.2%
Principal	4.8%	2.1%	11.4%	45.5%	36.2%
Teacher	9.2%	3.1%	18.5%	41.5%	27.7%

¹SOURCE: Surveying the Effectiveness of Multicultural Education

- Superintendents were much more likely to say that students from a variety of social and cultural groups “almost always or always” succeed proportionately in their district. 45.2 percent of superintendents chose “almost always or always” compared to 36.2 percent of principals and 27.7 percent of teachers.

Table 7. Do students from a variety of social and cultural groups succeed proportionately in your school district?

Demographic	(DK) or (NA)	Never or almost never	Occasionally	Often	Almost always or always
Total	5.3%	1.6%	12.7%	43.3%	37.2%
# of students in district					
Less than 100	16.7%	0.0%	5.6%	38.9%	38.9%
100 - 499	5.7%	2.0%	9.8%	40.3%	42.3%
500 - 999	4.9%	0.0%	18.0%	46.7%	30.3%
1,000 or more	0.0%	3.3%	23.0%	57.4%	16.4%

¹SOURCE: Surveying the Effectiveness of Multicultural Education

- Larger districts were less likely to respond that students from a variety of social and cultural groups succeed proportionately in their school districts.

Table 8. Is the staff appropriately diverse to serve a diverse student body?

Demographic	(DK) or (NA)	Never or almost never	Occasionally	Often	Almost always or always
Total	16.7%	22.0%	24.5%	18.9%	17.9%
# of students in district					
Less than 100	14.3%	0.0%	35.7%	28.6%	21.4%
100 - 499	19.6%	20.6%	22.0%	18.6%	19.2%
500 - 999	8.8%	31.3%	26.3%	17.5%	16.3%
1,000 or more	10.7%	21.4%	39.3%	21.4%	7.1%

¹SOURCE: Surveying the Effectiveness of Multicultural Education

- In districts of all sizes, the staff is rarely appropriately diverse to serve a diverse student body. Only 28.5 percent of respondents in districts with 1,000 or more students indicated that the staff is “almost always or always” or “often” appropriately diverse to serve a diverse student body.

Table 9. Is a commitment to multicultural issues central to the mission of your school district?

Demographic	(DK) or (NA)	Never or almost never	Occasionally	Often	Almost always or always
Total	3.3%	2.6%	22.3%	36.5%	35.2%
Total years' experience					
0 - 3	8.3%	0.0%	33.3%	25.0%	33.3%
4 - 7	8.6%	0.0%	31.4%	40.0%	20.0%
8 - 11	6.7%	0.0%	16.7%	50.0%	26.7%
12 - 15	1.2%	4.9%	29.6%	28.4%	35.8%
16 - 19	6.9%	3.4%	19.5%	34.5%	35.6%
20+	1.9%	2.4%	20.7%	37.8%	37.2%

¹SOURCE: Surveying the Effectiveness of Multicultural Education

- In general, respondents with more years' experience were more likely to indicate that a commitment to multicultural issues is "almost always or always" central to the mission of their school districts.

6. Recommendations for future Actions:

- Continue the implementation of Rule 10, Sections 004.01G and 009.
- Continue to build capacity for implementing multicultural education providing education and career development opportunities for students, teachers, administrators and other school staff.
- Continue funding to maintain Department leadership, resources and support staff, and staff development opportunities for teachers, administrators, and other school staff.
- Continue updating and development of culturally competent multicultural education materials and resources while continuing to search out ways to recognize innovative practices. Incorporate use of technology applications for resource dissemination.
- Continue providing opportunities for superintendents, principals and teachers to participate in multicultural staff development. At the present time, Department staff networks and seeks partnerships with other entities to provide staff development opportunities. Through both the close-ended and open-ended responses, data supports that educators need and want additional opportunities to increase their knowledge and skills base to implement quality multicultural education programs.
- Continue to update the multicultural education website and provide on-going communications with school districts and supporting educational organizations through the multicultural education newsletter as a means for providing educators with quality resources for their classrooms and schools. These forms of communication can provide timely information for immediate use in the classroom as well as encourage participation in the on-going schedule of professional development opportunities.
- Continue and increase higher education partnerships that provide multicultural education knowledge for education staff.

It is clear that the sponsors and supporters of the multicultural statutes intended that Nebraska school districts be places where there is increased awareness of the value of diversity, and that there be positive change in the attitudes and behavior of students and staff in respecting diversity. The Department will continue to seek out partnerships with educational organizations, ESUs, and local school districts to provide training and/or develop inclusive school curricula and environments. Efforts will also be made to continue addressing the learning needs of all of

Nebraska's diverse students to insure that all students in our state are graduating college and career ready.

For more details regarding the contents of this report, as well as obtaining the full survey report, please contact Carol Rempp (402-471-2960).