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STUDENTS

Student Services

Services to students will be provided by the Lincoln Public Schools in a manner that recognizes both the rights and responsibilities of students and that values each student and encourages appropriate student development.

Student services provided by the district may include, but are not necessarily limited to: admissions, assessment, attendance, due process, guidance and counseling, health services, placement, psychological services, student records and student welfare.

Date of Adoption (or Last Revision):
Related Policies and Regulations:
Legal Reference:

5-12-87

STUDENTS

Student Services Functions

The Lincoln Public Schools, through administrative direction of the associate superintendent for instruction and the director of student services, will implement student services including the following functions:

1. Leadership and coordination of student services personnel throughout the school district.
2. Student records.
3. Student accounting and attendance.
4. Student discipline, including all matters of exclusion, suspension, expulsion and mandatory reassignment of students.
5. Student services reporting to agencies of county, state and federal government.
6. Liaison with community agencies in dealing with student health and welfare.
7. Enforcement of laws dealing with student attendance and delinquency.
8. Student transfers.
9. Health services.
10. Counseling services.
11. Student admissions.

Date Regulation Reviewed by the Board of Education: 9-13-94

Related Policies and Regulations:

Legal Reference:

STUDENTS

Admission Procedures

Students shall be admitted to the Lincoln Public Schools who are:

1. Legal residents of the district.
2. Residing in the district with a legally appointed guardian who is a resident of the district.
3. Wards of the state or court and are living within the district.
4. Living within the district with a parent/guardian who is a resident of the district.
5. Residing in the district with a parent or guardian who, having entered public service of the State of Nebraska, is residing within the district for temporary purposes incidental to serving the state.
6. Residents of a district which has contracted with this district for the student's educational services.
7. Approved for option enrollment.
8. Participating in an approved Foreign Exchange Program.

In cases of denial of admission, applicants shall be informed of appeal procedures.

Date of Adoption (or Last Revision):

9-13-94

Related Policies and Regulations:

3320, 5110.1

Legal Reference:

79-445, 79-446

STUDENTS

Admission Procedures for Nonresident Students

Principals or the principal's designee shall not enroll a non-resident student, but will refer the student, parents/legal guardians to the director of student services to determine residency status.

If the request to enroll is ruled as tuition status by the director of student services, the tuition charge shall be paid prior to enrollment. The tuition will be paid in the Office of Business Affairs at the Public Schools Administration Building. This decision may be appealed in writing within five days of the receipt of the ruling by the student, parents/legal guardians requesting a review by the associate superintendent for instruction.

If the request to enroll is approved by the director of student services, the student, parent/legal guardian and the receiving school will be notified and the student may register immediately.

If the request to enroll is denied by the director of student services, the student, parent/legal guardian may request a review of the ruling by the associate superintendent for instruction. This request must be in writing and made within five school days of the receipt of the ruling by the director of student services.

The determination of the director of student services to not enroll a student shall be reported to the Lincoln Board of Education for final action.

Date Regulation Reviewed by the Board of Education: 9-13-94
Related Policies and Regulations: 3310, 3310.2
Legal Reference:

STUDENTS

Foreign Students

It shall be the general practice of the Lincoln Public Schools to provide educational opportunities for foreign exchange students consistent with the following statements.

Program Approval

A. General

1. The superintendent of schools or designee will approve programs meeting all criteria on the basis of an annual written application to be completed by March 1 for the following school year.
2. The school district of Lincoln will generally accept a maximum of 16 students from other nations who come to Lincoln via exchange programs officially recognized by the superintendent of schools.
3. The program provides opportunities for Lincoln Public School students to travel abroad as well as bringing foreign exchange students to Lincoln and the number of Lincoln Public School students availing themselves of the opportunity is comparable to the number of students brought to Lincoln.
4. The superintendent of schools or designee may approve mutual exchange privileges between Lincoln Public Schools students, provided that free school privileges are granted to the Lincoln students in exchange for free tuition for foreign students.

B. Sponsoring Agency/Organization/Program - An agency, organization or program may be approved to place students in the Lincoln Public Schools if it meets the following criteria:

1. Provides evidence that the program fulfills the requirements of the U.S. Department of State and is currently approved by that department.
2. The program has an organizational sponsorship which:
 - a. Is a not-for-profit agency,
 - b. Has a local Lincoln committee,
 - c. Has established procedures and a published set of policies for screening homes for placement of students. Exchange students will be placed in host families having a student(s) enrolled in the school attended by the exchange student, or a student attending the same school will be assigned by the organization to be a “host student” to the exchange student,

STUDENTS

Foreign Students

Program Approval (Continued)

- d. Has procedures for handling emergencies and has an availability of local people other than the host family for assistance,
- e. Selects students for participation who have proven academic ability and language skills to study successfully in the Lincoln Public Schools,
- f. Provides personal and educational information about a foreign exchange student to the Lincoln Public Schools prior to placement,
- g. Provides evidence that local criteria has been met in approving students for selection and placement of foreign exchange students in the Lincoln Public Schools, and
- h. Provide information about the program and the local committee to the Lincoln Public Schools.

Procedures

A. Admissions/Enrollment

1. Admission of exchange students new to the United States will be made only at the beginning of a school semester. All arrangements for admission must be concluded prior to the beginning of the semester.
2. Transcripts of foreign students will be evaluated by Lincoln Public Schools personnel to determine total credit earned. All students will receive a certificate of attendance and may participate in graduation ceremonies. The requirements and expectations of the student, sponsoring agency, organization, program and the high school of attendance shall be clarified prior to admission and registration. Students attending the Lincoln Public Schools through a foreign exchange program are not eligible for a Lincoln Public Schools diploma.
3. Students will not be enrolled until all standards for admissions have been verified by the director of student services.
4. School placements must have the approval of the Office of Student Services and the building administration:
 - a. a program cannot generally place more than two students in any one Lincoln Public School.
 - b. students are expected to enroll for a full year and successfully carry a minimum of 30 credit points including American History.

STUDENTS

Foreign Students (Continued)

Expectations

A. Exchange Student

1. Exchange students must agree to abide by the policies and regulations of the school district of Lincoln and of the high school they are attending and are subject to the same policies as local students. Exchange students will familiarize themselves with information contained in the Responsibilities of Students.

B. Sponsoring Organization Representative

1. Local representatives must communicate anticipated changes in student enrollment or concerns regarding the exchange student with the counseling and/or administrative staff of the school attended by the student.

C. Lincoln Public Schools

1. The Lincoln Public Schools will grant tuition-free status to foreign exchange students who are participants in programs administered by approved sponsoring agencies or programs and whose enrollment has been approved by the Office of Student Services.
2. Schools are not obligated to provide foreign exchange students with items such as pep club uniforms, class rings, yearbooks, cap and gowns, etc., free of charge.

Date Regulation Reviewed by the Board of Education: 9-13-94

Related Policies and Regulations:

Legal Reference:

STUDENTS

Students Who Are Citizens of a Foreign Country

All foreign students not part of an approved exchange program shall be referred to the Office of Student Services to determine eligibility for enrollment.

The signing of an I-20 form by the Office of Student Services must precede any completion of forms, acceptance of tuition, or any other commitments. All students who apply for I-20's must be proficient in the English language and must show evidence of the ability to pay tuition and living expenses during the period of time the student would be attending the Lincoln Public Schools.

Date Regulation Reviewed by the Board of Education: 9-13-94

Related Policies and Regulations:

Legal Reference:

Students

Transfers From Other Districts

A student is eligible to attend the Lincoln Public Schools upon transferring from other districts or schools if the student is a legal resident of the Lincoln Public School District.

1. An eligible student shall be placed by the school principal into a program which best matches his or her immediate experience in the preceding school. When an appropriate placement is not clear, the student may be referred to the Office of Student Services for placement.
2. Grade placement or credit granted to transfer students shall be subject to the following:
 - a. The credit earned in any other school which is accredited by the regional accrediting agency or is approved by the State of Nebraska will be accepted by the Lincoln secondary school which the student enters,
 - b. The incoming student may establish grade placement by examination, in lieu of a transcript, at the discretion of the principal,
 - c. College and university credit earned in an accredited institution of higher learning shall be transferable to apply as high school credit, and
 - d. Credit earned from a school not accredited or approved is not transferable, and shall not be entered on the Lincoln Public Schools cumulative scholarship card. Appropriate placement of the student will be determined by the principal of the receiving school.

When credit is not entered on the cumulative scholarship card, either because educational records are not available or because credit was granted by a non-approved or non-accredited school, a statement should be written on the cumulative scholarship card. Examples: “This student entered the Lincoln Public Schools from (school) on (date)” or “This student’s last educational experience was in (school or country) and no school records are available.”

- e. In order to receive a Lincoln Public Schools’ diploma, a transfer student must have earned a minimum of one year’s credit in an approved or accredited high school with the final semester’s credit being earned in a Lincoln Public Schools high school.

Date Regulation Reviewed by the Board of Education: 9-13-94

Related Policies and Regulations:

Legal Reference:

STUDENTS

Married/Pregnant Students

The school's main function is to provide educational opportunities to all youth. Married and pregnant students shall have the same educational privileges and academic opportunities as unmarried students.

Married and pregnant students are permitted to complete the educational requirements and achieve a high school diploma.

Date Regulation Reviewed by Board of Education: 9-13-94
Related Policies and Regulations:
Legal Reference:

STUDENTS

Homeless Students

No Stigmatization or Segregation of Homeless Students

It is the District's policy and practice to ensure that homeless children are not stigmatized or segregated by the District on the basis of their status as homeless. Homeless children, for purposes of this Regulation, generally include children who lack a fixed, regular and adequate nighttime residence, as further defined by applicable federal and state law.

Homeless Coordinator

The Superintendent's designee shall serve as the District's designated Homeless Coordinator. The Homeless Coordinator shall serve as the school liaison for homeless children and youth and shall ensure that:

1. homeless children are identified by school personnel;
2. homeless children enroll in, and have a full and equal opportunity to succeed in, school;
3. homeless children and their families receive educational service for which they are eligible and referrals to health, dental and mental health services and other appropriate services;
4. the parents or guardians of homeless children are informed of the educational and related opportunities available to their children and provided with meaningful opportunities to participate in the education of their children;
5. public notice of the educational rights of homeless children is disseminated where such children receive services under the federal homeless children laws, such as schools, family shelters and soup kitchens;
6. enrollment disputes are mediated in accordance with law; and
7. the parents or guardians of homeless children, and any unaccompanied youth, are fully informed of transportation services available under law.

The Homeless Coordinator shall coordinate with state coordinators and community and school personnel responsible for the provisions of education and related services to homeless children.

Enrollment of and Services to Homeless Children

A homeless child shall be enrolled in compliance with law and be provided services comparable to services offered to other students in the school in which the homeless child has been placed.

STUDENTS

Homeless Students

Enrollment of and Services to Homeless Children (Continued)

Placement of a homeless child is based on the child's "school of origin" and the "best interests" of the child. The "school of origin" means the school that the child attended when permanently housed or the school in which the child was last enrolled. Placement decisions shall be made according to the District's determination of the child's best interests, and shall be at either:

1. the child's school of origin for the duration of the child's homelessness (or, if the child becomes permanently housed during the school year, for the remainder of that school year) or
2. the school of the attendance area where the child is actually living.

To the extent feasible, the placement shall be in the school of origin, except when such is contrary to the wishes of the homeless child's parent or legal guardian. If the placement is not in the school of origin or a school requested by the homeless child's parent or legal guardian, the District shall provide a written explanation of the placement decision and a statement of appeal rights to the parent or guardian. If the homeless child is an unaccompanied youth, the Homeless Coordinator shall assist in the placement decision, consider the views of the unaccompanied youth and provide the unaccompanied youth with notice of the right to appeal. In the event of an enrollment dispute, the placement shall be at the school in which enrollment is sought, pending resolution of the dispute in accordance with the dispute resolution process.

The homeless child shall be immediately enrolled in the school in which the District has determined to place the child, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residence or other documentation. The District shall immediately contact the school last attended by the homeless child to obtain relevant academic and other records. If the homeless child needs to obtain immunizations or medical records, the District shall immediately refer the parent or guardian of the homeless child to the Homeless Coordinator, who shall assist in obtaining necessary immunizations or medical records. The District may nonetheless require the parent or guardian of the homeless child to submit contact information.

Transportation will be provided to homeless students, to the extent required by law and comparable to that provided to students who are not homeless, upon request of the parent or guardian of the homeless child, or by the Homeless Coordinator in the case of an unaccompanied youth, as follows:

1. if the homeless child's school of origin is in the Lincoln Public School District, and the homeless child continues to live in the Lincoln Public School District, transportation to and from the school of origin shall be provided by the Lincoln Public School District; and

STUDENTS

Homeless Students

Enrollment of and Services to Homeless Children (Continued)

2. if the homeless child lives in a school other than the Lincoln Public School District, but continues to attend the Lincoln Public School District based on it being the school of origin, the new school and the Lincoln Public School District shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin, and if they are unable to agree, the responsibility and cost for transportation shall be shared equally.

Date Regulation Reviewed by Board of Education:

1-14-2003

Related Policies and Regulations:

Legal Reference:

**Neb. Rev. Stat. § 79-215; NDE
Rule 19; No Child Left Behind
Act of 2001, section 1031;
McKinney-Vento Homeless
Education Assistance
Improvements Act of 2001, 42
U.S.C. § 11431 et seq.**

STUDENTS

Continued Enrollment

The Lincoln Board of Education may allow a student whose residency in the district ceases during a school year to continue attending school for the remainder of that school year without payment of tuition.

In cases of denial of continued enrollment, applicants shall be informed of appeal procedures.

Date of Adoption (or Last Revision):

9-13-94

Related Policies and Regulations:

5110.1, 5121.1

Legal Reference:

79-445

STUDENTS

Continued Enrollment

All applications for continued enrollment shall be made through the Office of Student Services. A recommendation will be made to the board of education by the director of student services using the following criteria:

1. The student will have been in attendance in the Lincoln Public Schools for at least one or more full years immediately prior to the application,
2. The individual(s) with whom the student will reside shall have a power of attorney from the parent/guardian, and responsibility for the student if the application is approved,
3. Students whose parents/guardians move into a district that would normally contract for these services will not be eligible for a waiver of tuition,
4. The student's academic work and deportment in the semester in which the application is made shall be satisfactory, and
5. Evidence is given to show that changing schools would severely hamper the student's educational program or opportunity for graduation.

If the request for continued enrollment is denied, that decision may be appealed by the student, parent or legal guardian by requesting a review by the associate superintendent for instruction within five days of the receipt of the ruling.

Date Regulation Reviewed by the Board of Education: 9-13-94
Related Policies and Regulations:
Legal Reference: 79-445

STUDENTS

Application for Admission

Nonresident parents/legal guardians, or other responsible adults, who would like to have a student considered for placement in the Lincoln Public Schools must complete an Application for Admission at the Office of Student Services.

1. If the student's parents/legal guardians do not reside in the Lincoln Public School District, the responsible adult with whom the student will reside must complete the application.
2. Parents/legal guardians who plan to purchase, or build, a home in the Lincoln Public School District within 60 days after the opening of school must complete the application, and provide purchase agreements and/or building agreements with closing date stated. If the application is approved, the parents/legal guardian shall provide all transportation to and from school during this period of time.

If the application is denied by the Director of Student Services, the student parent/legal guardian, or responsible adult, may request a review of the ruling by the associate superintendent for instruction. This request must be in writing and made within five days of the receipt of the ruling by the director of student services.

Date Regulation Reviewed by the Board of Education:	9-13-94
Related Policies and Regulations:	3310.01
Legal Reference:	79-445

STUDENTS

Ages of Attendance

Children shall be eligible to enter kindergarten at the beginning of the school year if they meet the following criteria:

1. They are five years of age on or before October 15 of the current school year.
2. The board of education may admit a child who will reach the age of five between October 16 and February 1 of the current school year if the parent or guardian requests such entrance and provides an affidavit stating that
 - (a) the child attended kindergarten in another jurisdiction in the current school year or
 - (b) the family anticipates a relocation to another jurisdiction within the current year.

Children shall be eligible to enter first grade at the beginning of the school year if they have not attended kindergarten but are six years of age on or before October 15 of the current school year.

The director of student services shall rule on all cases of early entrance.

Graduates

A student who has received a high school diploma or received a General Equivalency Diploma shall not be enrolled in the Lincoln Public Schools.

Age 21

A student shall not be enrolled in the Lincoln Public Schools after the end of the school year in which the student reaches the age of 21. The school year for this purpose ends at the last day of instruction for graduating seniors.

Date of Adoption (or Last Revision):

9-13-94

Related Policies and Regulations:

Legal Reference:

Neb. Rev. Stat. §79-214

STUDENTS

Discontinuance of Enrollment for Children Younger than Six Years of Age

Any person with legal or actual charge or control of a child younger than six years of age prior to the then-current school year who is enrolled in this school district may discontinue the enrollment of such child by submitting a written notification to the superintendent or the superintendent's designee, indicating that child's name, date of birth, grade level and effective date of discontinuation of enrollment. The notification must be in writing and on a form provided by, or acceptable to, the superintendent or the superintendent's designee containing all information required herein. The form must be dated and signed by a parent or person with legal or actual charge or control of the child. The school district may request written verification or documentation of the person's authority to dis-enroll the child. Upon receipt of required written form and any other required information or documentation, the school district shall note discontinuance of the enrollment on its official records pursuant to state law. Any child dis-enrolled shall not be eligible to re-enroll in this school district until commencement of the next school year, or until the child reaches the age of six prior to the then-current school year, whichever occurs earlier. Any person signing a request for discontinuation of enrollment, acknowledges this policy, procedure and the requirement thereof, and expressly agrees thereto.

Date Regulation Reviewed by the Board of Education: 5-9-2006
Related Policies and Regulations:
Legal Reference: Neb. Rev. Stat §79-201

STUDENTS

Evidence of Birth Date

Upon admission to the Lincoln Public Schools the parents/legal guardian of any child preschool to grade 12, shall furnish (a) a certified copy of the student's birth certificate issued by the state in which the child was born, or (b) other reliable proof of the child's identify and age, (i.e. naturalization or immigration documents showing date of birth or official hospital birth records) accompanied by an affidavit explaining the inability to produce a copy of the 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.

If the parents/legal guardian fails to provide this information, they will receive in writing a statement explaining the need for them to provide this information within thirty days.

If the parents/legal guardian fails to comply with this request within 30 days the school shall notify them in writing that they need to comply within 10 days. If compliance is not obtained within that 10-day period, the school shall immediately report the matter to the Lincoln Police Department for investigation.

If the affidavit requested appears inaccurate or suspicious in form or content, this shall be reported immediately to the Lincoln Police Department.

Missing Persons

A missing person shall mean a person 16 years or younger reported to any law enforcement agency as abducted or lost.

Upon notification by the Nebraska State Patrol of a missing student, the school will flag the student's records in such a way that any personnel looking at such birth certificate or record shall be alerted to the fact that that birth certificate or record is of a missing person.

Any school requested to forward a copy of a transferred student's record shall not forward such record to the requesting school if the record has been flagged as that of a missing person. The school will notify the Lincoln Police Department of the request and that the student is a reported missing person.

Any school or person acting on behalf of a school shall be immune from civil and criminal liability for acts or omissions which occur as a result of the requirements of the Missing Children Identification Act.

Date of Adoption (or Last Revision):

10-27-87

Related Policies and Regulations:

Legal Reference:

43-2001 - 2012 and 79-444

STUDENTS

Evidence of Immunization

Prior to enrollment, each LPS student shall provide a written immunization history, signed by the student's physician, parent or guardian, verifying that the student has received the required vaccines so as to be protected by immunization against measles, mumps, rubella, polio, hepatitis B, diphtheria, tetanus, pertussis and haemophilus influenzae type b (Hib). **Any student who does not comply shall not be permitted to enter school, or if provisionally enrolled or enrolled without compliance, shall not be permitted to continue in school until evidence of compliance or an exemption from compliance is given.**

Immunizations will not be required for a student's enrollment if the student submits one of the following:

- (A) A statement signed by a physician, physician assistant, or nurse practitioner that, in the health care provider's opinion, the immunizations required would be injurious to the health and well being of the student or any member of the student's family or household;
- (B) An affidavit signed by the student, or if the student is a minor, by a legally authorized representative of the student, stating that the immunization conflicts with the tenets and practice of a recognized religious denomination of which the student is an adherent or member or that immunization conflicts with the personal and sincerely followed religious beliefs of the student.
- (C) Documentation from the student's immunization provider showing that the student has begun the required immunizations and has scheduled dates to complete the immunization series as rapidly as is medically feasible. This documentation will permit provisional enrollment only. The student will be excluded from school if the necessary immunizations are not completed as rapidly as medically feasible, until either documentation of immunization or proof of an exemption is provided.
- (D) Evidence of immunity against the diseases. Laboratory evidence of circulating antibodies for measles, mumps or rubella is required to show evidence of immunity against those diseases. Information concerning the laboratory test, including the signature of the laboratory technician or laboratory director, must be provided. Clinical history is not sufficient evidence of immunity.

The cost of immunizations and any required documentation shall be borne by the parent or guardian, not the Lincoln Public School district.

STUDENTS

Evidence of Immunization (Continued)

In the event of an outbreak of a communicable disease, unimmunized students may be excluded from school.

Date of Adoption (or Last Revision):

8-24-99

Related Policies and Regulations:

Legal Reference:

**79-217 to 79-223; 79-248;
79-264; and Title 173,
Nebraska Administrative Code,
Ch. 3**

STUDENTS

Physical Exam and Vision Evaluation

Admission to school requires submission of evidence of a physical examination and a visual evaluation within six months prior to entrance into the beginner grade (Kindergarten or, if Kindergarten is not attended, the first grade) and in the case of a transfer from out of state, to any grade. Physical examinations and vision evaluations provided at the preschool level do not meet this requirement. Evidence of a physical examination is also required within six months prior to entrance in the seventh grade.

The physical examination is to be performed by a physician, a physician assistant or a nurse practitioner. The visual evaluation is to be performed by a physician, a physician assistant, an advanced practice registered nurse or an optometrist. The visual evaluation is to consist of testing for amblyopia, strabismus and internal and external eye health, with testing sufficient to determine visual acuity.

The cost of the physical examination and vision evaluation shall be borne by the parent or guardian.

The parent or guardian shall be notified in writing of the foregoing requirements and of the right to submit statements to object to the requirements. The parent or guardian shall also be provided a telephone number or other contact information to assist the parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify.

A student who fails to meet the foregoing requirements shall not be permitted to enroll or to enter school, or if provisionally enrolled or enrolled without compliance, shall not be permitted to continue in school until evidence of compliance or an exemption from compliance is given.

Date of Adoption (or Last Revision):

5-23-2006

Related Policies and Regulations:

Legal Reference:

**Neb. Rev. Stat. §§79-214;
79-220 and 79-223**

STUDENTS

Target Utilization for Schools

The district will establish a program capacity for each school building. Using the program capacity and school enrollment numbers, the district will compute a target utilization rate for each administrative level that is the average of the ratio of enrollment to program capacity for each building in the administrative level.

Date of Adoption (or Last Revision):

2-13-2007

Related Policies and Regulations:

Legal Reference:

STUDENTS

Option Students

The Lincoln Board of Education will annually adopt a resolution stating the timeline and parameters for acceptance of option enrollment students. In addition, the resolution will state the circumstances under which late applications will be accepted.

An option student who has been accepted for enrollment in Lincoln Public Schools may request a particular school building, but the building assignment of the option student shall be determined by the Office of Student Services. Option enrollment students shall be assigned to a school open to transfer and no option student shall be assigned to a school which the District categorizes as closed to transfer. Policies 5120, 5121, 5122 and 5123 shall not apply to option enrollment students.

This policy applies to school buildings or grades in school buildings designated as closed to transfer under the following circumstances:

1. A resident student who moves out of the district and is approved as an option student may be admitted to complete the current school year at the building they attended as a resident student.
2. An option student may be permitted to attend a building or grade that the District categorizes as closed to transfer if a sibling is currently enrolled at the same building.
3. An option student who is assigned to a building may complete their education at that same building.

An option student may be permitted to attend a building or grade that the District categorizes as closed to transfer if an overriding educational need exists as determined by a Review Committee of the Board of Education. The procedure for review may be limited by the Review Committee to written submissions only. The decision of the Review Committee shall be final.

Notwithstanding any of the above or any other policy of the Lincoln Board of Education, any school building with fewer than 20 students which is owned or made part of Lincoln Public Schools shall be closed to transfer (including transfer for continued attendance) by Lincoln Public Schools resident students and shall not be the building assignment for option students.

Date of Adoption (or Last Revision):

3-13-2007

Related Policies and Regulations:

Legal Reference:

79-235, 79-1094 et al.

STUDENTS

School Attendance Areas

The Lincoln Board of Education shall establish elementary, middle school and high school attendance areas.

Exceptions for students to attend other than the assigned school may be made through transfer permits issued by the Office of Student Services on the basis of criteria established by the Lincoln Board of Education.

The Lincoln Board of Education should annually review boundaries for the elementary, middle school and high school attendance areas at a January meeting. If a school's facility utilization deviates from the district's target utilization by more than 15 percent, the school's attendance area boundaries should be reviewed. When necessary, boundary changes should be made to balance building utilization and minimize the use of portable classrooms. Elementary, middle school and high school boundaries should be considered independently based on balanced building utilization. The Lincoln Board of Education will consider district-provided transportation as a means to assist in balanced utilization of schools.

It is the board's intent when possible to give approximately one school year's notice to families whose attendance area will be changed; however, circumstances may dictate a more rapid change, and the board is not restricted by the approximate one school year intent. School year shall mean the Lincoln Public Schools student calendar for each year.

Areas newly approved for platting by the city or those where the Lincoln Board of Education in its sole discretion deem appropriate may be assigned to an attendance area at any time. Newly platted areas assigned to an attendance area other than that of the closest school due to overcrowding should be considered temporary assignments until a more permanent solution can be implemented.

Attendance area boundaries that promote walking to school are desirable but should be modified as necessary to facilitate full utilization of buildings. Attendance areas should be contiguous, but the school may not be centered within the attendance area. Due to population distribution, geographic characteristics and a variety of other factors, not all areas will attend the geographically closest school. Attendance area boundaries should consider natural obstacles, arterial streets, railroad right of ways or other geographic features but will not always be able to avoid such obstacles.

Date of Adoption (or Last Revision):

2-13-2007

Related Policies and Regulations:

Legal Reference:

STUDENTS

Student Attendance Areas Unavailable for Transfer

Staff will annually prepare a report in February on those grade levels and buildings that are to be considered unavailable to transfer.

In determining which attendance areas shall be unavailable to transfer, the following factors will be considered:

1. Available capacity (i.e., space for the efficient and effective organization of the total enrollment),
2. The impact on the educational program within the building,
3. Prior enrollment levels for the facility, and
4. Anticipated future growth within the attendance area.

During the school year, it may become necessary for a grade level to be designated by the superintendent or designee as unavailable for transfer because of overcrowding. Any time it becomes necessary to close a total attendance center to transfer because of the factors noted above, the Lincoln Board of Education will be informed of this administrative decision.

Date Regulation Reviewed by the Board of Education: 9-13-94

Related Policies and Regulations:

Legal Reference:

STUDENTS

Student Attendance Centers Closed to Transfer Criteria

Boundaries for individual attendance centers are established to have an adequate number of students available to maintain viable instructional programs and maintain efficient use of facilities. The following regulations establish criteria by which a school is designated as being closed to transfer.

The director of student services will maintain the list of schools designated as closed to transfer. The board will review actual and projected student enrollments annually at the first regularly scheduled board meeting in December. Membership counts will be taken on a regular basis throughout the school year.

All transfer requests will require the approval of the director of student services. Transfer requests to buildings or grades not designated as closed to transfer will normally be approved. Transfer requests to buildings or grades designated as closed to transfer will require approval of the director of student services after consultation with the principal of the building to which the transfer is requested.

Elementary

An elementary building will normally be open for transfers. If one or more of the following conditions are present at a school, the school, or grades within the school, may be closed to transfer.

1. If the current enrollment of the building is at or over its program capacity, the building may be closed to transfer.
2. If the average enrollment of Kindergarten through grade three multiplied by six meets or exceeds the program capacity, the building may be closed to transfer.
3. If a building's membership is more than 90 percent of its program capacity, the building principal will be consulted prior to the approval of any transfers into a building.
4. If the building exceeds the target utilization rate by 10 percentage points, the building may be closed to transfer.
5. Other factors will be considered as determined by administrative review.

STUDENTS

Student Attendance Centers Closed to Transfer Criteria (Continued)

Middle School

A middle school building will normally be open for transfers. If one or more of the following conditions are present at a school, the school, or grades within the school, may be closed to transfer.

1. If the current enrollment of the building is at or over its program capacity, the building may be closed to transfer.
2. If the sixth-grade enrollment multiplied by three exceeds the program capacity, the building may be closed to transfer.
3. If a building's membership is more than 90 percent of its program capacity, the building principal will be consulted prior to approval of any transfers into that building.
4. If the building exceeds the target utilization rate by 10 percentage points, the building may be closed to transfer.
5. Other factors will be considered as determined by administrative review.

High School

A high school building will normally be open for transfers. A decision to close a high school due to severe overcrowding will be made by the high school principal, the Director of Student Services, the Associate Superintendent for Instruction and the Superintendent.

Date Regulation Reviewed by the Board of Education: 2-13-2007
Related Policies and Regulations: 5120.1
Legal Reference:

Students

Student Transfers -- General Provisions

Students are permitted to transfer to a building outside their designated enrollment area only under the following conditions:

1. The board of education has declared the building as available for transfer,
2. An administrative decision has been made that the transfer is in the best interest of the child and the parent or guardian consents to the administrative decision, and
3. A parent or guardian has made a special request for transfer and the request has been granted.

Special requests for transfer to a building declared not available for transfer must be made in writing for the following school year. A special attendance permit, once approved, remains in effect as long as the student is living at the address listed on the application and is enrolled in that school. The permit may be revoked if the student's attendance is unsatisfactory or if it is judged to be in the child's best interest.

Parents or guardians bear full responsibility for transportation of students in cases when a special permit has been approved. When such requests are denied, appeals are permitted. Rights of appeal include the right to appeal to the board of education.

In cases of denial, applicants will be informed of appeal procedures. Appeals to the board must be made in writing within 14 days after the applicant's receipt of a written notice of denial.

Date of Adoption (or Last Revision):

9-13-94

Related Policies and Regulations:

Legal Reference:

STUDENTS

Transfer Appeal Procedure

When a request for transfer has been denied by administrative action, parents/guardians may appeal the decision by the following procedure:

1. Parents/guardians must submit a written request to the director of student services indicating their desire to appeal the decision.
2. The request shall be made within 14 days after receipt of the letter denying the transfer request,
3. Parents/guardians shall be notified of the time and date of a transfer review committee meeting at least seven days in advance of the meeting.
4. The administrative review committee shall consist of: a representative from the Superintendent of Schools' Office, a principal from an elementary, middle and/or high school and the director of student services.
5. Within seven days, a written decision will be sent to the parent(s)/ guardian(s).

Date Regulation Reviewed by the Board of Education: 9-13-94

Related Policies and Regulations:

Legal Reference:

STUDENTS

Student Transfers (Elementary/Secondary)

A district transfer policy permits patrons a choice of selecting an attendance center outside of their designated area, if that attendance center is not closed.

Transfer Provisions

1. Students may be granted a transfer to schools open for intra-district transfer.
2. Schools or grades in schools may be designated as closed to student transfers due to enrollment. Student transfers to schools designated as closed to intra-district transfer due to enrollment will not be permitted except as follows:
 - a. Students in attendance at a specific school may be permitted to complete the current year at that attendance center if the family moves during the school year.
 - b. Students in attendance at a specific school may be permitted to complete their education at that attendance center if the boundary is changed, placing the family in another attendance center.
 - c. A student may be permitted to transfer into an attendance center if a sibling is attending, and will continue to attend for at least one year, that same attendance center.
 - d. Students may be assigned by the district's Director of Student Services or designee to any attendance center when an overriding need exists. Principals of the sending and receiving attendance centers will be consulted.
 - e. Mandatory reassignment will be permitted, if directed by the Director of Student Services or designee. Principals of the sending and receiving attendance centers will be consulted.
 - f. A student may be permitted to transfer to an attendance center where a parent is employed.

In case of denial of a transfer, applicants shall be informed of appeal procedure.

Date of Adoption (or Last Revision):

2-13-2007

Related Policies and Regulations:

5120.2

Legal Reference:

STUDENTS

Nonresident Students

Students living outside Lincoln Public School District boundaries are classified as nonresident students. Nonresident students are:

1. Students who reside in a Class I School District (K-8) and are entitled to attend any high school district (9-12) under current statutes.
2. Special education students living outside the Lincoln Public School District who by policy are allowed to contract with the Lincoln Public Schools for services.
3. Students whose residency is outside the Lincoln Public School District who by policy are allowed to pay tuition to attend the Lincoln Public Schools.

Lincoln Public Schools transfer policies and regulations apply to nonresident students.

Date of Adoption (or Last Revision):	9-29-89
Related Policies and Regulations:	
Legal Reference:	79-494

STUDENTS

Diplomas for Seniors Moving from the City

If a senior moves from the Lincoln Public Schools and cannot receive a diploma from the new school now attending because of not meeting its residency requirements, the Lincoln high school last attended may issue the diploma based upon satisfactory completion of the course work in the receiving school.

Date of Adoption (or Last Revision):

5-12-87

Related Policies and Regulations:

5121.1

Legal Reference:

STUDENTS

Students Moving from the City

If a student cannot complete the school year because it becomes necessary for the family to move out of the city during the last 15 school days, the following procedures should be followed:

1. Completion of whatever work is possible for the semester is left to the discretion of the teacher and principal. Teachers are not expected to give special final examinations, nor are they expected to arrange for special make-up work or special reports,
2. The student's final grades are computed as of the student's last day of attendance,
3. The school indicates on the grade report the recommendations concerning placement for the following year, and
4. The Lincoln Public Schools have no authority for placement in the receiving school.

Date of Adoption (or Last Revision):

8-10-2004

Related Policies and Regulations:

Legal Reference:

STUDENTS

Student Attendance

Every person residing in a school district within the State of Nebraska who has legal or actual charge or control of any child who is of mandatory attendance age shall cause such child to attend school regularly. The Lincoln Public Schools will establish procedures that will assist parents to meet this responsibility by encouraging regular and punctual student attendance.

Uninterrupted attendance in regularly scheduled classes allows students to obtain maximum benefit from the district's instructional program. Cooperative efforts of parents/guardians and school staff to promote regular student attendance are encouraged. Principals are responsible for developing attendance rules and regulations which implement the intent of this policy.

Date of Adoption (or Last Revision):

8-10-2004

Related Policies and Regulations:

Legal Reference:

Neb. Rev. Stat. 79-201

STUDENTS

Student Attendance and Absences in the High Schools (Grades 9-12)

Recognition of Good Attendance

Principals and staff are encouraged to establish ways of recognizing and rewarding good attendance (e.g., quarterly honor list, recognition in newspaper, cumulative two- and three-year recognition).

Communication with Parents

School staff will keep parents informed regarding the attendance of their student(s) and will assist parents in correcting attendance problems.

Absences from School

Absences from school will be reported as absent, truant or suspended. It is the responsibility of the student to make up work which has been missed because of any absence. The school staff will support the student's initiative to make up work missed.

- A. **Absent:** When a student is absent from class for any reason, it becomes more difficult for the student to master the content of the course. Therefore, it is important that absences be eliminated or kept to a minimum.

When a student is absent from school, he/she will have the opportunity to make up work missed. If the absence is for reasons other than truancy or suspension, it is possible for a student to earn full credit and grade for make-up work that is turned in by the due date. The date when make-up work is due will be determined by the teacher based on the content being studied and the length of the student's absence. It may not be possible to duplicate or even substitute equivalent activities for experiences missed during an absence. In such cases, credit cannot be issued.

- B. **Truancy and Suspension:** A student is truant from school when he/she is absent without the knowledge and permission of the parent and the building administration. Truancy is a violation of school rules. Absences because of truantries may result in detention, removal from class, referral to Juvenile Court and/or other consequences determined to be appropriate by the principal or designee.

STUDENTS

Student Attendance and Absences in the High Schools (Grades 9-12)

Absences from School (Continued)

When a student is suspended or is truant from school, the student will have the opportunity to make up work missed. The maximum grade that can be earned for make-up work is the minimal passing grade in that class. Individual teacher discretion may allow for a higher grade. The date when make-up work is due will be determined by the teacher based on the content being studied and the length of the student's absence. It may not be possible to duplicate or even substitute equivalent activities for experiences missed during an absence. In such cases, credit may not be issued.

Excessive Absences

When a student is absent excessively for any reason, the principal or designee is authorized to:

- a) drop a student from a course and issue a failing or incomplete grade for the course,
- (b) reduce the number of credit hours granted for a course, or reduce the grade for a course.

When such action is being considered, the principal will (a) advise the parent/guardian and the student, and (b) discuss with them any alternatives that the student may have for receiving partial or full course credit (e.g., registering again, registering for summer school, etc.).

Tardiness

1. Students shall be considered tardy if they are not in their assigned classrooms when the class is scheduled to begin unless excused by permission from the building principal or designee.
 - A. The building schedule shall be such that students have adequate time to get from one class to the next class on time.
 - B. Students shall be issued passes by teachers who detain them, admitting them to the next class when the student is dismissed late or detained by the teacher.
2. Classroom teachers shall be responsible for counseling with their tardy students and will assist parents with corrective measures in cases of tardiness.

STUDENTS

Student Attendance and Absences in the High Schools (Grades 9-12)

Tardiness (Continued)

3. Disciplinary procedures may be used to assist students in correcting problems with tardiness.

Date Regulation Reviewed by the Board of Education: 3-11-2003
Related Policies and Regulations: 6230.1, 6560.1
Legal Reference:

STUDENTS

Absences and Tardiness in the Elementary and Middle Schools (Grades K-8)

Recognition of Good Attendance

Principals and staff are encouraged to establish ways of recognizing and rewarding good attendance (e.g., quarterly honor list, recognition in newspaper, cumulative two- and three-year recognition).

Communication with Parents

School staff will keep parents informed regarding the attendance of their student(s) and will assist parents in correcting attendance problems.

Absences

Absences from school will be reported as absent, truant, suspended. It is the responsibility of the student to make up work which has been missed because of any absence. The school staff will support the student's initiative to make up work missed.

- A. **Absent:** When a student is absent from class for any reason, it becomes more difficult for the student to master the content of the course. Therefore, it is important that absences be eliminated or kept to a minimum. Equivalent experiences for students who miss class are difficult and sometimes impossible to recreate.

When a student is absent from school for reasons other than truancy and suspension, he/she will have the opportunity to make up work missed. The date when make-up work is due will be determined by the teacher based on the content being studied and the length of the student's absence.

- B. **Truancy and Suspension:** A student is truant from school when he/she is absent without the knowledge and permission of the parent and the building administration. Truancy is a violation of school rules. Absences because of trancies may result in detention, removal from class, referral to Juvenile Court and/or other consequences determined to be appropriate by the principal or designee.

When a student is suspended or is truant from school, the student will have the opportunity to make up work missed. The date when make-up work is due will be determined by the teacher based on the content being studied and the length of the student's absence. For middle school students the maximum grade that can be earned for make-up work is the minimal passing grade in that class. Individual teacher discretion may allow for a higher grade. It may not be possible to duplicate or even substitute equivalent activities for experiences missed during an absence. In such cases, credit may not be issued.

STUDENTS

Absences and Tardiness in the Elementary and Middle Schools (Grades K-8) (Continued)

Tardiness

- A. Students shall be considered tardy if they are not in their assigned classrooms when the class is scheduled to begin unless excused by permission from the building principal or designee.
 - 1. The building schedule shall be such that students have adequate time to get from one class to the next class on time.
 - 2. Students shall be issued passes by teachers who detain them, admitting them to the next class when the student is dismissed late or detained by the teacher.
- B. Classroom teachers shall be responsible for counseling with their tardy students, and will assist parents with corrective measures in cases of tardiness.
- C. Disciplinary procedures may be used to assist students in correcting problems with tardiness.

Date Regulation Reviewed by the Board of Education: 1-14-2003

Related Policies and Regulations:

Legal Reference:

STUDENTS

Reporting and Responding to Excessive Absenteeism and Truant Behavior

Any administrator, teacher, or member of the Lincoln Board of Education who knows of any failure on the part of any child of mandatory attendance age to attend school regularly without lawful reason, shall within three days report such violation to the superintendent or the director of student services, or his or her administrative assistant. The superintendent or the director of student services, or his or her administrative assistant, shall immediately cause an investigation of the case to be made by the attendance officers. When of his or her personal knowledge, by report or complaint from any resident of the district, or by report or complaint as provided in this section the attendance officer believes that any child is unlawfully absent from school, he or she shall immediately investigate. The school shall render all services in its power to compel such child to attend some public, private, denominational, or parochial school, which the person having control of the child shall designate, in an attempt to remediate the child's truant behavior.

The mandatory ages of attendance for truancy purposes are as follows: For the 2004-2005 school year (that is, prior to July 1, 2005), the mandatory ages of attendance are age 7 to age 18. For the 2005-2006 school year (that is, after July 1, 2005), the mandatory ages of attendance are age 6 (as of January 1 of the then-current school year) to age 18.

Attendance is also not mandatory for a child who has reached the age of 6 years of age prior to January 1 of the then-current school year, but will not reach age 7 prior to January 1 of such school year, if the child's parent or guardian has signed and filed with the school district in which the child resides an affidavit stating either: (1) that the child is participating in an education program that the parent or guardian believes will prepare the child to enter grade one for the following school year; or (2) that the parent or guardian intends for the child to participate in a school which has elected or will elect pursuant to law not to meet accreditation or approval requirements and the parent or guardian intends to provide the Commissioner of Education with a statement pursuant to section 79-1601(3) on or before the child's seventh birthday.

Attendance is also not mandatory for a child who: (1) has obtained a high school diploma by meeting statutory graduation requirements; (2) has completed the program of instruction offered by a school which elects pursuant to law not to meet accreditation or approval requirements; (3) has reached the age of 16 years and such child's parent or guardian has signed a notarized release discontinuing the enrollment of the child on a form provided by the school; or (4) has reached the age of 16 as of July 16, 2004.

Students who accumulate five (5) absences in a quarter shall be deemed to have "excessive absences." Such absences shall be determined on a per-day basis for elementary students and on a per-class basis for secondary students. When a student has excessive absences, the following procedures shall be implemented:

STUDENTS

Reporting and Responding to Excessive Absenteeism and Truant Behavior (Continued)

1. One or more meetings between a school attendance officer, administrator, school social worker, or other person designated by the school administration if such school does not have a school social worker, the child's parent or guardian, and the child, if necessary, to report and to attempt to solve the excessive absenteeism problem, unless the officer or worker has documented the refusal of the parent or guardian to participate in such meetings;
2. Educational counseling to determine whether curriculum changes, including, but not limited to, enrolling the child in an alternative education program that meets the specific educational and behavioral needs of the child, would help solve the excessive absenteeism problem;
3. Educational evaluation, which may include a psychological evaluation with the written consent of the parent or guardian, to assist in determining the specific condition, if any, contributing to the excessive absenteeism problem, supplemented by specific efforts by the school to help remedy any condition diagnosed; and
4. Investigation of the excessive absenteeism problem by school personnel to identify conditions which may be contributing to the excessive absenteeism problem. If services for the child and his or her family are determined to be needed, school personnel performing the investigation shall meet with the parent or guardian and the child to discuss any referral to appropriate community agencies for economic services, family or individual counseling, or other services required to remedy the conditions that are contributing to the excessive absenteeism problems.

Truancy and tardiness is a violation of school rules. The services to be provided in response to truancies and tardiness shall also include disciplinary measures, including, without limitation, restriction of extracurricular and other activities, additional work assignments before, during or after regular school hours, removal from a particular class or classes and mandatory reassignment. Suspension (short-term or long-term) or expulsion from school may be imposed for truancy or tardiness, provided that alternatives to such action have been used or determined by the director of student services or his or her administrative assistant to be inappropriate under the circumstances.

If the child continues to be or becomes excessively absent, the attendance officer or administrator shall serve a written notice to the person violating the compulsory attendance statutes, warning him or her to comply with its provisions. If in one week after the time such notice is given, such person is still violating such statutes, then such attendance officer or administrator shall file a report with the county attorney of the county in which such person resides.

STUDENTS

Reporting and Responding to Excessive Absenteeism and Truant Behavior (Continued)

Students who accumulate twenty (20) absences per year shall be deemed to be excessively absent. If the student continues to be or becomes excessively absent, the attendance officer or administrator shall serve a written notice to the person violating Neb. Rev. Stat. §79-201, (i.e., the person who has legal or active charge or control of the student) warning him or her to comply with the provisions of that statute. If within one week after the time such notice is given such person is still violating the school attendance laws or policies, the attendance officer shall file a report with the county attorney of the county in which such person resides.

Date Regulation Reviewed by the Board of Education:

8-10-2004

Related Policies and Regulations:

Legal Reference:

**Neb. Rev. Stat. §§79-201 and
79-209**

STUDENTS

Attendance Records

Attendance reporting for the Lincoln Public Schools shall be in accordance with the following:

1. Each school principal shall be required to:
 - a. Keep an accurate record of student attendance.
 - b. Make attendance reports as directed by the Office of Student Services.
 - c. Keep parents informed of their student's absences.
2. Attendance procedures utilized in school buildings shall encourage good attendance from every student,
3. Attendance procedures shall provide maximum communications between home and school regarding student attendance even though the basic responsibility for attendance shall remain with the student and the parent or guardian,
4. Principals shall be responsible for classifying absences according to reasons and taking appropriate action for absences due to unacceptable reasons, and
5. Standard classifications, as required by state reports, shall be contained in instructions from the Office of Student Services.

Date Regulation Reviewed by the Board of Education: 9-13-94
Related Policies and Regulations:
Legal Reference: 79-207

STUDENTS

School Census

The Lincoln Public Schools will operate a census plan which is updated on a regular and continuous basis.

Date of Adoption (or Last Revision):

9-13-94

Related Policies and Regulations:

Legal Reference:

79-1006, 79-207

STUDENTS

School Census Record Procedures

It is necessary to maintain an accurate accounting of the student population as well as all persons under the age of twenty-one. This is accomplished through the continuing census which is maintained through the cooperation of the building principals, Information Systems and the Office of Student Services.

Whenever a student enters, withdraws, or transfers from school, the computerized Student Information form will be completed by the school.

Student Services will provide schools with guidelines for maintaining an accurate school census.

Date Regulation Reviewed by the Board of Education: 5-23-00
Related Policies and Regulations:
Legal Reference: 79-1006

STUDENTS

Individual Assessment

On the basis of individual need, the district will provide a process for making a structured, individualized assessment of students whose educational performance and/or behavior seems to be significantly different from those in their grade level.

Date of Adoption (or Last Revision):
Related Policies and Regulations:
Legal Reference:

5-12-87

STUDENTS

Student Records

A confidential, permanent individual record for each student in the Lincoln Public Schools shall be maintained in accordance with state and federal laws and regulations, and information from that record shall be released only in accordance with state and federal laws and regulations.

Date of Adoption (or Last Revision):

5-12-87

Related Policies and Regulations:

Legal Reference:

**Public Law 93-380, 79-4,157,
79-4,158**

STUDENTS

Definition of Terms for Student Records

1. **Student** - any person who attends or has attended a program of instruction of the Lincoln Public Schools.
2. **Eligible Student** - a student or former student who has reached age 18 or is attending a post-secondary school.
3. **Parent** - either natural parent of a student unless his or her rights have been removed by a court order, a legal guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian.
4. **Education Records** - any record (in handwriting, print, tapes, film or other medium) maintained by the Lincoln Public Schools, an employee of the district, or an agent of the district which is related to a student except:
 - a. A personal record kept by a school staff member which meets the following criteria:
 - 1) It was made as a personal memory aid,
 - 2) It is in the personal possession of the individual who made it, and
 - 3) Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute;
 - b. An employment record which is used only in relation to a student's employment by the Lincoln Public Schools, and
 - c. Alumni records which relate to the student after he or she no longer attends classes provided by the Lincoln Public Schools.
5. **Personal Identifier** - any data or information that makes the subject of a record known. This includes the student's name, student's parents or other family member's name, student's address, student's social security number, student number, list of personal characteristics, or any other information which would make the student's identity known.

Date of Adoption (or Last Revision):

6-8-93

Related Policies and Regulations:

Legal Reference:

**Public Law 93-380, 79-4,157,
79-4,158**

STUDENTS

Storage and Maintenance of Student Records

Official student records are stored and maintained at the school building. Personnel who are responsible for working with the student will update the record and provide continuous evaluation of the materials in the record.

An annual evaluation shall be made of each student's record. Any memorandum which does not become a part of the record shall be destroyed. Exceptions will be authorized by permission of the Lincoln Board of Education.

Date of Adoption (or Last Revision):

8-24-99

Related Policies and Regulations:

5350

Legal Reference:

**Public Law 93-930 79-4,157,
79-4,158**

STUDENTS

Access to Student Records

The Lincoln Public Schools presumes that the parent has the authority to inspect and review records relating to his or her child unless the district has been advised that the parent does not have the authority under applicable Nebraska or federal law governing such matters as guardianship, separation or divorce.

The Lincoln Public Schools will not deny parents/guardians or eligible students access to student records. However, the district reserves the right to charge for copies such as transcripts it forwards to potential employers or to colleges and universities for employment or admissions purposes.

In the case where the parents are not living together, either parent has access to student records. Copies of specific records may be sent to agencies upon request of the parent or by judicial order.

The Lincoln Public Schools will provide copies of records at the request of another school district where the student seeks or intends to enroll. Records from other sources (i.e., letters from non-school staff members, hospital reports or outside assessment agencies, etc.) which are used in educational planning and have been placed in the student's record at the parent's request will be forwarded.

Date of Adoption (or Last Revision):

1-28-97

Related Policies and Regulations:

Legal Reference:

**Public Law 93-380, 79-4,157,
79-4,158**

STUDENTS

Inspection of Student Records

Parents/guardians of students or eligible students may inspect and review the student's records upon request. In some circumstances, it may be mutually more convenient for the principal to provide copies of records.

Since a student's records may be maintained in several locations, the school principals will collect copies of records themselves so they may be inspected at one site. If parents/guardians or eligible students wish to inspect records where they are maintained, principals will attempt to accommodate their wishes.

Parents/guardians or eligible students may be asked to submit to the principal a written request which identifies precisely the record or records he or she wishes to inspect.

The principal or a designated staff member will make the arrangements and notify the parent/guardian or eligible student of the time and place where the records may be inspected. This procedure must be completed in 45 days or less from the receipt of the request for access.

If a parent/guardian or eligible student cannot personally inspect and review a student's record, the Lincoln Public Schools will arrange for the parent/guardian or eligible student to obtain copies of the record.

When a record contains information about students other than the parent's child or the eligible students, information about other children may be blocked out before an inspection is permitted.

Date Regulation Reviewed by the Board of Education:

5-12-87

Related Policies and Regulations:

Legal Reference:

**Public Law 93-380, 79-4,157,
79-4,15**

STUDENTS

Annual Notification of Rights to Inspect and Review Records

At the beginning of each school year, the school district will publish in the Student Rights and Responsibilities materials, a notice to parents/guardians or eligible students of their rights under the Family Rights and Privacy Act and this policy. This publication will be included with a packet of material provided parents/guardians or an eligible student when the student enrolls during the school year. An eligible student is defined as being 18 years of age or older, or is attending a post-secondary school.

The notice will include the following:

1. The rights of a student's parents/guardians or eligible students to inspect and review the student's records,
2. The intent of the Lincoln Public Schools to limit the disclosure of information contained in a student's records except: 1) by the prior written consent of the student's parent/guardian or the eligible student, 2) as directory of information, or 3) under limited circumstances with the approval of the Department of Student Services,
3. The right of a student's parent/guardian or an eligible student to seek to correct parts of the student's record which he or she believes to be inaccurate, misleading, or in violation of student rights. This right includes the right to a hearing to present evidence that the record should be changed if the district decides not to alter it according to the parent/guardian or eligible student's request,
4. The right of any person to file a complaint with the Nebraska Department of Education if the Lincoln Public School District violates the Family Rights and Privacy Act, and
5. The procedure that a student's parent/guardian or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

The district will make a reasonable effort to provide translations of this notice to non-English speaking parents/guardians in their native language.

Date Regulation Reviewed by the Board of Education:

5-12-87

Related Policies and Regulations:

Public Law 93-380

Legal Reference:

STUDENTS

Use of Student Records

To carry out their responsibilities, school staff members have access to student records for legitimate educational purposes. The Lincoln Public Schools will use the following criteria to determine school staff. A staff member is:

1. A person certified by the State and appointed by the school board to an administrative or supervisory position,
2. A person certified by the State and under contract to the school board as an instructor,
3. A person employed by the school board as a temporary substitute for administrative, supervisory or instructional personnel for the period of his or her performance as a substitute, student certificated employees, interns and other professional assignments, or
4. A person employed by or under contract to the school board to perform a special task such as secretaries, clerks, aides, the school board attorney or auditor for the period of his or her performance as an employee or contractor.

School staff who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so. A "legitimate educational interest" is the person's need to know in order to:

1. Perform an administrative task required in the school employee's position description approved by the school board,
2. Perform a supervisory or instructional task directly related to the student's education, or
3. Perform a service or benefit for the student or the student's family such as health care, psychological services, counseling, student job placement, or student financial aid.

The Lincoln Public Schools will permit any of its staff to make the needed disclosure from student records in a health or safety emergency if:

1. He or she deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons,
2. The information is necessary and needed to meet the emergency,

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Use of Student Records (Continued)

3. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency, or
4. Time is an important and limiting factor in dealing with the emergency.

Lincoln Public Schools staff may release information from a student's record if the student's parent/guardian or the eligible student gives prior written consent for the disclosure. The written consent must include:

1. A specification of the records to be released,
2. The reasons for the disclosure,
3. The person or the organization or the class of persons or organizations to whom the disclosure is to be made,
4. The parent/guardian or eligible student's signature, and
5. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parent/guardian or the student may obtain a copy of any records disclosed under this provision.

The Lincoln Public Schools will only release information from or permit access to a student's record with a parent/guardian or eligible student's prior written consent except that the superintendent or a person designated in writing by the superintendent may permit disclosure:

1. When a student seeks or intends to enroll in another school district or a postsecondary school, the district will not notify parents/guardians or eligible student prior to such a transfer of records. Parents/guardians and students have a right to obtain copies of records transferred under this provision;
2. When certain Federal and State officials need information in order to audit or enforce legal conditions related to federally supported educational programs in the district. These officials must provide proper credentials and identify their purpose and the legal statute allowing them to see records;

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Use of Student Records (Continued)

3. To parties who provide or may provide financial aid to a student to:
 - a. Establish the student's eligibility for the aid,
 - b. Determine the amount of financial aid,
 - c. Establish the conditions for the receipt of the financial aid, or
 - d. Enforce the agreement between the provider and the receiver of financial aid;
4. When the Lincoln Public Schools has entered into a written agreement or contract for an organization to conduct studies on the school district's behalf to develop tests, administer student aid, or improve instruction;
5. To accrediting organizations to carry out their accrediting functions;
6. To parents/guardians or eligible students if the parents/guardians claim the student as a dependent as defined by the Internal Revenue Code of 1954;
7. To comply with a judicial order or lawfully issued subpoena. The district will make a reasonable effort to notify the student's parents/guardians or the eligible student before making a disclosure under this provision; or
8. If the disclosure is directory information and the student's parent/guardian or the eligible student has not refused to allow the district to designate that item as directory information for that student.

When parents refuse consent for release of personally identifiable information, the Lincoln Public Schools utilizes the due process hearing procedures contained in Rule 55.

Date of Adoption (or Last Revision):

9-13-94

Related Policies and Regulations:

Legal Reference:

**Public Law 93-380, 79-4,157,
79-4,158; Rule 55**

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Access and Disclosure Requests Made from Student Records

The Lincoln Public Schools will maintain an accurate record of all requests for disclosure of information from or access to a student's records and of information disclosed and access permitted with the exceptions listed below. This record will be kept with each student's Cumulative Scholastic Record. It will be available only to the principal, the eligible student, the parent/guardian of the student, or to the federal, state or local official for the purpose of auditing or enforcing federally supported educational programs.

The record will include at least:

1. The name of the person or agency that made the request,
2. The interest the person or agency had in the information,
3. The date the person or agency made the request, and
4. Whether the request was granted, and if it was, the date access was permitted or the disclosure was made.

The district will maintain this record as long as it maintains the student's record.

The record will not include requests for access or access granted to parents/guardians of the student or to an eligible student, requests for access or access granted to officials of the Lincoln Public Schools who have a legitimate educational interest in the student, requests for or disclosures of information contained in the student's record if the request is accompanied by the prior written consent of a parent/guardian of the student or the eligible student or the disclosure is authorized by such prior consent, or for requests for, or disclosures of directory information designated for that student.

Date Regulation Reviewed by the Board of Education:

5-12-87

Related Policies and Regulations:

Legal Reference:

**Public Law 93-380, 79-4,157,
79-4,158**

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Amendment to Student Records

Parents/guardians of students or eligible students have a right to request amendments to any part of the student's record they believe is incorrect, inaccurate, misleading or in violation of student rights.

A process to review and amend a student record is established. The district may make a decision to comply with the request for change at any level in the following procedure.

First Level Decision: When a parent/guardian of a student or an eligible student finds an item in the student's record which he/she believes is inaccurate, misleading or in violation of student rights, he/she should ask the principal to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the principal will make the correction. If the record is changed at this level, the method and result must satisfy the parent/guardian.

If the principal cannot change the records to the parent's/guardian's satisfaction or the record does not appear to be obviously incorrect, the principal will, within two weeks:

1. Provide the parent/guardian a copy of the questioned record at no cost,
2. Ask the parent/guardian to submit a written request for the change, and
3. Follow the procedure for a second-level decision.

Second Level Decision: The written request to correct a student's record through the procedure at this level should specify the correction the parent/guardian wishes the district to make. It should identify the item the parent/guardian believes is incorrect and state why he or she believes the item:

1. Is inaccurate,
2. Is misleading, or
3. Violates student rights.

The request will be dated and signed by the parents/guardians.

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Amendment to Student Records (Continued)

Within two weeks after the principal receives a written request, he or she will:

1. Discuss it with appropriate school personnel,
2. Make a decision to comply or decline to comply with the request, and
3. Notify the parent/guardian or move the request to the next level for a decision.

If, as a result of this review, the principal decides the record should be corrected, the principal will make the change and notify the parent/guardian in writing that the change has been made. The notice will include an invitation for the parent/guardian to review the student's record to make certain the record is in order and the correction is satisfactory.

If the principal decides the record is correct, the principal will make a written summary of any discussions with other officials and of the findings. A summary of the written request will be sent to the director of student services.

Third Level Decision: The director of student services will review the material provided by the principal and, if necessary, discuss the matter with other officials such as the school attorney. A decision will be made concerning the request. This procedure should be completed within two weeks. If it will take longer, the director will notify the parent/guardian in writing of the reasons for the delay and a date when the decision will be made.

If the director decides the record should be changed, the principal will be advised to make the changes. The principal will advise the parent/guardian of the change the same as if the change had been made at the second level.

If the director decides the record is correct, a letter will be sent to the parent/guardian which will include:

1. The school district's decision that the record is correct and the basis for the decision,
2. A notice to the parent/guardian that he or she has a right to ask for a hearing to present evidence that the record is incorrect and that the district will grant such a hearing.
3. Instructions for the parent/guardian to contact the director to discuss the arrangements for the hearing, and
4. Advise that the parent/guardian may be represented or assisted in the hearing by other parties, including an attorney at the parent's/guardian's expense.

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Amendment to Student Records (Continued)

Fourth Level Decision: After the parent/guardian has submitted a written request for a hearing, the superintendent will, within a week, notify the parent/guardian when and where the district will hold the hearing and who it has designated as the hearing officer.

At the hearing, the hearing officer will provide the parent/guardian a full and reasonable opportunity to present evidence and testimony to demonstrate that the questioned part of the student's record is incorrect as shown in the parent's/guardian's written request for a change in the record.

Within one week after the hearing, the hearing officer will submit to the superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit recommendations, based on the evidence presented at the hearing, that the record should be changed or remain unchanged.

The superintendent will prepare the district's decision within two weeks after the hearing. That decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. The superintendent may overrule the hearing officer if it is believed the hearing officer's recommendation is not consistent with the evidence presented. As a result of the district's decision, the superintendent will take one of the following actions:

1. If the decision is that the district will change the record, the superintendent will instruct the principal to correct the record. The principal will correct the record and notify the parent/guardian as at the second level decision,
2. If the decision is that the district will not change the record, the superintendent will send a written notice to the parent/guardian which will include:
 - a. The school district's decision that the record is correct and will not be changed,
 - b. A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the district's decision, and
 - c. Advise the parent/guardian that he or she may place in the student's record an explanatory statement which states the reasons he or she disagrees with the school district's decision and/or the reasons he or she believes the record is incorrect.

STUDENTS

Amendment to Student Records (Continued)

Final Administrative Step in the Procedure: When the Lincoln Public Schools receives an explanatory statement from a parent/guardian after the hearing, it will maintain that statement as part of the student's record as long as it maintains the questioned part of the record. The statement will be attached to the questioned part of the record and whenever the questioned part of the record is disclosed, the explanatory statement will also be disclosed.

Date Regulation Reviewed by the Board of Education: 1-28-97
Related Policies and Regulations:
Legal Reference:

STUDENTS

Transfer of Records

Within the Lincoln Public Schools

When a student transfers from one school to another within the district, all records are sent from the school where the student has been enrolled to the receiving school. These records are to be sent as soon as the receiving school requests them from the sending school.

Within the School District

Original records developed by the Lincoln Public Schools for students attending a non-public school within the district are kept in the Lincoln Public School designated as the student's last school of attendance. Copies are provided to the non-public schools.

To Another District

When a student moves out of the district, copies of the records are sent to the receiving school when:

1. A request is received from the school where the student enrolls, or
2. A parent/guardian request is received before the student moves.

The original record always remains in the Lincoln School District.

Date Regulation Reviewed by the Board of Education: 8-10-99

Related Policies and Regulations:

Legal Reference:

STUDENTS

Categories of Records

Student records defined according to the Family Rights and Privacy Act:

“Education records means these records, titles, documents and other materials which contain information directly related to a student; and are maintained by an educational agency or institution, or by a person acting for such agency or institution.”

The Lincoln Public Schools student record shall be maintained on the basis of two general categories. These categories include: Category A - permanent data and Category B -data necessary while the student is in school. Memoranda collected by school personnel while working with a student shall not be considered a part of the official school record.

- A. **Category A:** Category A includes official education records that constitute the minimum data necessary on each student which is used on a regular basis to assist school personnel to enhance the student’s educational program.

This includes:

1. Permanent Individual Record (PIR)
2. Cumulative Scholastic Record (Secondary)

- B. **Category B:** Category B includes information necessary to the school for a period of time, which is designed to assist in working with the student. Information in this category includes:

1. Elementary Reports of Student Progress;
2. Student Health Record;
3. Family background information;
4. Written reports:
 - a. Summary of parent/guardian conferences,
 - b. Social worker reports,
 - c. Psychological records, and
 - d. Agency reports;
5. Verified reports of serious or recurrent behavior problems:
 - a. Student referral form, and
 - b. Principal’s letters to parents/guardians;
 - c. Reading records;
 - d. Evaluation reports;
 - e. Parent/guardian authorization;

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Categories of Records (Continued)

- f. Exchange of information forms;
 - g. Individual Educational Plan;
 - h. All Special Education forms;
 - i. Special Education placement data;
 - j. Documentation Logs;
 - k. Free and reduced lunch applications; and
 - l. Such other documents as the principal may deem appropriate.
- C. **Memoranda:** Memoranda includes information about the student which may be pertinent for the current school year but may not be of value in the succeeding years. Information in this category is evaluated at the end of each year, and is either destroyed or placed in the official record in Category B. Any material to be destroyed should be evaluated by the Office of Student Services. Examples of this type of information shall include:
- 1. Notes from parents/guardians explaining student's absences from school
 - 2. Records of telephone messages,
 - 3. Behavior contract or agreement between two parties stating behavior of the student,
 - 4. Copies of "down slips" from teachers, and
 - 5. Miscellaneous notes.

Date of Adoption (or Last Revision):

5-12-87

Related Policies and Regulations:

8320

Legal Reference:

**Public Law 93-380 79-4,157,
79-4,158**

STUDENTS

Description of Records

Category A

Permanent Individual Record: The Permanent Individual Record (PIR) is the only school record which contains identification data for every student who is enrolled or who has been enrolled in any Lincoln school together with a continuing record of street addresses, school attendance and certain data regarding family relationships. This data is used in legal matters, documenting personal histories, social security and employment. The record is microfilmed after the student's graduation or upon age 21 if the student did not complete high school.

A PIR is begun for each student at the time of enrollment. This record must show a verification of birth date. Enrollment includes Lincoln Public Schools Preschool and Headstart programs.

Evidence of Birth Date -- Evidence of birth date is indicated by:

1. A certified copy of the student's birth certificate issued by the state in which the child was born, or
2. Other reliable proof of the child's identity and age, (i.e., naturalization or immigration documents showing date of birth or official hospital birth records) accompanied by an affidavit explaining the inability to produce a copy of the 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.

Evidence of birth shall be required for:

1. All children enrolling in kindergarten, and
2. All students enrolling in the Lincoln Public Schools for the first time.

High School Cumulative Scholastic Record: The cumulative scholastic record is a permanent record of the student's academic achievement, grades 9-12. This is the record which is shared upon request of the student with employers, colleges or agencies.

Category B

Cumulative Record Folder: In order to systematically maintain student records, a cumulative folder is developed for every student enrolled in the Lincoln Public Schools.

Documentation Log: A documentation log should be used for the following purposes and will be included in the student's cumulative record as needed:

1. Documentation of behavioral incidents, parent/guardian contact and other anecdotal types of information, and

2. Documentation of requests for access to the student's record.

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Description of Records (Continued)

Absence and Tardy Record: One week before classes begin, schools receive an Absence and Tardy Record for each student in the student membership file. This record should be retained for five years from the beginning of the current school year. Schools record entry, transfer and drop codes on this form beside the date when the change occurs.

Reading Card: The Individual Reading Record is the only reading record that must be kept on every student who is receiving required reading instruction. The classroom teacher maintains the record. When not in the possession of the classroom teacher, it is housed in the student's cumulative folder.

Math Card: The Mathematics Progress Record is used to monitor students' progress through the elementary math curriculum. The classroom teacher maintains the record. When not in the possession of the classroom teacher, it is housed in the student's cumulative folder.

Date Regulation Reviewed by the Board of Education:	9-13-94
Related Policies and Regulations:	5113
Legal Reference:	Public Law 93-380; 79-4,157, 79-4,158

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Elementary Records/Middle School Records/High School Records

Elementary Records

- A. For those students who complete elementary school and are enrolled in a middle school in the Lincoln Public Schools, Category A and B records are forwarded to the receiving middle school.
- B. When a student completes elementary school and does not enroll in a Lincoln Public Schools middle school, Category A records are kept on the computer system. Category B records are retained in the elementary school for three years and then destroyed.
- C. When a student transfers within the Lincoln Public Schools before completing elementary school, Category A and B records are forwarded to the receiving school.
- D. When a student leaves the school district without completing elementary school, and a request from another school for records has not been received within 30 days, Category A records are kept on the computer system. Category B records are retained in the building for three school years and then destroyed.
- E. When a student transfers out of the Lincoln Public Schools before completing elementary school, procedures outlined in - transfer of records - are followed.

Middle School Record

- A. For those students who complete the 8th grade and are promoted to high school or are adjusted on special promotion, Category A and B records are forwarded to the high school.
- B. When a student leaves the middle school without completing the 8th or 9th grade, Category A records are kept on the computer system. Category B records are retained in the middle school for three years and then destroyed.
- C. After the student has been out of the public schools for three consecutive years, all records will be disposed of except the PIR.
- D. When the student reaches the age of 21 years, the PIR is microfilmed.
- E. Copies of report cards are to be kept for three years at the middle school and then destroyed.

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Elementary Records/Middle School Records/High School Records (Continued)

High School Record

Category A - Cumulative Scholastic Records and PIR

When a student graduates from high school, the PIR is forwarded to the Office of Student Services to be microfilmed and the original destroyed. The Cumulative Scholastic Record is kept in the school for one year. It is then sent to the Office of Student Services for microfilming and the original is returned to the high school where it is kept for five years. At the end of five years, the record is destroyed.

For non-graduating students, the Cumulative Scholastic Record is kept in the high school for five years, then forwarded to the Office of Student Services for microfilming. After the record is microfilmed, the original record is destroyed.

For non-graduating students, the PIR is forwarded to the Office of Student Services where it is held until the student reaches the age of 21. The PIR is then microfilmed and the original record is destroyed.

Category B

Records shall be destroyed after the student's three-year continuous absence from school. At high school graduation the student is provided with a copy of the student's immunization record.

Special Education Records (All Levels)

The Lincoln Public Schools shall inform parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child. A minimum of five years must elapse prior to this notification. At that time, public notice is given that the information will be destroyed. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

Date Regulation Reviewed by the Board of Education:	1-14-2003
Related Policies and Regulations:	5340.3
Legal Reference:	Public Law 93-380, 79-2,104, 79-2,105, 79-539

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Directory Information

The Lincoln Public Schools designates the following personally identifiable information contained in a student's record as "directory information."

1. Student's name,
2. School and dates of attendance,
3. Student's current grade,
4. Student's address,
5. Student's date of birth,
6. Student's class designation (i.e., 1st grade, 10th grade, etc.),
7. Student's extra-curricular participation,
8. Student's achievement awards or honors,
9. Student's weight and height if a member of an athletic team,
10. Student's photograph,
11. School or school district the student attended before he or she enrolled in the Lincoln Public Schools,
12. Telephone number (not unlisted phone numbers), and
13. Electronic mail address.

This information will be disclosed under the following provisions:

1. At the beginning of each school year, the Lincoln Public Schools will publish the above list, or a revised list, of the items of directory information it proposes to designate as directory information. For students enrolling after the notice is published, the list will be given to the student's parent/guardian or the eligible student at the time and place of enrollment.
2. After the parents/guardians or eligible students have been notified, they will have two weeks to advise by a letter to the director of student services, of any or all of the items they refuse to permit the district to designate as directory information about that student.
3. At the end of the two-week period, such student's records will be marked by the building principal to indicate the items the district will not designate as directory information about that student. This designation will remain in effect until it is modified by the written direction of the student's parents/guardians or the eligible student.

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Directory Information (Continued)

The Lincoln Public Schools may provide access to directory information to any individual or group.

Date of Adoption (or Last Revision):

8-12-2003

Related Policies and Regulations:

Legal Reference:

79-4,157, 79-4,158

Public Law 93-380

STUDENTS

Student Conduct and Discipline

It is the responsibility of the principal of each school to inform students and their parents or legal guardians about rules and regulations of the school.

All rules and regulations which may form the basis for discipline of students shall be distributed to students and their parents/guardians at the beginning of each school year, or at the time of enrollment if during the school year, and shall be posted in conspicuous places in each school.

Corporal punishment is not authorized in the Lincoln Public Schools.

Date of Adoption (or Last Revision):

7-26-88

Related Policies and Regulations:

Legal Reference:

**79-4,140, 79-4,170, 79-4,172,
79-4,175, 79-4,176**

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Principal's Responsibility for Student Conduct

1. The principal shall provide a school environment which promotes the instructional program and which encourages good student conduct and self-discipline.
2. The principal shall review and interpret Lincoln Board of Education disciplinary provisions:
 - a. Prior to the opening of school each year,
 - b. At intervals during each school year, and
 - c. With students and faculty members.
3. The principal or designee shall be responsible for informing students about applicable rules and regulations and changes.
4. The principal shall have copies of rules and regulations available to parents/guardians upon request.
5. The principal shall be responsible for the maintenance of records related to behavior problems.
6. The principal shall be responsible to post in conspicuous places in the school building, rules and regulations of the school.

Date Regulation Reviewed by the Board of Education: 7-26-88

Related Policies and Regulations:

Legal Reference:

Students

Certificated Employees' Responsibility for Student Conduct

1. The principal shall be notified of actions for which a student shall be temporarily removed from the classroom.
2. The student shall be subject to the denial of certain classroom privileges.
3. The certificated employee shall be responsible for using reasonable measures necessary to maintain control:
 - a. In the classroom,
 - b. In the school building, and
 - c. On the school grounds.
4. Certificated employees shall be responsible for reporting all violations of school policies, rules, and regulations to the principal.

Date Regulation Reviewed by the Board of Education: 7-12-88

Related Policies and Regulations:

Legal Reference:

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Bus Conduct

The privilege of free transportation is conditioned upon reasonable behavior by the student and will be withdrawn, as necessary, to correct behavioral problems. Rules of conduct will be furnished to students riding the bus at the beginning of each school year or when a student begins riding the bus. Parents/guardians will be informed of their right to appeal disciplinary decisions.

Date of Adoption (or Last Revision):

6-22-2004

Related Policies and Regulations:

5410.1

Legal Reference:

**Neb. Rev. Stat. sections
79-318, 79-602, 79-607 and
79-608; Neb. Rev. Stat. sections
79-254 to 79-294; Title 92,
Nebraska Administrative Code,
Chapter 91.**

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Bus Conduct

Behavioral Expectations for Those who Ride the Lincoln Public Schools' Buses

1. Students are expected to follow safety rules at all times, including:
 - a. Make sure the bus is stopped before leaving your seat to get off the bus.
 - b. Never put any part of your body outside the bus windows.
 - c. Don't talk unnecessarily to the driver while the bus is moving.
 - d. Don't put books, lunches or anything else in the bus aisles.
 - e. Report any damage to the bus to the driver.
 - f. Do not eat or drink on the bus. Possession or use of tobacco or alcohol is strictly prohibited.
 - g. Don't push or run when getting off the bus.
 - h. When crossing in front of the bus, watch for the driver's "all clear" signal before crossing the street.
 - i. Students must get on and leave the bus only at their assigned stop.
 - j. Cross the road or street in front of the bus before it has pulled away from the stop. This gives you the protection of the bus signals.
 - k. Don't bring nuisance items on the bus, i.e., balls, spray cans, animals, water guns, skateboards, etc. Items such as weapons or look-alike weapons or equipment which in any way would endanger the lives, health or safety of the children or other passengers and the driver are strictly prohibited. Look-alike weapons associated with a school-sponsored or approved activity may be transported only with written permission of a school administrator.
 - l. Any items that would break or could produce injury if tossed about inside the bus when involved in an accident or sudden stop shall be secured.
 - m. Behave in a manner that is polite and not offensive to others on or around the school bus.
 - n. Follow the directions of the bus driver. Drivers have the authority to assign seats whenever such action is appropriate.
2. Students are expected to abide by the rules described in the Rights and Responsibilities of Students in the Lincoln Public Schools brochure, and the transportation brochure entitled The Ride Guide.
3. The process that will be followed in situations involving violations of behavioral expectations for riding a bus is as follows:
 - a. **1st offense** - The driver will talk to the student about his/her behavior in an effort to correct it. The driver may report it orally to the principal and the principal may work with the student.

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Bus Conduct

Behavioral Expectations for Those who Ride the Lincoln Public Schools' Buses (Continued)

- b. **2nd offense** - The driver will give a written report to the principal. The principal will counsel with the student. Parents/guardians will be contacted.
- c. **3rd offense** - The driver will give a written report to the principal. The principal will contact the student and inform the student of the alleged misconduct. The student will be given the opportunity to orally respond. The principal will contact parents/guardians for a conference. The student may be suspended from the bus pending this conference. The suspension may be extended five days beyond the conference date at the discretion of the principal.
- d. **4th offense** - The driver will give a written report to the principal. The principal will contact the student and inform the student of the alleged misconduct. The student will be given the opportunity to orally respond. The principal will contact the parents/guardians for a conference. The student may be suspended from the bus for the semester.
- e. **Serious Rule Violations.** The driver will complete and submit to the school administration a bus conduct report or incident report involving the occurrence of any student behavior involving weapons or the making of terroristic threats, any student behavior which affects safety, and any serious rule violations. A student may be suspended from the bus at any time without the existence of prior rule violations if the principal determines it is warranted because of the seriousness of the rule violation. Other disciplinary consequences in addition to suspension of bus privileges may occur as described in the Responsibilities of Students in the Lincoln Public Schools brochure.

Parents/guardians may appeal a decision to suspend bus privileges by contacting the director of student services in writing to request a review. The decision of the director of student services is final.

Date Regulation Reviewed by the Board of Education:

6-22-2004

Related Policies and Regulations:

3730, 3730.1

Legal Reference:

Neb. Rev. Stat. sections 79-318, 79-602, 79-607 and 79-608;

Neb. Rev. Stat. sections 79-254 to 79-294; Title 92, Nebraska Administrative Code, Chapter 91.

STUDENTS

Student Control and Conduct

It is the joint responsibility of all staff as well as students to promote a school atmosphere which helps all students to make the most of their learning opportunities. Students will not be permitted to disrupt the learning environment.

Date of Adoption (or Last Revision):

5-12-87

Related Policies and Regulations:

Legal Reference:

STUDENTS

Damage, Theft and Loss

Students who have damaged, destroyed or lost school property shall be required to make restitution. The Risk Management Department is responsible for the collection of losses due to negligence, vandalism and theft. Collection of restitution shall be done through the Risk Management Office and/or the court system.

School locations will handle the collection of restitution for minor damages such as lost books or locks. Authority is delegated to the principal in these cases to assess reasonable damages, subject to review by the Superintendent.

Schools are not responsible for the loss of students' personal property at school.

Date Regulation Reviewed by the Board of Education:	4-10-2007
Related Policies and Regulations:	4670.4
Legal Reference:	79-4,180(2)

STUDENTS

Weapons

Any firearm confiscated by school personnel shall be delivered to the police or other peace officer as soon as practicable. Any other weapons taken from students shall, at the reasonable discretion of the school personnel involved, either be delivered to the police or returned directly to the parents/legal guardians at the request of the parent/legal guardian, and shall not be returned directly to the student.

Date Regulation Reviewed by the Board of Education: 1-14-2003
Related Policies and Regulations:
Legal Reference: 28-1204.04, 79-4,180(5)

Students

Tobacco, Alcohol, Controlled Substance and Other Drugs

- I. **PURPOSE:** To provide direction and guidelines to building administrators and staff for action to be taken in cases involving student violation of policies related to the possession, use, or distribution of alcohol, drugs, tobacco or controlled substances where Lincoln Public School authorities have jurisdiction over students.

- II. **DEFINITIONS:** Student possession, use, or distribution of alcohol, tobacco, a controlled substance, or other drugs shall be viewed as an act of misconduct and as such shall be subject to disciplinary action. A controlled substance is any drug used, possessed or distributed by a student except a prescription drug which is used or possessed in the amount specified by a licensed physician. Alcoholic beverages such as beer, liquor, or wine, drug paraphernalia and any substance represented to be a drug are included within the parameter of these guidelines.

USE - means that reasonable grounds exist to believe that the student has assimilated the same, (i.e., smoking marijuana, taking a pill, drinking an alcoholic beverage, etc.) or is found to be under the influence of the same while under the jurisdiction of school authorities.

POSSESSION - means that a student has on his/her person or with his/her personal property, or has under his/her control such substance by placement of or knowledge of the whereabouts of same on school property or other property on which he or she is present by virtue of being under the jurisdiction of school authorities.

DISTRIBUTION - means the transfer to any other person, with or without the exchange of money or other valuables. Students having in their possession such controlled substances shall be subject to the disciplinary guidelines for distributors.

SCHOOL AUTHORITIES - are Lincoln Public School District employees whose job responsibilities include the supervision of students (e.g., administrators, teachers, aides, nurses, student teachers, etc.).

- III. **GUIDELINES AND PROCEDURES:** The school's responsibility in working with students involved in alcohol, tobacco, or other drug activities includes two areas:
 - 1) Helping students recognize the existence of any alcohol, tobacco, or other drug problems in their lives and
 - 2) maintaining an alcohol, tobacco, and other drug-free atmosphere in school in order to enhance the learning environment. An obligation exists to report activities of an illegal nature to criminal justice authorities.

Students

Tobacco, Alcohol, Controlled Substance and Other Drugs (Continued)

1. DESIGNATING RESPONSIBILITY:

Teachers and administrators in the Lincoln schools should be knowledgeable of the guidelines and procedures to be followed in working with students involved with alcohol, tobacco, or other drugs.

2. PREVENTION:

- A. Age appropriate developmentally based drug and alcohol education and prevention programs (which address the legal, social, and health consequences of drug and alcohol use and which provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol) for all students in all grades from early childhood level through grade 12 shall be developed.
- B. Students shall be advised by written statements that use of illicit drugs and the unlawful possession of and use of alcohol is wrong and harmful.
- C. Students shall be advised as to the availability of alcohol and other drug counseling and rehabilitation and reentry programs.
- D. Students and parents will be furnished with a copy of Policy 5480 which provides that the engaging in the unlawful selling, using, possessing, or dispensing of alcohol beverages, tobacco, narcotics, drugs, controlled substances, inhalants, or being under the influence of any of the above, or possession of drug paraphernalia, or engaging in the selling, using, possessing, or dispensing of material represented to be alcoholic beverages, narcotics, drugs, controlled substances, or inhalants are in violation of the standards of conduct and constitute grounds for suspension, long-term suspension, and expulsion or mandatory reassignment when such activity occurs on school grounds or during an educational function or event off school grounds.

3. IDENTIFICATION AND INTERVENTION:

- A. **Self-referral**, either as an alleged user experiencing problems or as a child of chemically dependent parents/guardians.

In instances where a student voluntarily comes to a school employee to talk about an alcohol, tobacco, or other drug problem, it is an indication that the student may be seeking help and it is urged that the person contacted listen to the student's problem. The student's primary need may simply be to discuss the

Students

Tobacco, Alcohol, Controlled Substance and Other Drugs (Continued)

situation and determine a course of action. If it is determined that the student does have an alcohol, tobacco or other drug problem, this becomes a concern for the total family and efforts must be made to have that student discuss with his/her parents/guardian the nature of the problem. School staff, including School Community Intervention Program (SCIP) core team members, may be used to facilitate communication between the student and parents/guardians and with treatment or counseling agencies. If the student will not discuss this with his/her parent/guardian, the school is obligated to initiate contact with the parents or guardian. To solve problems involving the use of alcohol, tobacco or other drugs, it is **essential** that the family be involved.

B. When student's behavior indicates the possibility of the use of alcohol, tobacco, or other drugs:

When a student is in school or at an off-campus school activity and the student is suspected of using alcohol, tobacco, or other drugs, the reason for the suspicion should be reported to a building administrator or other designated person(s).

The administrator or designated person(s) shall:

- 1) Involve members of the SCIP core team or other appropriate school personnel to investigate the concern.
- 2) If the investigation confirms the concern, provide for an intervention with parents'/guardians' involvement and input.

The intervention should:

- 1) Result in the development of and agreement on a plan for dealing with the concern at the intervention. (i.e., monitoring, evaluations, etc.)

C. Emergency situations:

If a student's behavior indicates he/she may be under the extreme influence of alcohol or other drugs, that situation should be treated as an emergency:

- 1) Refer the case immediately to the school nurse and building administrator.
- 2) Make every reasonable effort to call parents/guardian.

Students

Tobacco, Alcohol, Controlled Substance and Other Drugs (Continued)

- 3) If the nurse is not in the building, contact the administrator. The school nurse nearest the building may be summoned to the building as needed. This information is located in the health office.
- 4) Follow the procedures as outlined for a medical emergency in the school health handbook.
- 5) If the student's enrollment card does not indicate the physician to be called, or other information needed in an emergency, the nurse and/or principal or designated school staff person is authorized to call an ambulance service to transport the student to a hospital emergency room.
- 6) If the student creates a physical disturbance, the Lincoln Police Department may be called for assistance.

4. REPORTED VIOLATION OF RULES REGARDING ALCOHOL, TOBACCO, OR OTHER DRUGS:

When a student is in school or at an off-campus school activity and the student is found to be in violation of rules regarding alcohol, tobacco, or other drugs, the matter must be reported to a building administrator.

A. The school administrator will:

- 1) Investigate the report.
- 2) Provide the opportunity for students to respond and explain the situation.
- 3) Secure suspected material, if possible.
- 4) Make reasonable efforts to immediately contact the student's parents/guardian to notify them of the situation.
- 5) Notify the police regarding any illegal law violation.
- 6) Assess the severity of the problem and make recommendations for possible disciplinary action.

Students

Tobacco, Alcohol, Controlled Substance and Other Drugs (Continued)

B. The school administrator may:

- 1) Refer the student to the Office of Student Services with recommendations for possible courses of action. If referral is not made to the Office of Student Services, a report of the incident shall be provided to the Office of Student Services.
- 2) Take disciplinary action without a referral to Student Services, however, any second offense shall be referred to the Office of Student Services office.

C. Department of Student Services:

- 1) A member of the Office of Student Services will hold a conference with the referred student, his/her parents/guardian, school administrators and designated staff in accordance with the Lincoln Public Schools due process procedures.
- 2) Recommendations of school personnel in previous conferences will be considered in any decision by the Office of Student Services.
- 3) Possible action:
 - a) Disciplinary probation: the student is allowed to remain in school under certain conditions specified by the Office of Student Services.
 - b) Expulsion:
 - (1) When a student refuses to agree to these conditions,
 - (2) Because of the severity of the situation, or
 - (3) Student has previously been in violation of school rules.
- 4) Assistance/options for chemical dependency problem:
 - a) Participation in a counseling program,
 - b) Treatment as an out or inpatient in a service facility in Lincoln, or
 - c) Any cost of such treatment would be the responsibility of the student or parent/guardian.

Students

Tobacco, Alcohol, Controlled Substance and Other Drugs (Continued)

D.B Legal Procedures:

- 1) Where there is evidence to support an allegation that a student is selling, delivering or using drugs on the campus or at an off-campus function, the Lincoln Police Department must be notified and furnished with whatever substantiating evidence may be known. Parents/guardians should be notified.
- 2) If a student is in possession of drugs that are illegal or require a prescription and the student does not have a prescription, such possession is a crime and must be reported to the Police Department and their parents/guardian.
- 3) If a student is in possession of drug paraphernalia, (paraphernalia--any item possessed or used for the purpose of the unlawful administration of drugs), this must be reported to the Police Department and their parents/guardians.
- 4) These notifications of possession can be made by calling the Lincoln Police Department Area Captain and reporting the incident to the officer on duty. Such a report does not have to be in writing. All notifications should be reported to the Office of Student Services.

Date Regulation Reviewed by the Board of Education:

1-14-2003

Related Policies and Regulations:

4790, 4790.1, 5480

Legal Reference:

**28-1418, 53-180.02, 79-267(6),
79-712 to 79-714, PL 101-226
as amended 1989**

STUDENTS

Nuisance Items

The possession of articles which disrupt the learning environment shall be considered nuisance items. They shall include but not be limited to such things as: toys, comics, candy, gum, or others. Students shall not bring these types of items to school. Articles taken from students shall be returned directly to the parents/guardians at their request or to the students at the end of the school year, if students request them.

Date Regulation Reviewed by the Board of Education: 9-13-94
Related Policies and Regulations:
Legal Reference:

Students

Identification of Students

Students are expected to identify themselves when asked to do so by any school official.

Date Regulation Reviewed by the Board of Education: 5-12-87
Related Policies and Regulations:
Legal Reference:

Students

Disruption

No school building can assume that it is immune from disruption from within (by student protest groups) or from without (by disruptive community influences). Every school, therefore, needs plans which outline procedures in such emergencies. The following are general guidelines for developing a plan:

1. Be sensitive to signs of student unrest. Meet with members of the staff to determine if a disturbance is imminent and encourage staff to communicate such matters to the office,
2. Notify the superintendent's office and the police if it is determined a disturbance is probable, and
3. School employees are expected to ask those who have no bona fide business in the school building to leave.

Violations shall be dealt with according to district disciplinary procedures.

Date Regulation Reviewed by the Board of Education: 5-12-87

Related Policies and Regulations:

Legal Reference: 79-4.170

STUDENTS

Searches of Students and Property

In maintaining discipline and providing a safe environment for students and staff, district employees are responsible for obeying and enforcing compliance with state statutes, policies and administrative rules. School administrators or designees are authorized to conduct searches of students and their property as well as property of the district in order to enforce compliance with statutes, policies and rules.

A search may be conducted when an administrator or designee determines there is reason to believe it could disclose evidence of the violation of a statute, policy or rule. Administrators or designees are also authorized to conduct area-wide searches (e.g., searches of all student lockers) on the same basis and for reasons which include, but are not limited to, safety, health and discovery of the violation of a statute, policy or rule. Student lockers, desks, and other such property are owned by the school. The school exercises exclusive control over school property, and students should not expect privacy regarding items placed in school property because school property is subject to search at any time by school officials. Students are responsible for whatever is contained in lockers and desks issued or made available to them by the school.

When a search is part of a criminal investigation conducted in cooperation with police or law enforcement, or is intended to discover evidence to be used exclusively in a criminal proceeding, the police or law enforcement official shall be made responsible for the search.

Date Regulation Reviewed by the Board of Education: 1-28-97
Related Policies and Regulations:
Legal Reference:

STUDENTS

Student Search

If there is reasonable suspicion to believe a student is in possession of contraband (i.e., any item of which possession is forbidden by law or school policy) the following procedure will be followed:

1. A building administrator or designee will immediately be notified;
2. The administrator or designee will investigate the situation and if, as a result, has reasonable suspicion that the student has contraband on his or her person, will request the student to remove any contraband item from his or her person and turn it over to the administrator or designee;
3. The student will be searched in the presence of two staff members if available. If the search is of the student's body, the staff members will be of the same sex as the student; and
4. Strip searches shall not be conducted by school staff. If a strip search is deemed necessary, the building administrator will notify the police.
5. Reasonable efforts will be made to advise parents or guardian of the search as soon as possible thereafter.

The building administrator may choose to notify the police rather than conduct the search. In that case, the following steps will be followed:

1. The student will remain under observation until the police arrive. The student may be asked to voluntarily turn over any contraband to the school administrator;
2. Parents/guardians will be contacted as soon as reasonably possible and informed of the situation; and
3. The school will apprise the police of the information possessed by the school administrator, and the school will release the student to the police.

Date Regulation Reviewed by the Board of Education: 1-28-97

Related Policies and Regulations:

Legal Reference:

STUDENTS

Law Violations

The principal or the principal's designee shall notify as soon as possible the appropriate law enforcement authorities of Lancaster County or the City of Lincoln of any act of a student described in § 79-4, 180 which the principal or designee knows or suspects is a violation of the Nebraska Criminal Code.

When a principal or other school official releases a minor student to a peace officer (e.g., police officer, sheriff, and all other persons with similar authority to make arrests) for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, in which case the principal or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.

Date Regulation Reviewed by the Board of Education: 9-13-94

Related Policies and Regulations:

Legal Reference:

STUDENTS

Emergency Exclusion

A student may be excluded from school in the following circumstances by the principal, assistant principal, director of student services, superintendent of schools or such other persons as may be from time to time authorized by the superintendent of schools.

- A. If the student has a dangerous communicable disease transmittable through normal school contacts that poses an imminent threat to the health or the safety of the school community;
or
- B. If the student's conduct presents a clear threat to the physical safety of himself, herself or others or is so extremely disruptive as to make the student's temporary removal necessary to preserve the rights of other students to pursue an education.

Any emergency exclusion shall be based upon a clear factual situation warranting it and shall last no longer than necessary to avoid the dangers described in subparagraphs A and B of this policy.

Date of Adoption (or Last Revision):

5-12-87

Related Policies and Regulations:

Legal Reference:

79-4,171, 79-4,177

STUDENTS

Communicable Disease Control

The Lincoln Public Schools shall cooperate with the county and state health departments in developing procedures for the control of communicable disease in the schools. All procedures shall conform to the regulations for communicable disease control set up by the state health department.

In the event of communicable disease outbreak, epidemic or other public health emergency, the superintendent or his/her designee may take such measures regarding containment of disease, including but not limited to exclusion of students, closure of school buildings and closure of the district, in consultation with the local public health authority.

A student with a communicable condition under treatment will be allowed to attend school in the student's usual class setting with the written approval of the student's physician stating that the disease is not in a communicable stage or there is minimal risk of transmission at school, provided such continued attendance is consistent with the standards or rules of the health department and is approved by the school health office. Without such a written statement, a student with a communicable condition is subject to an emergency exclusion.

A student who exhibits behaviors or a condition that may spread disease is subject to emergency exclusion or alternative placement, which shall continue until such time as the behaviors are modified or the condition is treated.

Reporting

When the school health office is notified that a child in school has been diagnosed with or is suspected of having a reportable disease, a report will be provided to the Board of Health without delay.

Date of Adoption (or Last Revision):

6-27-2006

Related Policies and Regulations:

Legal Reference:

NDE 55, 79-257, 79-266

STUDENTS

Communicable Conditions

1. The school nurse will function as the liaison with the student's physician as necessary and will coordinate the health management procedures within the school building.
2. Decisions regarding the type of educational setting for these students will be based on the behavior, neurological development and physical condition of the student and the expected type of interaction with others in that setting.
3. The privacy of the student and his/her family must be protected and knowledge that a student has a communicable condition, or exhibits behavior or a condition that may spread disease, should be confined to persons with a direct need to know. If it becomes necessary to inform others, these persons will be provided with information concerning necessary precautions and will be made aware of confidentiality requirements.
4. Students who present a high risk of disease transmission may be subject to emergency exclusion or alternative placement by the administration after consultation with some or all of the following: the student's physician, parents, and/or their representative, school nurse and medical advisor(s).
5. A student is at high risk if he/she: exhibits behaviors that may spread disease (e.g., biting, lacks toilet training or is incontinent) or has a condition that cannot be concealed or hygienically covered, any of which could result in direct spreading of a condition or disease.
6. During the time a student is excluded, an appropriate alternative or adjustment to the student's education will be provided. Long-term cases should be medically reviewed monthly at a minimum.

Date Regulation Reviewed by the Board of Education: 1-14-2003
Related Policies and Regulations: 5430
Legal Reference:

STUDENTS

Short-Term Suspension

Students may be excluded by the principal or his designee from school or any school function for a period of up to five school days on the following grounds:

- A. Conduct constituting grounds for expulsion as hereinafter set forth; or
- B. Other violations of rules and standards of behavior adopted by the Lincoln Board of Education or the administrative staff of the school.
- C. The following process will apply to short-term suspension:
 - 1. The party considering the short-term suspension shall make a reasonable investigation of the facts and circumstances. In addition, such short-term suspension shall be made only after a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
 - 2. Prior to commencement of the short-term suspension, the student shall be given oral or written notice of the charges against the student. The student shall be advised of what the student is accused of having done, and the basis of the accusation, and an explanation of the evidence the authorities have.
 - 3. The student shall be afforded an opportunity to explain the student's version of the facts to the person effecting the short-term suspension.
 - 4. Within 24 hours or such additional time as is reasonably necessary following the suspension, the principal or administrator shall send a written statement to the student, and the student's parent or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken. An opportunity shall be afforded to the student, and the student's parent or guardian, to have a conference with regard to the matter with the principal or administrator ordering the short-term suspension before or at the time the student returns to school. The principal or administrator shall determine who in addition to the parents or guardians shall attend the conference.

Date of Adoption (or Last Revision):

9-13-94

Related Policies and Regulations:

Legal Reference:

79-4,171, 79-4,178

STUDENTS

Long-Term Suspension

Long-term suspension shall mean the exclusion of a student from attendance in all schools and grounds within the system for a period exceeding five school days but less than 20 school days.

Date of Adoption (or Last Revision):

5-12-87

Related Policies and Regulations:

Legal Reference:

**79-4,171, 79-4,179, 79-4,180,
79-4,181**

STUDENTS

Expulsion

- A. Expulsion shall mean exclusion from attendance in all schools within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within 10 school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within 10 school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in Policy 5480(c), in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period.

- B. Any expulsion that will remain in effect during the first semester of the following school year shall be automatically scheduled for review before the beginning of the school year. The review shall be conducted by the hearing officer who conducted the initial expulsion hearing, or a hearing officer appointed by the superintendent in the event no hearing was previously held or the initial hearing officer is no longer available or willing to serve, after the hearing officer has given notice of the review to the student and the student's parent or guardian. This review shall be limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original hearing. This review may lead to a recommendation by the hearing officer that the student be readmitted for the upcoming school year. If the school board or board of education or a committee of such board took the final action to expel the student, the student may be readmitted only by action of the board. Otherwise the student may be readmitted by action of the superintendent.

- C. Enforcement of an expulsion action may be suspended (i.e., "stayed") for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect, and as a condition of such suspended action, the student may be assigned to a school, class, or program which the school district deems appropriate for rehabilitation of the student. In lieu of other authorized educational programs to which the student may be assigned, such school, class, or program may be offered as a community-centered classroom and may include experiences for the student as an observer or aide in governmental functions, as an on-the-job trainee, and as a participant in specialized tutorial experiences or individually prescribed educational and counseling programs. Such programs shall include an individualized learning program to enable the student to continue academic work for credit toward graduation. At the conclusion of the designated period: (1) if the student has satisfactorily participated in the school, class, or program to which such student has been assigned, the student shall be reinstated and permitted to return to the school of former attendance or to attend other programs offered by the district, and action to expunge the record of the expulsion action may be taken at the discretion of the director of student services or his/her administrative assistant, or (2) if the

STUDENTS

Expulsion (Continued)

student's conduct has been unsatisfactory, the expulsion action shall be enforced. The determination of whether the student's participation and conduct has been satisfactory or not shall be made by the director of student services or his/her administrative assistant.

- D. Prior to the readmission to school of any student who is less than 19 years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the director of student services or designee shall meet with the student's probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the director of student services or designee are agreed to by the probation officer and the student, and the court permits the student to return to school under the agreed to conditions, the student may be permitted to return to school. The student shall, upon such return, be screened by the school for possible disabilities and, if the screening so indicates, be referred for evaluation for possible placement in a special education program. The student may be expelled or otherwise disciplined for subsequent conduct as provided in board policy and state statute.
- E. A student who is removed from school for any period of time (short-term or long-term suspension or expulsion) shall not be permitted on school grounds for the duration of the removal without the express permission of the school officials.

Date of Adoption (or Last Revision):

5-23-2006

Related Policies and Regulations:

Legal Reference:

**29-2270 to 29-2273, 79-257,
79-266, 79-268, 79-283**

STUDENTS

Enrollment of Expelled Students

If a student has been expelled from any public school district in any state, or from a private, denominational, or parochial school in any state, and the student has not completed the terms or time period of the expulsion, the student shall not be permitted to enroll in this school district until the expulsion period from such other school has expired, unless the Lincoln Board of Education, in its sole and absolute discretion, upon a proper application, approves by a majority vote the enrollment of such student prior to expiration of the expulsion period. As a condition of enrollment, the board may require attendance in an alternative school, class or educational program, and may require that the enrollment be on agreed-to probation terms until the term or time period of the original underlying expulsion is completed. A student expelled from a private, denominational, or parochial school or from any public school in another state, will not be prohibited from enrolling in the public school district in which the student resides or in which the student has been accepted pursuant to the enrollment option program for any period of time beyond the time limits placed on expulsion, pursuant to the Student Discipline Act of Nebraska, or for any expulsion for an offense for which expulsion is not authorized for a public school student under such Nebraska Act. For purposes of this policy, the term expulsion or expelled includes any removal from any school for a period in excess of twenty (20) school days.

Date Regulation Reviewed by the Board of Education:

8-10-99

Related Policies and Regulations:

Legal Reference:

LB 195, Laws of 1999

STUDENTS

Alternative Education Programs or Plans for Expelled Students

In the event action is being taken to expel a student from this school district, the administration shall select one of the following educational options to be made available to the expelled student during the period of expulsion: (1) An alternative school, class, or educational program (hereinafter referred to as an “alternative program”); or (2) The development of a plan of behavior modification, educational objectives, and financial resources and community programs available to meet the behavioral and educational objectives, and monthly reviews to assess the student’s progress toward meeting the specified goals and objectives.

Date of Adoption (or Last Revision):	8-5-97
Related Policies and Regulations:	
Legal Reference:	79-266

STUDENTS

Alternative Education Programs or Plans for Expelled Students

The superintendent or superintendent's designee shall make known to the expelled student which of the alternative educational options the administration has selected for the student's expulsion. Such information shall be made known to the expelled student on or before the date the expulsion becomes effective. An expulsion becomes effective, as to a student who has been given a written notice of a recommendation to expel, on the earliest of the following dates: (1) if the student, parent, or guardian has not requested a hearing, the sixth school day following receipt of the notice of the recommendation to expel, (2) if the student has requested a hearing, the date the student, parent, or guardian receives notice of the determination of the superintendent or superintendent's designee to expel the student, or (3) such other date as may be mutually agreed by the student, parent, or guardian and the administration.

A. ALTERNATIVE EDUCATION PROGRAM

The approved alternative programs are: (1) community-based programs, (2) home-based programs, (3) district-based programs, (4) distance-learning, and (5) other such programs that may be developed. The Lincoln Board of Education may, from time to time, approve other alternative programs and may approve specific alternative programs and may enter into contracts for the provision of such specific alternative programs. To the extent that the alternative programs are to be provided on-site, the individuals responsible for providing such on-site alternative program shall hold a valid Nebraska Teaching or Administrative Certificate. To the extent that the alternative program is to be community-based or off-site, such alternative program shall be planned in cooperation with and monitored or supervised by a school district staff member who holds a Nebraska Teaching or Administrative Certificate. Alternative programs may be conducted at times other than the regular school day.

The superintendent or superintendent's designee shall determine which alternative programs shall be made available to each specific expelled student based on a consideration of the interests of the school district and the student's educational and behavioral objectives and needs, as determined by the discretion of the superintendent or the superintendent's designee. If a parent or guardian refuses to participate or have their expelled child participate in the alternative programs made available, the district shall have no further obligation with regard to the provision of an alternative program. The superintendent or superintendent's designee shall establish a specific date or time within which the parent or guardian shall be required to state in writing an agreement to participate in the alternative program. As a condition of participation in alternative programs which involve the payment of tuition or other similar expenses, the student, parent, or guardian may be required, as a condition of such alternative program being available, to agree in writing to pay the tuition or other similar costs for such program in the event the expelled student fails to successfully complete the program.

STUDENTS

Alternative Education Programs or Plans for Expelled Students (Continued)

The standards of student behavior and cooperation required of students in the regular programs of this school district shall also be required of expelled students throughout the entire time period of the alternative program. Additional standards may be established in each specific program and for each specific expelled student. If the expelled student fails to meet the required standards of student behavior or cooperation, the student may be further disciplined by disciplinary punishment up to and including expulsion for an additional period of time beyond that being served by the expelled student. Further, if the expelled student fails to meet any of the conditions of the learning program, the district may, by action of the superintendent or superintendent's designee, terminate the alternative program for the expelled student. A due process hearing substantially in compliance with the statutory provisions for suspension and expulsion of students shall be made available, unless waived by the parent or legal guardian.

Upon preapproval by the superintendent or the superintendent's designee, academic credit towards graduation or advancement in grade level shall be available to students participating in alternative programs for expelled students. The academic credits to be awarded shall be equal to the same academic credit a student in the school district's regular educational program would earn for completion of a similar educational program, as determined in the discretion of the superintendent or superintendent's designee. Such academic credits shall not be earned unless the expelled student has successfully completed the conditions of the alternative program, as determined by the teacher and the superintendent or superintendent's designee. The superintendent or superintendent's designee shall determine whether or to what extent such academic credits should be assigned to subject area or other specific graduation or advancement requirements. The achievement mark (i.e., grades) assigned for such academic credit shall be pass/no pass.

B. EDUCATION PLAN PROGRAM

If the administration elects not to provide an alternative education program outlined in subparagraph A. above, the following procedures shall be followed prior to expelling a student unless the expulsion resulted from having a firearm as required by subsection (4) of the Neb. Rev. Stat., § 79-283.

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

STUDENTS

Alternative Education Programs or Plans for Expelled Students (Continued)

- .2 The plan shall be in writing and adopted by a school administrator and presented to the student and the parent or legal guardian.
- .3 The plan shall:
 - .a Specify guidelines and consequences for behaviors which have been identified as preventing the student from achieving the desired benefits from the educational opportunities provided,
 - .b Identify educational objectives that must be achieved in order to receive credits toward graduation,
 - .c Specify the financial resources of the community programs available to meet both the educational and behavioral objectives identified, and
 - .d Require the student to attend monthly reviews in order to assess the student's progress toward meeting the specified goals and objectives.

Date Regulation Reviewed by the Board of Education: 10-27-98
Related Policies and Regulations:
Legal Reference: 79-266

STUDENTS

Mandatory Reassignment

Mandatory reassignment shall mean the involuntary transfer of a student to another school in connection with any disciplinary action.

Date of Adoption (or Last Revision):

9-13-94

Related Policies and Regulations:

Legal Reference:

**79-4,171, 79-4,179, 79-4,180,
79-4,181**

STUDENTS

Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment

The Board specifically determines that the type of conduct for which expulsion is specified in this policy has the potential to seriously affect the health, safety or welfare of student, staff and other persons or to otherwise seriously interfere with the educational process.

- A. The following types of student conduct shall constitute grounds for short-term suspension, long-term suspension, and expulsion or mandatory reassignment, when such activity occurs on school grounds, or in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or event.
1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
 2. Use of violence, force, coercion, threat, intimidation, bullying, harassment or similar conduct in a manner that constitutes a substantial interference with school purposes.
 3. Sexually assaulting or attempting to sexually assault any person.
 4. Willfully causing or attempting to cause substantial damage to property, including the setting of a fire of any magnitude, stealing or attempting to steal property of substantial value, or repeated damage or theft involving property.
 5. Causing or attempting to cause personal injury to any person, including, without limitation, any school employee, school volunteer, or student.
 6. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from such student or making a threat which causes or may reasonably be expected to cause a disruption to school operations.
 7. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.
 8. Engaging in the selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, inhalant or being under the influence of any of the above; or possession of drug paraphernalia.
 9. Engaging in the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401, of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, controlled substance or inhalant.
 10. Truancy or failure to attend assigned classes or assigned activities.
 11. Tardiness to school, assigned classes or assigned activities.
 12. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon economic status, race, ethnic background, culture, gender, sexual orientation, religion, age or ability.
 13. Public indecency.
 14. Repeated violation of any of the rules adopted by the school district or the school.

STUDENTS

Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment (Continued)

15. Engaging in any unlawful activity as determined by the United States or the State of Nebraska.
 16. Dressing in a manner wherein such dress is dangerous to the student's health and safety or to the health and safety of others or is distracting or indecent to the extent that it interferes with the learning and educational process.
 17. Willfully violating the behavioral expectations for those students riding Lincoln Public Schools buses.
- B. In addition a student may be suspended (short-term or long-term), expelled, or mandatorily reassigned for sexual assault or attempted sexual assault of any person regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.
- C. In addition, a student who engages in the following conduct on school grounds, or in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or event:
1. the knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or a student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or
 2. the knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm
- shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year. Such action may be modified or terminated by the school district at any time during the expulsion period.
- D. In addition, it is the policy of this School District to require the expulsion from school for a period of not less than one year of any student who is determined to have knowingly and intentionally possessed, used, or transmitted a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or athletic event. For purposes of this policy, "firearm" means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995.

STUDENTS

Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment (Continued)

That statute includes the following statement: “The term ‘firearm’ means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device.” The superintendent or the board of education may modify such required expulsion on an individual, case-by-case basis. This policy shall not apply to:

(a) the issuance of firearms to or possession of firearms by members of the Reserve Officers Training Corps when training or (b) firearms which may lawfully be possessed by a person receiving instruction under the immediate supervision of an adult instructor who may lawfully possess firearms.

- E. Bringing a firearm or other weapon or an item that has the appearance of a weapon to school or possessing such items at school for any reason is a violation of school rules. However, a student will not be subject to disciplinary action if he/she brings such item to school under the following conditions:
1. Prior written permission to bring the item to school shall be obtained from the student’s teacher, building administrator and parent.
 2. The purpose of having the item in school shall be for a legitimate educational function that could not be as effectively achieved without the item.
 3. A plan for its transportation into and from the school, its storage while in the school building and how it will be displayed shall have prior written approval by the teacher and building administrator. Such plan shall require that such item will be in the possession of an adult staff member at all times except for such times as is necessary to fulfill the educational function.
 4. The item shall be in an inoperable condition while it is on school grounds and not be displayed at any time in a manner which may suggest to another person that it is to be used for the purpose of causing harm.

A student who brings or possesses a firearm or other weapon or an item which has the appearance of a weapon to school or possessing such items at school without having complied with the above conditions shall be subject to disciplinary action according to Policy 5480.

Date of Adoption (or Last Revision):

5-23-2006

Related Policies and Regulations:

Legal Reference:

79-262, 79-263, 79-267, 79-283

STUDENTS

Procedures for Long-Term Suspension, Expulsion or Mandatory Reassignment

The following procedures shall be followed with regard to any long-term suspension, expulsion or mandatory reassignment.

- A. The principal or assistant principal shall prepare a written summary of the alleged violation and the evidence supporting the alleged violation with the director of student services or the administrative assistant to the director of student services.
- B. If the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers, and a notice of intent to discipline the student by long-term suspension, expulsion, or mandatory reassignment is filed with the director of student services or his or her administrative assistant, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be taken to the superintendent.
- C. If the director of student services or his/her administrative assistant deems further action appropriate, said party shall either send by registered or certified mail or by personal service the student and the student's parents or guardian with a written notice within two school days of the date of the decision. Said notice shall include the following:
 1. The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long term suspension or expulsion including a summary of the evidence to be presented against the student as submitted by the principal or assistant principal.
 2. The penalties to which the student may be subjected and the penalty which the principal, director of student services or his/her administrative assistant has recommended in the charge.
 3. A statement explaining the student's right to a hearing upon request on the specified charges.
 4. A description of the hearing procedures provided by these policies along with procedures for appealing any decision rendered at the hearing.

STUDENTS

Procedures for Long-Term Suspension, Expulsion or Mandatory Reassignment (Continued)

5. A statement that the administrative representative, legal counsel for school, the student, the student's parents, or the student's representative or guardian shall have the right to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct, and the right to know the identity of the witnesses to appear at the hearing and the substance of their testimony.
 6. A form or a request for hearing to be signed by such parties and delivered to the director of student services in person or by registered or certified mail.
- D. Nothing in this policy shall preclude the student, student's parents, guardian or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.
- E. In the event that the director of student services or his/her administrative assistant has not received a request for hearing within five school days following receipt of the written notice, the punishment recommended in the charge by the principal, director of student services, or his/her administrative assistant shall automatically go into effect.
- F. If a hearing is requested more than five school days following the actual receipt of the written notice, but not more than thirty calendar days after actual receipt, the student shall be entitled to a hearing but the punishment imposed may continue in effect pending final determination.
- G. If a request for hearing is not received within thirty calendar days following the mailing or delivery of the written notice, the student shall not be entitled to a hearing.
- H. In the event that a hearing is required to be provided, the superintendent of schools shall appoint a hearing officer.

Hearing Procedure:

- A. **Hearing Officer.** The hearing officer shall be any person designated by the superintendent of schools. The hearing officer shall be an individual who has had no involvement in the charge, will not be a witness at the hearing and who has not brought the charges against the student. It shall be the duty of the hearing officer to remain impartial throughout all deliberations. The hearing officer shall be available prior to any hearing held pursuant to this policy to answer any questions the administrative representative, the student, the student's parents, or guardian, may have regarding the nature and conduct of the hearing.

STUDENTS

Procedures for Long-Term Suspension, Expulsion or Mandatory Reassignment (Continued)

- B. **Administrative Representative.** The director of student services shall appoint an administrative representative with the responsibility to present the facts and evidence. Such administrative representative may be an attorney or may be represented by an attorney, but any such attorney shall not advise the hearing officer or parties who may review the proceedings as their counsel.
- C. **Notice of Hearing.** If a hearing is requested within five school days of receipt of the notice, the hearing officer shall, within two school days after being appointed, give written notice to the administrative representative, and the student, the student's parents or guardian of the time and place for the hearing. The hearing shall be scheduled within a period of five school days after it is requested. No hearing shall be held upon less than two school days' actual notice to the administrative representative, and the student, the student's parents, or guardian, except with the consent of all of the parties.
- D. **Continuance.** Upon written request of the student or the student's parents or guardian, the hearing officer shall have the discretionary authority to continue from time to time the hearing. In addition, the hearing officer may continue the hearing upon any good cause.
- E. **Access to Records.** The administrative representative, the student, the student's parent or guardian and the legal counsel for the student shall have the right to examine the records and affidavits and the statements of any witnesses in the possession of the Lincoln Board of Education at any reasonable time prior to the hearing.
- F. **Hearing Procedure.** The hearing shall be attended by the hearing officer, the student, the student's parents, or guardian, the student's representative if any, and the administrative representative. Witnesses shall be present only when they are giving information at the hearing or with the consent of both parties. The student may be excluded at the discretion of the hearing officer at times when the student's psychological evaluation or emotional problems are being discussed. The student or the student's parents or guardian or both may be represented by legal counsel. The hearing examiner may exclude anyone from the hearing when his/her actions substantially disrupt an orderly hearing. The formal rules of evidence shall not apply at the hearing. The administrative representative shall present to the hearing officer statements, in affidavit form, of any person having information about the student's conduct and the student's records, but not unless such statements and records have been made available to the student, the student's parents, guardian or representative prior to the hearing. The information contained in such records shall be explained and interpreted prior to or at the hearing to the student, parents or guardian, or representative at their request, by appropriate school personnel. The student, the student's parents, guardian,

STUDENTS

Procedures for Long-Term Suspension, Expulsion or Mandatory Reassignment (Continued)

or representative, the administrative representative or the hearing officer may ask witnesses to testify at the hearing. Such testimony shall be under oath and the hearing officer shall be authorized to administer the oath. The student, parent, guardian, or representative, administrative representative, or the hearing officer shall have the right to question any witness giving information at the hearing, the student may testify in his/her own defense in which case he/she shall be subject to cross-examination. The student however shall not be required to testify in his/her own defense in which case he/she will not be subject to cross-examination nor will any conclusion be drawn therefrom. Any person giving evidence by written statement or in person at a hearing shall be given the same immunity from liability as a person testifying in a court case. A single hearing may be conducted for more than one student if in the discretion of the hearing examiner a single hearing is not likely to result in confusion or prejudice to the interest of any of the students involved.

If during the conduct of such a hearing, the hearing examiner concludes that any of such student's interests will be substantially prejudiced by a group hearing, or that confusion is resulting, the hearing examiner may order a separate hearing for each or any of said students.

- G. **Availability of Witnesses.** The hearing officer will have the authority to subpoena any witnesses to the hearing and shall make reasonable efforts to assist in obtaining the attendance of any witnesses requested by the student, student's parents or guardian or their legal representative.
- H. **Record.** The proceedings of the hearing shall be recorded at the expense of the school district.
- I. **Findings.** Within a reasonable time after the conclusion of the hearing, the hearing officer shall prepare and submit to the superintendent of schools his/her written findings and recommendation as to disposition. This report shall explain, in terms of the needs of both the student and the school board, the reasons for the particular action recommended. Such recommendation may range from no action, through the entire field of counseling, to long-term suspension, expulsion, or mandatory reassignment.
- J. **Review by Superintendent.** The superintendent of schools shall review the findings and recommendations of the hearing officer and in his/her discretion may also review any of the facts and evidence presented at the hearing and based upon such report and the facts shall determine the sanctions to be imposed. However, the superintendent may not impose a more severe sanction than that imposed by the hearing officer.

STUDENTS

Procedures for Long-Term Suspension, Expulsion or Mandatory Reassignment (Continued)

- K. **Notice of Determination.** Written notice of the findings and recommendations of the hearing officer and the determination of the superintendent of schools shall be made by certified registered mail or by personal delivery to the student, the student's parents or guardian. Upon receipt of such written notice by the student and/or parents and guardian, the determination of the superintendent shall take immediate effect.
- L. **Appeal to Board.** The student, student's parents or guardian may, within seven school days following the receipt of the superintendent's decision, submit to the superintendent of schools a written request for a hearing before the Lincoln Public School's Board of Education.
- M. **Review by Lincoln Board of Education.** Upon receipt of the request for review of the superintendent's determination, the Lincoln Public School's Board of Education or a committee of not less than three members shall, within ten school days, hold a hearing on the matter. Such hearing shall be made on the record except that the board may admit new or additional evidence to avoid a substantial threat of unfairness. Such new evidence shall be recorded. The board of education or committee thereof may withdraw to deliberate privately upon the record and new evidence. Any such deliberation shall be held in the presence only of board members in attendance at the appeal proceeding, but may be held in the presence of legal counsel who has not previously acted as the administrative representative in presenting the school's case before the hearing officer. If any questions arise during such deliberations which require additional evidence, the board of education or committee thereof may require the hearing to receive such evidence, subject to the right of all parties to be present. A record of any such new or additional evidence shall be made and shall be considered as a part of the record and based upon the evidence presented at the hearing before the hearing officer, and such new or additional evidence, the board of education or the committee shall make a final disposition of the matter. The board may alter the superintendent's disposition of the case if it finds his/her decision to be too severe, but it may not impose a more severe sanction.
- N. The final decision of the board shall be delivered to the student and parents or legal guardian of the student by personally delivering the same or by mailing the same by certified or registered mail.

Date of Adoption (or Last Revision):

9-13-94

Related Policies and Regulations:

Legal Reference:

79-4,182 through 79-4,205

STUDENTS

Anti-Bullying Policy

Lincoln Public Schools provides physically safe and emotionally secure environments for all students and staff. Positive behaviors (non-violence, cooperation, teamwork, understanding and acceptance of others) are encouraged in the educational program and are required of all staff. Inappropriate behaviors, including but not limited to bullying, intimidation and harassment, must be avoided by students and all staff. Strategies and practices are implemented to reinforce positive behaviors and to discourage and protect others from inappropriate behaviors.

Date of Adoption (or Last Revision):

6-10-2003

Related Policies and Regulations:

**2130, 2131, 4770, 4770.1, 5480,
6411, 6411.1**

Legal Reference:

**State Board of Education
Minutes of February 2003;
Anti-Bullying**

STUDENTS

Student Welfare

Regulations regarding student welfare will take into account students' rights as well as responsibilities.

Date of Adoption (or Last Revision):
Related Policies and Regulations:
Legal Reference:

5-12-87

STUDENTS

Injury to Students

The procedure for handling injury to students shall be as follows:

1. Schools shall be responsible for maintaining a parental or legal guardian authorization card on file which may:
 - a. Direct school authorities as to the preferred physician to contact upon injury to the student, and
 - b. Provide additional information necessary for an emergency.
2. Nurses, principals, or other school staff shall be authorized, if necessary, to:
 - a. Call 911 in an emergency, and
 - b. Transport injured students to emergency care facilities.
 - c. Nurse may contact personal physician.
3. School personnel shall be responsible for making every possible attempt to reach parents/guardians on a continual basis during emergencies involving injury to students.
4. School personnel shall be responsible for filing written reports of student injuries in the manner directed by the Office of Risk Management.
5. Schools are not responsible for medical expenses for a student who is injured while at school.

Date Regulation Reviewed by the Board of Education: 1-14-2003

Related Policies and Regulations:

Legal Reference:

STUDENTS

Visitors

Children may not attend school as visitors except on a short-term basis and only with the prearranged permission of the building principal to insure that instruction is not interrupted.

Classroom visits by school officials on school business such as school accreditation visits and state or federal audits should be arranged through the principal. Teachers and, as appropriate, students should be informed about the purposes of such visitations.

Teachers, working with principals, are encouraged to invite parents, guardians, and patrons to visit the classroom for special occasions such as performances, plays, end-of-unit activities, and other circumstances where having the visitor(s) in the classroom contributes to the learning process.

The principal is authorized to grant pre-arranged permission for parents, guardians, patrons, or students to make short-term classroom visits, only when in his/her judgment, the learning environment previously established in the classroom will be maintained at its customary level (i.e., not be interrupted) during the visitation.

Date Regulation Reviewed by the Board of Education: 9-9-87

Related Policies and Regulations:

Legal Reference:

STUDENTS

Gifts to Students and School Personnel

Gifts to Lincoln Public School personnel shall be subject to the following guidelines:

1. Gifts presented to school personnel by students shall not be encouraged.
2. There shall be no collection of money inside or outside of school, at any time of the year, by parents/guardians or students, for the purchase of gifts to be presented to school personnel except:
 - a. In case of some personal misfortune,
 - b. In case of a special honor to school personnel, students, or parents or legal guardians of a student, or
 - c. In consultation with the superintendent of schools.

Gifts to students shall be subject to the following guidelines:

1. Teachers shall not give gifts to students,
2. The giving of a gift to a homebound or seriously ill child is acceptable,
3. Students are encouraged to send a sympathy card when death occurs in the immediate family of a child.
 - a. School activity funds may be authorized to purchase such cards.
 - b. Exceptions to gift giving may be permitted in case of death of a student or parent/guardian.

Date Regulation Reviewed by the Board of Education: 9-13-94

Related Policies and Regulations:

Legal Reference:

STUDENTS

Pets in School

Students shall be responsible for obtaining specific approval and prearranging with their teacher before pets may be brought to school. The following guidelines shall be followed with all animals in school:

1. Dogs and cats shall be: a) brought by parents/guardians, and
b) accompanied with a verification of vaccination validated within the last three years;
2. Other animals shall be confined in suitable cages;
3. Snakes, insects, and spiders shall be kept in proper containers;
4. Students shall not handle squirrels, bats, owls, or monkeys because of the danger of rabies;
5. Cages shall be cleansed daily including the removal of surplus food, excreta, and soiled bedding;
6. Students shall not be permitted to observe a creature suffer or perish through neglect or improper treatment; and
7. The nurse or health paraeducator shall be informed in any case of animal bite.

Date Regulation Reviewed by the Board of Education: 9-13-94

Related Policies and Regulations:

Legal Reference:

STUDENTS

Student Rights of Expression

The Lincoln Board of Education recognizes the legitimate rights of students to exercise their expression of ideas under the Constitution of the United States. At the same time, the district reserves the authority to make reasonable rules pertaining to students exercise of free expression, access to school facilities, and use of school equipment.

Date of Adoption (or Last Revision):

7-12-88

Related Policies and Regulations:

Legal Reference:

STUDENTS

Interrogation of Students

Lincoln Public School personnel shall not authorize the interrogation of students at school except by law enforcement officers which shall include police officers, fire officials and Child Protective Service workers.

1. Any police officer or fire official desiring to interview a student while the student is attending school shall inform the principal of the school the student attends, stating the nature of the inquiry or investigation.
2. A law enforcement officer shall not be permitted to interview a student during school hours concerning any activity of the student's mother, father or legal guardian except as provided in #3. In connection with other inquiries, the interview shall be permitted and the principal shall determine whether, under the particular circumstances of the case, the parent or guardian of the student should be notified prior to the interview.
3. In cases of suspected child abuse, the principal may allow the child to be interrogated without permission of the parents or guardian.
4. If the principal concludes that time is not vital to the investigation, and that it would be in the best interests of the student to have a parent or guardian present, it shall be the duty of the principal to delay the interview and to make an effort to notify the student's father, mother, legal guardian, or person standing in relation of parent/guardian to the student, in order that one of such persons can be present if she or he desires. The interview shall not be delayed unduly for any cause.
5. In all cases in which parent, legal guardian, or other person standing in relation of parent/guardian, is not present at an interview, the principal, or a certificated employee appointed by the principal, shall be present at all times as the student's representative, and shall be expected to take such action during the course of the interview as a reasonable parent/guardian would take under the circumstances.
6. A principal shall release custody of a student only by court order, or warrant for arrest, or if permission is received from the superintendent of schools or from the parents or guardian of the student.
7. The principal shall determine when the necessity exists that law enforcement officers be contacted to conduct an investigation of alleged criminal behavior.

Date of Adoption (or Last Revision):

5-12-87

Related Policies and Regulations:

Legal Reference:

28-711, 28-714, 28-716

STUDENTS

Medications

Medication will be administered only in accordance with the Medication Aide Act. Medications will not be administered during school hours except as necessary to provide appropriate educational services. Parents/guardians are encouraged to have medications given at home by the parent or by other responsible parties identified by the parent.

The school district reserves the right to review and decline requests to administer or provide medications which are not consistent with standard pharmacological references, are prescribed in daily doses which exceed the dosage recommended by standard pharmacological references or which could be prescribed in a manner which would eliminate the need for giving medication during school hours. The school district may at any time consult with the student's physician with regard to any medication prescribed by such physician.

A physician's authorization and a parent/guardian request and authorization for the provision or administration of medication must be on file with the school prior to school district personnel providing or administering medication to a student. The only exceptions are as follows:

- a. Emergencies, defined as situations when there is a need for immediate provision or administration of medication to preserve the health, safety and welfare of a student.
- b. Non-prescription medications identified by the Department of Student Services from time to time as not requiring the authorization of a physician for administration or provision by school personnel, but only with prior written parent/guardian consent.
- c. Non-prescription topical (non-systemically-acting) products typically used in school health offices as identified by the Department of Student Services as not requiring the prior authorization of parent/guardian or physician for occasional use for first aid and/or personal care purposes.

Medication which is to be provided or administered by school district personnel must be delivered to the school in the manufacturer's or pharmacy container and be maintained in such container at all times. The container must be properly labeled, meaning that it must include the child's name, physician's name, the name of the drug and directions for provision or administration of the medication.

Date of Adoption (or Last Revision):

5-9-2006

Related Policies and Regulations:

5480, 5503.1

Legal Reference:

79-249; 71-6718 to 6742;

LB 1107 and 1148;

NDE Rule 59

STUDENTS

Student Self Management of Asthma, Anaphylaxis and/or Diabetes

Students with asthma, anaphylaxis or diabetes will be permitted to self-manage such medical conditions upon: (1) development of an asthma or anaphylaxis or a diabetes medical management plan for the student; (2) written request of the student's parent or guardian; (3) receipt of a signed no liability statement from the parent or guardian; and (4) authorization of the student's physician. Students with such a medical management plan and consent may possess the necessary medication to manage their medical condition under the conditions established in the plan and not be subject to discipline for such possession provided that, if the student uses or allows the medication to be used for any reason other than as prescribed or as provided in the plan, the student shall be subject to discipline in accordance with the student conduct policy.

Date of Adoption (or Last Revision):

5-9-2006

Related Policies and Regulations:

5503; 5480

Legal Reference:

79-249; 71-6718 to 6742;

LB 1107 and 1148;

NDE Rule 59

STUDENTS

Child Abuse - Neglect

Any Lincoln Public Schools employee who has reasonable cause to believe that a child has been subject to abuse or neglect or observes such person being subject to conditions or circumstances which would reasonably result in abuse or neglect shall report the same to: Protective Services, Lincoln Police Department or the State Office of Social Services.

In addition to reporting the alleged abuse or neglect to the proper authorities, the employee shall also inform the employee's principal or other immediate supervisor of the alleged abuse or neglect.

Date of Adoption (or Last Revision):

5-12-87

Related Policies and Regulations:

Legal Reference:

28-710, 28-711, 28-716, 28-717

STUDENTS

Child Abuse - Neglect

Abuse or neglect is defined in Nebraska Statutes as follows:

Abuse or neglect shall mean knowingly, intentionally, or negligently causing or permitting a minor child to be: a) Placed in a situation that endangers his or her life or physical or mental health; b) cruelly confined or cruelly punished; c) deprived of necessary food, clothing, shelter, or care; d) left unattended in a motor vehicle if such minor child is six year of age or younger; e) sexually abused; or f) sexually exploited by allowing, encouraging, or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films or depictions.

All employees and administrators will fully cooperate with the law enforcement agencies and the Office of Social Services with regard to alleged abuse or neglect. Under Nebraska Statutes a person making a report under this section is immune from any liability, civil or criminal, that might otherwise be incurred or imposed except for maliciously false statements. Failure to make the report as required by the Nebraska Statutes with regard to alleged child abuse or neglect does constitute a Class III misdemeanor, which carries a maximum penalty of three-month imprisonment and a \$500 fine.

Date Regulation Reviewed by the Board of Education: 5-12-87
Related Policies and Regulations:
Legal Reference: 28-710, 28-711

STUDENTS

School Wellness Policy

A mission of Lincoln Public Schools is to provide curriculum, instruction and experiences, in the environment of a health-promoting school community, to instill habits of lifelong learning and health. Therefore, the District adopts the following School Wellness Policy.

1. Goals to Promote Student Wellness

The District has established the following student wellness goals that are designed to promote student wellness:

- a. Nutrition Education. To implement a curriculum that meets or exceeds the health and nutrition education objectives established by the Nebraska Department of Education.
- b. Physical Activity. To implement a curriculum that meets or exceeds the health and physical education objectives established by the Nebraska Department of Education.
- c. Nutrition Guidelines. To provide a food environment at school in which all foods are selected to promote health and reduce childhood obesity in conformance with state and federal law.
- d. Other School Activities. To offer other suitable opportunities to students to engage in health-promoting activities.

The Superintendent or designee shall establish such further goals as are determined appropriate to meet the stated mission.

2. Assurance for Reimbursable School Meals

The District gives the assurance that the District's guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to subsections (a) and (b) of section 10 of the Child Nutrition Act (42 U.S.C. 1779) and section 9(f)(1) and 17(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)(1), 1766(a)), as those regulations and guidance apply to the District.

3. Plan for Measuring Implementation and Designation of Responsible Persons

The Superintendent or Superintendent's designee is charged with operational responsibility for ensuring that the school meets the Wellness Policy. The Superintendent or designee shall measure implementation of the Wellness Policy by conducting periodic reviews or receiving periodic reports.

STUDENTS

School Wellness Policy (Continued)

4. Development of Policy

The District assures that development of the Wellness Policy involved parents, students, representatives of the District's nutrition services department, the school board, school administrators and the public.

Date of Adoption (or Last Revision):

7-25-2006

Related Policies and Regulations:

Legal Reference:

**The Child Nutrition and WIC
Reauthorization Act of 2004, 42
USC 1751; Regulations and
Procedures for Accreditation of
Schools, NDE Rule 10;
National School Lunch
Program, 42 USC §§1751-1760;
1770; 7 CFR § 210**

STUDENTS

Release of Students

Students shall not be released from school on the request of any person who visits the school for that purpose, except with the permission of the principal or designee. No student shall be excused by a telephone call unless the principal can determine definitely the source of the call. Nothing in this policy shall prevent the school from sending home a student who is ill.

Date of Adoption (or Last Revision):

5-12-87

Related Policies and Regulations:

Legal Reference:

28-710, 28-711, 28-716, 28-717

STUDENTS

Access by Non-Custodial Parent

Any natural or adoptive parent has all rights of a parent unless his/her rights are altered by the courts. The Lincoln Public Schools will not arbitrarily alter these rights.

If the parents are divorced and the custodial parent requests that the non-custodial parent be denied any of these rights, the school administration should honor that request only if the custodial parent provides a court order or divorce decree that denies the non-custodial parent these rights. If that written information is not provided, it should be assumed that the court is allowing both parents equal access to the child and the child's records. If a court order is provided, the school administration should follow the directive stated in it and such additional directives regarding access to the child provided by the parent with legal custody and that are consistent with a court order.

The custodial parent should receive routine information about his/her student including notification of conferences. The non-custodial parent need not receive this information on a routine basis. However, if the non-custodial parent requests this information and his/her right to it has not been denied by the courts, it should be provided.

If the non-custodial parent wishes to attend conferences regarding his/her child, that parent should also be provided with conference times so both parents may attend a single conference. It is not required to schedule separate conferences if both parents have been previously informed of appointed conference times.

If the behavior of either or both parents is not conducive to good communication, staff members are not expected to continue a conference but should reschedule with appropriate modifications or expectations.

The term, "custodial parent," also refers to any individual (e.g., caseworker) who has been given legal custody of the child by a court.

Date Regulation Reviewed by the Board of Education:	9-13-94
Related Policies and Regulations:	
Legal Reference:	Public Law 93-380

STUDENTS

Open and Closed Campus

High schools have closed campuses, except that students in grades 11 and 12 may leave the campus at lunchtime with written permission from their parents. Elementary and middle schools have closed campuses.

Date of Adoption (or Last Revision):
Related Policies and Regulations:
Legal Reference:

5-11-93

STUDENTS

Open and Closed Campus

Elementary and middle school students are not allowed to leave the campus at any time during the school day without the permission of the building administrator and unless arrangements have been made by a student's parent(s) or guardian to go home for lunch. This arrangement will be permitted only with the permission of the building administrator and if a parent or designated adult is home during the time the student is home for lunch and only if the student is not tardy returning to afternoon classes.

High school students are not allowed to leave campus at any time during the school day without permission of the building administrator. Students in grades 11 and 12 who have written permission from their parents may leave the campus for lunch, provided school rules are followed and the student is not tardy in returning to afternoon classes.

Date Regulation Reviewed by the Board of Education: 5-11-93
Related Policies and Regulations:
Legal Reference:

STUDENTS

Student Fees

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

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

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

Under the Public Elementary and Secondary Student Fee Authorization Act, the district is required to set forth in a policy its guidelines or policies for specific categories of student fees. The district does so by setting forth the following guidelines and policies. This policy is subject to further interpretation or guidance by administrative or Board regulations which may be accepted from time to time. The policy includes Appendix "1," which provides further specifics of student fees and materials required of students for the 2008-2009 school year. Parents, guardians, and students are encouraged to contact their building administration or their teachers or activity coaches and sponsors for further specifics.

1. Guidelines for Non-specialized Attire Required for Specified Courses and Activities

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

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

STUDENTS

Student Fees (Continued)

directed to instruct students in the usage of such devices and to assure that students use the devices as required, and students have the responsibility to follow such instructions and use the devices as instructed.

2. Personal or Consumable Items and Miscellaneous

- a. Extracurricular Activities: Students have the responsibility to furnish any personal or consumable items for participation in extracurricular activities.
- b. Courses
 - i. General Course Materials. Items necessary for students to benefit from courses will be made available by the district for the use of students during the school day. Students may be encouraged, but not required, to bring items needed to benefit from courses including, but not limited to, pencils, paper, pens, erasers. A specific class supply list will be published annually in a board-approved student handbook or supplement or other notice. The List may include refundable damage or loss deposits required for usage of certain district property.
 - ii. Damaged or Lost Items. Students are responsible for the careful and appropriate use of school property. Students and their parents or guardian will be held responsible for damages to school property where such damage is caused or aided by the student and will also be held responsible for the reasonable replacement cost of school property which is placed in the care of and lost by the student.
 - iii. Materials Required for Course Materials. Students are permitted to and may be encouraged to supply materials for course projects. Some course projects (such as projects in art and shop classes) may be kept by the student upon completion. In the event the completed project has more than minimal value, the student may be required, as a condition of the student keeping the completed project, to reimburse the district for the reasonable value of the materials used in the project. Standard project materials will be made available by the district. If a student wants to create a project other than the standard course project, or to use materials other than standard project materials, the student will be responsible for furnishing or paying the reasonable cost of such materials for the project.
 - iv. Music Course Materials. Students will be required to furnish musical instruments for participation in optional music courses. Use of a musical instrument without charge is available under the district's fee waiver policy. The district is not required to provide for the use of a particular type of musical instrument for any student.
 - v. Parking. Students may be required to pay for parking on school grounds or at school-sponsored activities and may be subject to payment of fines or damages for damages caused with or to vehicles or for failure to comply with school parking rules.

STUDENTS

Student Fees (Continued)

3. Extracurricular Activities—Specialized Equipment or Attire

Extracurricular activities means student activities or organizations which are supervised or administered by the district, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the district.

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

4. Extracurricular Activities—Fees for Participation

Any fees for participation in extracurricular activities for the 2008-2009 school year are further specified in Appendix “1.”

Admission fees are charged for extracurricular activities and events.

5. Postsecondary Education Costs

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

6. Transportation

Students are responsible for fees established for transportation services provided by the district as and to the extent permitted by federal and state laws and regulations.

STUDENTS

Student Fees (Continued)

7. Copies of Student Files or Records

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

8. Participation in Before-and-After-School or Pre-kindergarten Services

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

9. Participation in Summer School or Night School

Students are responsible for fees required for participation in summer school or night school. Students are also responsible for fees charged for correspondence courses.

10. Breakfast and Lunch Programs

Students shall be responsible for items which students purchase from the district's breakfast and lunch programs. The cost of items to be sold to students shall be consistent with applicable federal and state laws and regulations.

Students are also responsible for the cost of food, beverages, and personal or consumable items which the students purchase from the district or at school, whether from a "school store," a vending machine, a booster club or parent group sale, a book order club, or the like. Students may be required to bring money or food for field trip lunches and similar activities.

11. Waiver Policy

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

STUDENTS

Student Fees (Continued)

this section. Students or their parents are encouraged to request a fee waiver prior to participating in or attending the activity, and prior to purchase of the materials, and the fee waiver must be submitted prior to the conclusion of the activity.

12. Distribution of Policy

The Superintendent or the Superintendent's designee shall publish the district's student fee policy in the Student Handbook or the equivalent (for example, publication may be made in an addendum or a supplement to the student handbook). The Student Handbook or the equivalent shall be provided to every student of the district, or to every household in which at least one student resides, at no cost.

13. Student Fee Fund

The School Board hereby establishes a Student Fee Fund. The Student Fee Fund shall be a separate school district fund not funded by tax revenue, into which all money collected from students and subject to the Student Fee Fund shall be deposited and from which money shall be expended for the purposes for which it was collected from students. Funds subject to the Student Fee Fund consist of money collected from or on the behalf of students for:

(1) participation in extracurricular activities, (2) postsecondary education costs, and (3) summer school or night school.

Date of Adoption (or Last Revision):

Related Policies and Regulations:

Legal Reference:

5-27-2008

6320, 6320.1, 6440

Neb. Rev. Stat. §§79-2,125 to

79-2,135 and Laws 2003, LB 249

**(The Public Elementary and
Secondary Student Fee**

Authorization Act); Nebraska

Constitution, Article VII, section 1.;

Neb. Rev. Stat. §§ 79-241, 79-605,

and 79-611 (transportation); Neb.

**Rev. Stat. § 79-2,104 (student files or
records); Neb. Rev. Stat. §79-715**

(eye-protective devices); Neb. Rev.

**Stat. §79-737 (liability of students for
damages to school books); Neb. Rev.**

Stat. §79-1104 (before-and-after-

school or pre-kindergarten services);

Neb. Rev. Stat. §§79-1106 to

79-1108.3 (accelerated or

differentiated curriculum program)

**Appendix “1” to the 2008-2009 Student Fees Policy of Lincoln Public Schools —
Additional Specification of Required Materials and Fees¹**

Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum)² or Specific Material Required
Elementary Program		
Physical Education classes	Appropriate clothing (non-specialized attire)	Soft-soled shoes
Music — Optional band courses	Musical instruments	Musical instruments and accessories (reeds, valve oil, drumsticks, lyres, flip folders, slide grease, reed guards, cleaning swabs, mouthpiece brushes, pad savers, ligatures and a “gig bag,” etc.). Limited instruments available for use by any student. Rental fee of \$50 for use of school-owned instrument.
Classroom supplies	General supplies, such as writing instruments (pens, pencils, crayons, markers), notebooks, etc.	None — necessary classroom supplies will be made available by the school. Students will be responsible for the replacement cost of damaged or lost supplies. Students are allowed, but not required, to bring items from class supply lists which may be distributed by the office or individual teachers.
Science Fair — Optional	Appropriate materials	Display board, materials for experiment or demonstration
Field Trips	Transportation and admission costs of field trips	None — costs of school-sponsored, class-related field trips will be paid for by the school. Parents may be encouraged, but not required, to contribute for field trip costs of up to \$6 per student for each field trip to defray costs. (With administrative approval, the requested donation may be up to \$100 for special field trips). Meals on field trips will be at the expense of the student. School lunches will be provided as needed for free-reduced lunch eligible students.
Summer school courses	Classes offered during the summer, or at night, if any	\$100 per class may be charged.
Copies	Use of school copiers	Five cents (.05) per page when charges apply).

¹ This listing is a part of the 2008-2009 Student Fees Policy and is intended to provide supplemental information. For additional specifications, refer to the Policy.

² Generally, dollar amounts are stated in terms of “maximums.” The actual fee or charge may be less during the 2008-2009 school year.

Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required
School Meals		Breakfast — \$1.00 Lunch — \$1.90 Prices are based on one Type A meal per day, will vary depending on the number of meals or items purchased by the student and may be adjusted during the year.
Secondary Program		
Physical Education classes	Appropriate clothing (non-specialized attire)	Soft-soled shoes, shorts, shirt
Science Fair — Optional	Appropriate materials	Display board, material for experiment or demonstration
Field Trips	Transportation and admission costs of field trips	None — costs of school-sponsored, class-related field trips will be paid for by the school. Parents may be encouraged, but not required, to contribute for field trip costs of up to \$6 per student for each field trip to defray costs. (With administrative approval, the requested donation may be up to \$100 for special field trips). Meals on field trips will be at the expense of the student. School lunches will be provided as needed for free-reduced lunch eligible students.
Music — Optional band courses	Musical instruments	Musical instruments and accessories (reeds, valve oil, etc.). Limited instruments available for use by any student. Rental fee of \$50 for use of school-owned instrument.
Classroom Supplies	General supplies, such as writing instruments (pens, pencils, crayons, markers), notebooks, etc.	None — necessary classroom supplies will be made available by the school. Students will be responsible for the replacement cost of damaged or lost supplies. Students are allowed, but not required, to bring items from class supply lists which may be distributed by the office or individual teachers.
Advanced math or science classes	Specialized calculators	Calculators are provided for use in the classroom. Students are encouraged, but not required, to purchase such equipment for their personal use.
Copies	Use of school copiers	Five cents (.05) per page when charges apply.

Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required
School Meals		Breakfast — \$1.20 Lunch — Middle School: \$2.10 High School: \$2.25 Prices are based on one Type A meal per day, will vary depending on the number of meals or items purchased by the student and may be adjusted during the year.
Postsecondary education classes	Tuition and fees for college courses taken for credit.	None — Any postsecondary education costs are to be paid directly by students to the college.
College entrance tests and preparation	Prep programs and tests	Costs of college entrance tests or prep courses, such as ACT preparation tutoring, PSAT test and ACT test, are optional and to be paid directly to the private companies involved.
Student Identification	Photo identification cards	\$3 per duplicate
Summer school courses	Classes offered during the summer, or at night, if any	Five credit-hour class: \$200
Locker usage	Use of school padlock and/or locker	Fee of \$10 per year will be required
Parking	Use of school parking lot during school day	\$20 per year maximum. Students will be required to sign and display a parking permit.
Extracurricular and Other Programs		
Athletics and Activities		
1. Admission	Spectator fees for admission to athletic events	\$5 per event maximum. Students may purchase a 10-punch Activity Ticket for \$10. For District and Conference events hosted by the school, cost to be set by NSAA but not to exceed \$10 per event.
2. Athletic Physicals	NSAA required athletic physicals	Cost varies; payable directly to students' physician or clinic.

Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required																										
3. Equipment and attire — Athletics, Cheerleading, Flag Corps and Dance Teams	Students are responsible for required equipment and attire appropriate to the sport or activity which are not provided by the school and are responsible for any optional clothing, equipment or other items associated with the sport or activity	<p>Required items include athletic undergarments (supporter, bra, socks and undershirts), practice attire, including shorts, shirts, socks and shoes suitable for the activity and dress attire suitable for team travel. Shoes appropriate for the activity are required. Optional items for which students are responsible include: personal athletic bags, hair ties, sweatbands, non-required gloves, swim goggles, towels, forearm pads and personal medical devices (braces, orthopedic inserts, etc.). Additional required items for particular sports or activities include:</p> <table border="0"> <tr> <td>Baseball</td> <td>Baseball glove</td> </tr> <tr> <td>Basketball</td> <td>No additional</td> </tr> <tr> <td>Tennis</td> <td>Tennis racquet</td> </tr> <tr> <td>Cross Country</td> <td>No additional</td> </tr> <tr> <td>Football</td> <td>No additional</td> </tr> <tr> <td>Golf</td> <td>Clubs</td> </tr> <tr> <td>Soccer</td> <td>No additional</td> </tr> <tr> <td>Softball</td> <td>Softball glove</td> </tr> <tr> <td>Swimming/Diving</td> <td>Swimsuit</td> </tr> <tr> <td>Track</td> <td>No additional</td> </tr> <tr> <td>Volleyball</td> <td>Volleyball knee pads</td> </tr> <tr> <td>Wrestling</td> <td>No additional</td> </tr> <tr> <td>Cheerleading, Flag Corps and Dance Team Squads</td> <td>Shoes, approved uniforms, jacket, poms and other accessories, not to exceed \$1,000</td> </tr> </table>	Baseball	Baseball glove	Basketball	No additional	Tennis	Tennis racquet	Cross Country	No additional	Football	No additional	Golf	Clubs	Soccer	No additional	Softball	Softball glove	Swimming/Diving	Swimsuit	Track	No additional	Volleyball	Volleyball knee pads	Wrestling	No additional	Cheerleading, Flag Corps and Dance Team Squads	Shoes, approved uniforms, jacket, poms and other accessories, not to exceed \$1,000
Baseball	Baseball glove																											
Basketball	No additional																											
Tennis	Tennis racquet																											
Cross Country	No additional																											
Football	No additional																											
Golf	Clubs																											
Soccer	No additional																											
Softball	Softball glove																											
Swimming/Diving	Swimsuit																											
Track	No additional																											
Volleyball	Volleyball knee pads																											
Wrestling	No additional																											
Cheerleading, Flag Corps and Dance Team Squads	Shoes, approved uniforms, jacket, poms and other accessories, not to exceed \$1,000																											

Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required
Equipment and Attire — Instrumental Music Groups	Students are responsible for required equipment and attire appropriate to the activity which are not provided by the school and are responsible for any optional clothing, equipment or other items associated with the sport or activity.	Uniforms for marching bands and concert band are provided by the district. Required items for particular groups include the following: Marching band Shoes, gloves, t-shirt Symphony Concert black dress Jazz Band Shirts and pants
Equipment and Attire — Vocal Music Groups	Students are responsible for required equipment and attire appropriate to the activity which are not provided by the school and are responsible for any optional clothing, equipment or other items associated with the sport or activity.	Required items include performance clothes, including shoes, as selected by members of the groups and the director, at a cost not to exceed \$200.
Equipment and Attire — Competitive Forensics	Appropriate clothing (non-specialized attire); supplies	Business/professional attire, t-shirt, materials for visual aids
4. All-State Music Groups	Audition fees	\$20
5. Travel meals	Meals	Students are responsible for their own meals while traveling.
6. Locker use	Padlock for gym locker	Usage fee of \$10 may be required.
7. Camps, clinics and festivals	Registration and other costs of caps, clinics or festivals	Students are responsible for the cost of all clinics, camps, festivals and conditioning programs. Any personal items purchased at camps, clinics or festivals, such as t-shirts, shall be at the student's expense.
Clubs/Organizations		
Future Business Leaders of America (FBLA)	State and national dues, meals and activities	Annual dues not to exceed \$25 per club.
Future Career/Community Leaders (FCCLA)	State and national dues, meals and activities	Annual dues not to exceed \$25 per club.

Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required
National Honor Society	State and national dues, meals and activities	Annual dues not to exceed \$25 per club.
VICA/Skills USA	State and national dues, meals and activities	Annual dues not to exceed \$25 per club.
Distributive Education Club of America (DECA)	State and national dues, meals and activities	Annual dues not to exceed \$25 per club.
FBLA and DECA Competition	Registration fees	\$50
Music Honor Society	Dues	\$10
Synchronized Swim Club	Appropriate attire	Swimsuit
International Thespian Society	Dues	\$30
Student Council	State and national dues, meals and activities	Annual dues not to exceed \$50 per club.
Social and Recognition Activities		
School plays, musicals and social activities	Admission to events	\$10 per play or activity
School dances	Admission to prom, homecoming, etc.	\$25 per event
Senior recognition	Optional graduation activities	Participation in class activities attendant to graduation (such as being part of the composite picture, special yearbook pages, etc.) is not required in order for students to receive their high school diploma. Students who choose to participate will be required to pay the cost of the items involved in the graduation ceremony and attendant class activities. These may include the rental of graduation robes, caps, tassels, class flowers, class gift, yearbook picture page and class composite picture.
Trips	Transportation, lodging, meals, admission to events, etc.	Students are responsible for costs of school-sponsored trips where the trip is an extracurricular activity. The maximum costs of such trips will be \$2,000 per student. If the trip is not school-sponsored, the costs of the trip are not subject to this policy and no fee

Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required
		waivers will apply. A trip is not school-sponsored if: it is not supervised or administered by the school, attendance on the trip does not count toward graduation credit or grade advancement and participation on the trip is voluntary for students.