

Regular Board of Education Meeting

Monday, August 21, 2023 6:00 PM

City of Gering Council Chambers, 1025 P Street, Gering, NE
69341



Agenda

1. GPS Board of Education Information

The meeting agenda will be kept current and available for public inspection in the office of the Secretary of the Board of Education at the Central Office during regular working hours.

District Vision: *Gering Public Schools provides a collaborative community, inspiring excellence and innovation in teaching and learning to empower student growth and leadership in school and life.*

District Mission: *Gering Public Schools exists to equip today's learners with the skills necessary to be tomorrow's leaders.*

The Open Meetings Act requires and the intention of the Board is that agenda items be sufficiently descriptive to give the public reasonable notice of matters to be considered at the meeting. The Board of Education releases its agenda well in advance of most meetings and desires that all interested persons are fully informed. Any interested person who has a question or needs clarification about the sufficiency of a descriptive item should contact the Office of the Superintendent of Schools.

If anyone in attendance is interested in addressing our Board, you are welcome to do so. We simply request that you complete the appropriate form and turn it in to us now, so that you may be recognized during the 'Patron Comment' section of our meeting. These forms are located by the entry doors of the meeting room.

Agenda items are subject to reordering at the discretion of the board president. Board members may request specific agenda item(s) be moved to a different place on the agenda. Please attend the entire meeting to ensure you hear discussion on a particular agenda item.

2. Opening Procedures

2.1. Call to Order

The Board of Education reserves the right to enter into Executive Session for the

protection of the public interest, or the prevention of needless injury to the reputation of an individual, and if the individual has not requested a public meeting.

2.2. Roll Call

2.3. Pledge of Allegiance

2.4. Open Meetings Act

Pursuant to Section 84-1412 of the Nebraska Statutes, the public is hereby informed that a current copy of the Nebraska Open Meetings Act is posted in the Board meeting room on the north wall.

Notice of this meeting was published in the Gering Courier on Thursday, August 17, 2023.

3. **Consent Agenda**

At this time, any Board member may request that any item in the consent agenda be removed from the consent agenda and be considered and voted on separately.

3.1. Adoption of resolution for Option Student Policy

3.2. **Fund Amount**

01 General Fund \$271,596.82
03 Employee Benefit Fund \$645.00
05 Activity Fund \$166,589.76
06 Cafeteria Fund \$55,561.77
08 Special Building Fund \$3,960.00
09 QCPUF Fund \$24,150.00

Fund Totals: \$522,503.35

3.3. Minutes from the previous month's board meeting(s)

3.4. Approval of Claims/Bills

3.5. Board Policy Adoption

3.5.i. First Reading of Board Policies

3.5.i.1. **NEW POLICY**
502.12 STUDENTS

3.5.i.2. **NEW POLICY**
604.15 INFORMATION RELATING TO DYSLEXIA

3.5.i.3. **NEW POLICY**
605.02 ALTERNATIVE EDUCATION PROGRAM

- 3.5.i.4. **NEW POLICY**
 612.18 APPOINTMENT OF SURROGATES
- 3.5.i.5. **NEW POLICY**
 612.19 CONSENT FOR EARLY INTERVENTION SERVICES
- 3.5.i.6. **NEW POLICY**
 612.20 DISCIPLINARY REMOVAL OF CHILDREN WITH
 DISABILITIES
- 3.5.i.7. **612.1** FREE APPROPRIATE PUBLIC EDUCATION
- 3.5.i.8. **612.2** FULL EDUCATIONAL OPPORTUNITY GOAL
- 3.5.i.9. **612.3** CHILDFIND
- 3.5.i.10. **612.4** EVALUATION PROCEDURES
- 3.5.i.11. **612.5** INDIVIDUALIZED EDUCATION PROGRAM AND
 FAMILY SERVICE PLAN
- 3.5.i.12. **612.6** TRANSITION OF CHILDREN FROM PART C TO
 PRESCHOOL PROGRAMS
- 3.5.i.13. **612.7** PARTICIPATION IN STATE AND DISTRICT WIDE
 ASSESSMENTS
- 3.5.i.14. **612.8** LEAST RESTRICTIVE ENVIRONMENT
- 3.5.i.15. **612.10** PROCEDURAL SAFEGUARDS
- 3.5.i.16. **612.11** TRANSPORTATION
- 3.5.i.17. **612.12** PERSONNEL QUALIFICATIONS
- 3.5.i.18. **612.13** CONFIDENTIALITY OF PERSONALLY
 IDENTIFIABLE INFORMATION
- 3.5.i.19. **612.14** SUSPENSION AND EXPULSION RATES
- 3.5.i.20. **612.15** ACCESS TO INSTRUCTIONAL MATERIAL

3.5.i.21. **612.16 OVER-IDENTIFICATION AND DISPROPORTIONALITY**

3.5.i.22. **612.17 PROHIBITION ON MANDATORY MEDICATION**

3.5.i.23. **503.1-503.10 ATTENDANCE POLICY**

3.5.i.24. **505.1-505.7 DISCIPLINE POLICY**

3.5.i.25. **604.4 MULTICULTURAL POLICY**

3.5.ii. Second Reading of Board Policies

3.5.ii.1. **NEW POLICY**
508.18 ADMINISTRATION OF NALOXONE (NARCAN)

3.5.ii.2. **NEW POLICY**
508.19 BEHAVIORAL POINT OF CONTACT

3.5.ii.3. **502.2 NONRESIDENT STUDENT/OPTION ENROLLMENT**

3.5.ii.4. **504.11 WEAPONS**

3.5.ii.5. **506.2 STUDENT ORGANIZATIONS**

3.5.ii.6. **605.7 DUAL ENROLLMENT**

3.5.ii.7. **611.7 GRADUATION REQUIREMENTS**

3.6. Personnel Items

3.6.i. Certified Staff Contract(s)

3.6.ii. Certified Staff Resignation(s)

4. **Reports and Discussions**

4.1. Board Committee Report: Curriculum & Personnel

4.2. Board Committee Report: Finance & Facilities

4.2.i. Monthly Finance Summary Report

4.3. Superintendent's Report

5. **Patron Comments**

6. **Action Items**

6.1. Discuss, consider, and take action regarding the approval of Dana F. Cole & Company performing the 2022-23 school year audit

7. **Board Comments**

7.1. Tentative Upcoming Board Meeting/Event Dates

Future Board Meetings

Special Meeting: Tues, Aug 29, 2023 @ 12:00 p.m. (Central Office)

Regular Meeting: Mon, Sept 18, 2023 @ 6:00 p.m. (Gering High School Freshman Academy)

Special Meeting: Tues, Sept 26, 2023 @ 12:00 p.m. (Central Office)

Tentative Committee Meeting Dates:

Personnel & Curriculum Committee: Tues, Sept 5, 2022 @ 7:00 a.m. (Central Office)

Policy Review Committee: Thur, Sept 14, 2023 @ 4:00 p.m. (Central Office)

Finance & Facilities Committee: Thurs, Sept 7, 2023 @ 4:30 p.m. (Central Office)

Upcoming Event Highlights:

Event

8. **Adjourn**

**GERING PUBLIC SCHOOLS
GERING, NE**

NONRESIDENT STUDENTS/OPTION ENROLLMENT

Students who are eligible to attend a Nebraska public school but who are not legal residents of the school district may be admitted into the school district in accordance with the option enrollment program authorized by state statutes. Option enrollment students shall be accepted without charge. If the student has previously had an option enrollment accepted in any district, the application shall be rejected unless a statutory exception to this rule applies for that student.

Application for option enrollment option shall be made between September 1 and March 15 for enrollment during the following and subsequent school years. Upon agreement of the school boards of the resident district and the option (receiving) district, deadlines for application and approval of the option may be waived. Following the March 15 deadline, applications requesting admittance must contain a release approval from the resident district prior to the option district's consideration for acceptance.

The application for option enrollment does not require a release from the resident district and the receiving district has forty-five days to issue acceptance or rejection if:

1. After February 1 the student relocated to a different resident district, or
2. The student's option district merged with another district effective after February 1st and
3. The student's attendance would occur during the next immediate and subsequent school years.

For applications submitted by the March 15 deadline, written notification of approval or rejection of the application will be made before April 1 to the student's parent/guardian and the resident district. If the district rejects an application for a student to option in or out, the district will provide notification by certified mail to the parent/guardian of the reasons for rejection and the process for appealing the decision to the State Board of Education.

The Board shall adopt standards and conditions for acceptance or rejection of a request for release of a resident student submitting an option application after March 15. Such standards shall not include the failure to meet applications submitted after the March 15 deadline. For those applications, the option district shall notify the parent/guardian, and the resident district whether the application is accepted or rejected within sixty days after submission. False or substantively misleading information submitted by a parent/guardian on an application to an option district may be cause for the option district to reject a previously accepted application prior to the student's attendance.

The board shall adopt a resolution setting forth its specific standards for acceptance and rejection of applications as an option school. Standards will conform to those set forth by state statute. These may include the capacity of a program, class, grade level, or school building or the availability of appropriate special education programs operated by the district. **Any program,**

class, grade level, special education program or school building may be closed to option students based upon available staff, facilities projected enrollment of resident students, and availability of special education programs. The standards shall not include previous academic achievement, athletic or other extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings except as allowed by law.

An option district shall give first priority for enrollment to siblings of option students within the requirements of state statutes. The board shall follow statutes regarding the application of a student who relocates in a different district but wants to continue attending his or her original resident district or current option district.

Nonresident students not going through option enrollment may also be admitted under a contract with the student's resident district at the discretion of the superintendent upon application and payment of tuition as stated in the contract. The tuition rate shall be the current per pupil cost of the school district as computed by the superintendent.

The school board may admit a student who is a resident of another state but resides with a parent or guardian that is a Gering Public Schools employee. The school district will collect tuition for the student at a rate determined annually by the school board or the superintendent. Criteria for admittance of out-of-state students who reside with a Gering Public Schools employee follow the same standards and conditions of the option enrollment program.

Students whose residency in the district ceases during a school year may continue attending school for the remainder of the school year without payment of tuition.

The district may choose to provide transportation to the option student in the same manner as for resident students and may choose whether or not to charge the parents of those option students a fee to recover the district's costs for the transportation. All option students who qualify for free lunches are eligible for either free transportation or the reimbursement of transportation costs from the school district as provided by state statute. Students receiving special education services shall receive transportation services as provided in the student's Individualized Education Plan.

Legal Reference: Neb. Statute 79-215
 Neb. Statute 79-232 to 246
 NDE Rule 19.008

Cross Reference: 503 Student Attendance
 801 Transportation

Approved 05/17/2010 **Reviewed** 08/22/2016, 03/06/2017 **Revised** 09/19/2016

Regular Board of Education Meeting

Monday, July 17, 2023 6:00 PM

City of Gering Council Chambers
1025 P Street
Gering, NE 69341



Minutes

1. GPS Board of Education Information

Present: Brian Copsey, Josh Lacy, John Maser, B.J. Peters, Greg Trautman, Tracy Wiese.

2. Opening Procedures

2.1. Call to Order

President, Brian Copsey, called this meeting to order at 6:00 p.m.

2.2. Roll Call

2.3. Pledge of Allegiance

2.4. Open Meetings Act

3. Student Fees Public Hearing

3.1. Public Hearing for the purpose of hearing support, opposition, criticism, suggestions, or observations for taxpayers relating to setting the student fee schedule.

4. Title I Parental and Family Engagement Public Hearing

4.1. Public Hearing for the purpose of Reviewing and Re-Adopting Policy 1005.12 Parental and Family Engagement.

5. Consent Agenda

A motion to approve the Consent Agenda was presented by B.J. Peters, seconded by Josh Lacy. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

5.1. Minutes from the previous month's board meeting(s)

5.2. Approval of Claims/Bills

01 General Fund	\$715,888.50
05 Activity Fund	\$23,751.57
06 Cafeteria Fund	\$6,156.85
08 Special Fund	\$11,700.00
Fund Totals:	\$757,496.92

5.3. Board Policy Adoption

5.3.i. First Reading of Board Policies

5.3.i.1. **NEW POLICY**

508.18 ADMINISTRATION OF NALOXONE (NARCAN)

5.3.i.2. **NEW POLICY**

508.19 BEHAVIORAL POINTS OF CONTACT

5.3.i.3. **NEW POLICY**

801.01R1 FOSTER CARE TRANSPORTATION PLAN

5.3.i.4. **502.2** NONRESIDENT STUDENT/OPTION ENROLLMENT

5.3.i.5. **504.11** WEAPONS

5.3.i.6. **506.2** STUDENT ORGANIZATIONS

5.3.i.7. **605.7** DUAL ENROLLMENT

5.3.i.8. **611.7** GRADUATION REQUIREMENTS

5.3.ii. Second Reading of Board Policies

5.4. Personnel Items

5.4.i. Certified Staff Contract(s)

5.4.i.1. **Todd Kraus, Gering Jr. High Social Studies Teacher**

5.4.i.2. **Teresa Freeling, Licensed Mental Health Practitioner**

5.4.i.3. **Mara Veveris-Carrier, Gering High School Special Education Teacher**

5.4.ii. Certified Staff Resignation(s)

5.5. Occupational Therapy Contract, 2023-24 School Year

6. Reports and Discussions

6.1. Board Committee Report: Curriculum & Personnel

The Curriculum Committee did not meet in July 2023

6.2. Board Committee Report: Finance & Facilities

Josh Lacy- A/P listing looked good, even after the purchase of another flight simulator. Travis Gable (GHS construction teacher) was in attendance, and he gave an update on the GHS Construction home. It is 99% completed, and just waiting for flooring and some plumbing. The district has asked Travis and his class to potentially build the new preschool building at our Northfield location next school year. Discussion of the interlocal agreement between GPS and Kimball Public Schools in regards to the DL Spanish teacher was presented at this meeting as well. Dana Cole is interested in doing the 2023-24 school year audit, so the board needs to act on this soon to ensure we have the audit done in a timely fashion. Taher's rates increased 7% and First Students' rates increased 5%. School meals also took a \$.10 increase for the upcoming school year.

6.2.i. Monthly Finance Summary Report

6.3. Superintendent's Report

Dr. Nicole Regan- Gering Public Schools had a great showcase on Oregon Trail Days week. Jennifer Sibal, with the foundation, hosted 11 tours at GHS! Our facility, TLC is still underway with new carpets, cafeteria renovations, and many other upgrades. The district office, maintenance team, and school custodians have worked diligently to get us ready for

the school year. Speaking of ready, we are embarking on our future ready opportunities. Next week, we are beginning the next steps of our strategic action plan, in hopes for a 5 year plan to go deep to measure our success and to strengthen our potential at GPS. Our board is committed through this summer, leading us to our next level of accomplishments, dreams, and success. On July 18, we hosted our first ever Standard Response Protocol safety training for our substitute teachers. Chuck Elly was the presenter at this event. When we talk about "work culture", there are a lot of behind-the-scenes actions going on in the district. I'd like to personally thank our board members and my district administrators for their intentional work during summer break to get us ready for a strong start to the school year. Every small task is the culture of a high performing district.

7. Patron Comments

8. Action Items

8.1. Discuss, consider, and take action regarding the approval of the 2023-24 school year Student Fee Policy **504.19R1**.

A motion to approve the 2023-24 school year Student Fee Policy was presented by Josh Lacy, seconded by John Maser. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

8.2. Discuss, consider, and take action regarding the approval of the Parental Family Involvement Policy **1005.03**.

A motion to approve the Family Involvement Policy was presented by Josh Lacy, seconded by Greg Trautman. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

8.3. Discuss, consider, and take action regarding setting breakfast and lunch prices for the 2023-24 school year.

A motion to set the 2023-24 school meal prices was presented by Josh Lacy, seconded by Tracy Wiese. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

8.4. Discuss, consider, and take action regarding the approval of the Interlocal Agreement between Gering Public Schools and Kimball Public Schools participating in the DL Spanish course offerings for the 2023-24 school year.

A motion to approve the Interlocal Agreement between GPS and KPS participating in the the DL Spanish course offerings for the 2023-24 school year was presented by Tracy Wiese, seconded by Josh Lacy. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

8.5. Discuss, consider, and take action in regards to amending the Home School Bill 705 (Standing Determination for Participation of Part-time Students) for the 2023-24 school year.

A motion to amend the House School Bill 705 for the 2023-24 school year was presented by B.J. Peters, seconded by John Maser. After voting, motion Passed.

Josh Lacy: **Nay**, Brian Copsey: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

8.6. Discuss, consider, and take action in regards to the **Amendment To School Bus Transportation Services Agreement Between Panhandle Interlocal Transportation Association and First Student Inc.**

A motion to approve the amendment between Panhandle Interlocal Transportation Assoc. and First Student Inc. was presented by Josh Lacy, seconded by Tracy Wiese. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

8.7. Discuss, consider, and take action regarding the approval of the 2023-24 school year Certified & Classified Staff Handbooks.

A motion to approve the 2023-24 school year Certified & Classified Staff Handbooks was presented by Josh Lacy, seconded by Greg Trautman. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

9. Board Comments

John Maser- A lot going on to get the schools ready, and the summer is flying by. Thank you Jenn Sibal for taking care of all the reunion tours.

Josh Lacy- Thank you everyone for all your efforts, as it truly takes a "team" to accomplish all of our goals.

Tracy Wiese- Thanked the team for all the continuous hard work.

Greg Trautman- Very exciting to see all the facility updates. Compliments to the business team for keeping a well-run budget. GPS has wonderful community support, and I am proud to be a part of it!

BJ Peters- Thanked board members John and Greg for attending meetings in his absence while on vacation. Reminder: summer is time to take a deep breath and recharge!

Brian Copsey- I have invested time in the legislature, as we need to be in the "know". Deb Fisher is planning a visit to Gering, and will be given a tour of the High School. The energy the district showed over the OT Days celebration weekend was so exciting to see, and shows we are gearing up for another school year!

9.1. Tentative Upcoming Board Meeting/Event Dates

10. Adjourn

POLICY 205.2
GERING PUBLIC SCHOOLS
GERING, NE

POLICY ADOPTION

The board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two regular board meetings. The proposed policy changes shall be distributed and public comment will be allowed at each meeting prior to final board action. This notice procedure shall be required except for emergency situations. If the board adopts a policy in an emergency situation, a statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The board shall have complete discretion to determine what constitutes an emergency situation.

The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the board at the next regular meeting after the meeting allowing public discussion. The policy will be effective on the later of the date of passage or the date stated in the motion.

In the case of an emergency, a new or changed policy may be adopted by a majority vote of a quorum of the board. The emergency policy shall expire at the close of the third regular meeting following the emergency action, unless the policy adoption procedure stated above is followed and the policy is reaffirmed.

Legal Reference: Neb. Statute 79-520 (Class III)
 79-521 (Class IV)
 79-522 (Class V)
 79-523 (Class VI)
 79-526
 84-712 et seq.
 NDE Rule 10.004.01A1

Cross Reference: 201.1 Board Powers and Responsibilities

Students

High School Credit for Middle School Courses

High school credit may be awarded to students in a middle grades course if the course content and requirements are equivalent to a course offered in the high school.

* 1st Reading
August

Legal Reference: NDE Rule 10.003.05B

Date of Adoption: 11.9.2020

Adopted 8/10/23

INFORMATION RELATING TO DYSLEXIA

The Superintendent in collaboration with the District's Director of Special Education shall be responsible for ensuring the district collects and records information relating to dyslexia including the number of students who:

1. Tested for a specific learning disability in the area of reading, including tests that identify characteristics of dyslexia and the results of such tests;
2. Identified as having a reading issue, including dyslexia, in accordance with the assessment administered under the Nebraska Reading Improvement Act as required by Policy 604.14;
3. Identified as described in item 2 above who have shown growth on the measure used to identify those reading issues.

By July 1 of each year the district shall provide the required information to the Nebraska State Department of Education in addition to other dyslexia and reading related data as requested.

New Policy

Approved _____ Reviewed _____ Revised _____

ALTERNATIVE EDUCATION PROGRAM

The Superintendent may offer an expelled student an alternative school, class, or educational program; or an alternative education plan in accordance with state statutes and Rule 17. An expelled student may not be required to attend the alternative program. The Superintendent is responsible to arrange and plan for a student's alternative educational program, based on the available resources and student's individual circumstances.

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 and 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.

If a district decides not to provide an alternative school, class or educational program for expelled students, or if the expelled student decides not to participate in the alternative offered, the district shall follow the procedures below:

1. A conference shall be called by a school administrator and held to assist the district in the development of a plan with the participation of a parent or a legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved with juvenile justice.
2. The plan shall be in writing and adopted by a school administrator and presented to the student and the parent or legal guardian.
3. The plan shall:
 - a. Specify guidelines and consequences for behaviors which have been identified as preventing the student from achieving the desired benefits from the educational opportunities provided,
 - b. Identify educational objectives that must be achieved in order to receive credits toward graduation,
 - c. Specify the financial resources of the community programs available to meet both the educational and behavioral objects identified, and
 - d. Require the student to attend monthly reviews in order to assess the student's progress toward meeting the specified goals and objectives.

Legal Reference: NDE Rule 17

Approved 8/10/23 Reviewed _____ Revised _____

New Policy

APPOINTMENT OF SURROGATES

To ensure the protection of the rights of children, the district will appoint a surrogate for a child with a disability as required by law. The duty of appointing a surrogate must include a method for determining whether a child needs a surrogate parent and for assigning a surrogate parent to the child. The district shall make reasonable efforts to ensure the assignment of a surrogate not more than 30 calendar days after there is a determination that the child needs a surrogate.

The surrogate must be a person as described in 51 NAC 0009.10D who:

1. Has no personal or professional interest that conflicts with the interest of the child he or she represents;
2. Has knowledge and skills that ensure adequate representation of the child; and
3. Is not an employee of any public agency which is involved in the education or care of the child.

The surrogate may represent the child in all matters relating to:

1. The identification, evaluation, and educational placement of a child; and
2. The provision of a free appropriate public education to the child.

Issues arising from the selection, appointment, or removal of a surrogate parent shall be resolved through hearings established under 92 NAC 55.

“Policies and Procedures Guidance Documents” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

New Policy

Approved 8/10/23 Reviewed _____ Revised _____

CONSENT FOR EARLY INTERVENTION SERVICES

If the parent of a child enrolled in public school or seeking to be enrolled in public school does not provide consent for initial evaluation under 92 NAC 51-009.08A1 or the parent fails to respond to a request to provide consent, the school district may, but is not required to, pursue the initial evaluation of the child by utilizing the procedural safeguards in 92 NAC 51-009 (including the mediation procedures or the due process procedures), if appropriate.

When a parent refuses to provide consent under 92 NAC 52-009 a meeting will be held or offered to explain to the parents how their failure to consent affects the ability of their child to receive services under 92 NAC 52 provided that the district does not override a parent's right to refuse consent.

If a parent does not give consent under 92 NAC 52-009.03A2a the school district must make reasonable efforts to ensure that the parent is fully aware of the nature of the evaluation and assessment of the child or FAPE early intervention services that would be available and understands that the child will not be able to receive the evaluation, assessment, or early intervention service unless consent is given.

"Policies and Procedures Guidance Documents" shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

New Policy

Approved 8/10/23 Reviewed _____ Revised _____

DISCIPLINARY REMOVAL OF CHILDREN WITH DISABILITIES

School personnel under this section may remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, as long as the removal does not constitute a change of placement under 92 NAC 51-016.

In determining whether a change in placement has occurred, district personnel will consider the unique circumstances of the removal on an individual basis.

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the district, the parent, and relevant members of the child's IEP Team must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine—

- i. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- ii. If the conduct in question was the direct result of the district's failure to implement the IEP.

The removal will be determined by the parent, and relevant members of the child's IEP Team to be a manifestation of the child's disability if either condition above was met. If condition ii. above was met, the district must take immediate steps to remedy those deficiencies.

For disciplinary changes in placement that would exceed 10 consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities.

NDE document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

New Policy

Approved *01/10/23* Reviewed _____ Revised _____

POLICY 612.1
GERING PUBLIC SCHOOLS
GERING, NE

FREE APPROPRIATE PUBLIC EDUCATION

The district ensures that a free appropriate public education is available to all children with disabilities residing in the district from the date of verification through the school year in which the student reaches 21 years of age or has graduated with a regular high school diploma, including children with disabilities who have been suspended or expelled.

Cross Reference: Rule 51, Rule 52

NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at: <http://www.education.ne.gov/sped/regulations.html>.

Approved: 4/15/13

Reviewed: 8/27/19

Revised: 9/16/19

8/10/23

POLICY 612.2
GERING PUBLIC SCHOOLS
GERING, NE

FULL EDUCATIONAL OPPORTUNITY GOAL

The district has a goal of providing full educational opportunity to all children with disabilities residing in the district from the date of verification through the school year in which the student reaches 21 years of age or has graduated with a regular high school diploma, including children with disabilities who have been suspended or expelled.

Cross Reference: Rule 51, Rule 52

NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at: <http://www.education.ne.gov/sped/regulations.html>.

Approved: 4/15/13

Reviewed: 8/27/19

Revised: 9/16/19

POLICY 612.3
GERING PUBLIC SCHOOLS
GERING, NE

CHILDFIND

All children with disabilities residing in the district, including children with disabilities who are homeless children or wards of the state and children with disabilities attending nonpublic schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated. A practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

Cross Reference: Rule 51, Rule 52

NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at: <http://www.education.ne.gov/sped/regulations.html>.

Approved: 4/15/13

Reviewed: 8/27/19

Revised: 9/16/19

POLICY 612.4
GERING PUBLIC SCHOOLS
GERING, NE

EVALUATION PROCEDURES

The district ensures that children with disabilities are evaluated in accordance with 92 NAC 51-006 & 52-006. Procedures to ensure that testing and evaluation materials and procedures utilized for the purposes of evaluation and placement and children with disabilities will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it is clearly not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

Cross Reference: Rule 51, Rule 52

NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at: <http://www.education.ne.gov/sped/regulations.html>.

Approved: 4/15/13

Reviewed: 8/27/19

Revised: 9/16/19

POLICY 612.5
GERING PUBLIC SCHOOLS
GERING, NE

INDIVIDUALIZED EDUCATION PROGRAM AND FAMILY SERVICES PLAN

The district ensures that an Individualized Education Program (IEP), or an Individualized Family Service Plan (IFSP) is developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007 & 52-007.

Cross Reference: Rule 51, Rule 52

NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at: <http://www.education.ne.gov/sped/regulations.html>.

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Revised: 9/16/19

POLICY 612.6
~~GERING PUBLIC SCHOOLS~~
GERING, NE

TRANSITION OF CHILDREN FROM PART C TO PRESCHOOL PROGRAMS

The district ensures that children participating in early intervention programs under Part C of IDEA and who will participate in preschool programs assisted under Part B experience a smooth and effective transition to those preschool programs in a manner consistent with 92 NAC 51-007.16. By the third birthday of such a child, an individualized education program or an individualized family service plan has been developed and is being implemented for the child. The local educational agency will participate in transition planning conferences arranged by the designated lead agency.

Cross Reference: Rule 51, Rule 52

NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at: <http://www.education.ne.gov/sped/regulations.html>.

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POLICY 612.7
GERING-PUBLIC SCHOOLS
GERING, NE

PARTICIPATION IN STATE AND DISTRICT WIDE ASSESSMENTS

The district ensures that children with disabilities are included in all general state and district wide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Education Act of 1965, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs.

Cross Reference: Rule 51, Rule 52

NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at: <http://www.education.ne.gov/sped/regulations.html>.

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POLICY 612.8
GERING PUBLIC SCHOOLS
GERING, NE

LEAST RESTRICTIVE ENVIRONMENT

To the maximum extent appropriate, children with disabilities, including children in public and nonpublic institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular education environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Cross Reference: Rule 51, Rule 52

NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at: <http://www.education.ne.gov/sped/regulations.html>.

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**POLICY 612.10
GERING PUBLIC SCHOOLS
GERING, NE**

PROCEDURAL SAFEGUARDS

The district ensures that children with disabilities and their parents are afforded the procedural safeguards required in 92 NAC 51-009.

Cross Reference: Rule 51, Rule 52NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at: <http://www.education.ne.gov/sped/regulations.html>.

Approved: 4/15/13

Reviewed: 9/24/19

Revised: 10/21/19

POLICY 612.11
GERING PUBLIC SCHOOLS
GERING, NE

TRANSPORTATION

The district will provide for the transportation expenses of children with disabilities who are residents of the school district and who qualify for specialized transportation.

Cross Reference: Rule 51
NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy.
The entire document can be found at:
<http://www.education.ne.gov/sped/regulations.html>.

Approved: 2/25/13

Reviewed: 9/24/19

Revised: 10/21/19

POLICY 612.12
GERING PUBLIC SCHOOLS
GERING, NE

PERSONNEL QUALIFICATIONS

The district ensures that personnel necessary to carry out IDEA requirements are appropriately and adequately prepared and trained, including that personnel have the content knowledge and skills to serve children with disabilities.

Cross Reference: Rule 51, Rule 52
NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy.
The entire document can be found at:
<http://www.education.ne.gov/sped/regulations.html>.

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Revised: 10/21/19

POLICY 612.13
GERING PUBLIC SCHOOLS
GERING, NE

CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION

The district complies with the requirements contained in 92 NAC 51-003.16, 003.20 and 009.03 relating to the confidentiality of student records and information.

Cross Reference: Rule 51, Rule 52
NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy.
The entire document can be found at:
<http://www.education.ne.gov/sped/regulations.html>.

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Reviewed: 9/24/19

Revised: 10/21/19

POLICY 612.14
~~GERING PUBLIC SCHOOLS~~
GERING, NE

SUSPENSION AND EXPULSION RATES

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

Cross Reference: Rule 51
NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy.
The entire document can be found at:
<http://www.education.ne.gov/sped/regulations.html>.

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Reviewed: 9/24/19

Revised:

POLICY 612.15
GERING PUBLIC SCHOOLS
GERING, NE

ACCESS TO INSTRUCTIONAL MATERIALS

A school district or approved cooperative that chooses to coordinate with the National Instructional Materials Access Center (NIMAC) when purchasing print instructional materials shall enter into a written contract with the publisher of the print instructional materials to:

1. Require the publisher to prepare and, on or before the delivery of the print instructional materials, provide to the National Instructional Materials Access Center, electronic files containing the content of the print instructional materials using the Instructional Materials Accessibility Standard (NIMAS); or
2. Purchase instructional materials from a publisher that are produced in or may be rendered in specialized formats.

Nothing in this policy shall be construed to require a school district or approved cooperative to coordinate with the National Instructional Materials Access Center. If a school district or approved cooperative chooses not to coordinate with the National Instructional Materials Access Center, the school district or approved cooperative shall provide an assurance to the Nebraska Department of Education that the school district or approved cooperative will provide instructional materials to students with blindness or other students with print disabilities at the same time as other students.

Cross Reference: Rule 51
NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at:
<http://www.education.ne.gov/sped/regulations.html>.

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Reviewed: 9/24/19

Revised:

Remove

POLICY 612.16
GERING PUBLIC SCHOOLS
GERING, NE

OVER-IDENTIFICATION AND DISPROPORTIONALITY

The district has a goal of preventing the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment as described in 92 NAC 51-0033.10.

“Child with a disability” means a child who has been verified as per 92 NAC 61-006 as a child with autism, behavior disorder, deaf-blindness, developmental delay, hearing impairment including deafness, intellectual disability, multiple impairment, an orthopedic impairment, other health impairment, specific learning disability, speech-language impairment, traumatic brain injury or visual impairment including blindness, who because of this impairment needs special education and related services. If, under 92 NAC 51-003.63, it is determined, through an appropriate evaluation under 92 NAC 51-006, that a child has one of the disabilities identified above, but only needs a related service and not special education, the child is not a child with a disability under this Chapter. If the related service required by the child is considered special education rather than a related service, the child would be determined to be a child with a disability.

Cross Reference: Rule 51
NDE Document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy.
The entire document can be found at:
<http://www.education.ne.gov/sped/regulations.html>.

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Revised: 10/21/19

POLICY 612.17
GERING PUBLIC SCHOOLS
GERING, NE

PROHIBITION ON MANDATORY MEDICATION

The school district's approved cooperatives and special education and related services providers are prohibited from requiring parents to obtain a prescription for substances identified under Schedules I, II, III, IV or V in section 202(C) of the Controlled Substances Act (21 U.S.C. 812(C) for the child as a condition of attending school, receiving an evaluation under 92 NAC 51-006, or receiving services under Chapter 51. Nothing in this policy shall be construed to create a prohibition against teachers and other school personnel consulting or sharing classroom-based observations with parents or guardians regarding a student's academic and functional performance, behavior in the classroom or school, or regarding the need for evaluation for special education or related services.

Cross Reference: Rule 51
NDE Document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at:
<http://www.education.ne.gov/sped/regulations.html>.

Approved: 2/25/13

Reviewed: 9/24/19

Revised:

**POLICY 503.1
GERING PUBLIC SCHOOLS
GERING, NE**

COMPULSORY ATTENDANCE

Any child who will reach six years of age prior to January 1 of the current year and who has not reached eighteen years of age shall meet the requirements of mandatory school attendance. Any such child shall attend the academic program on a regular basis, unless a written request to drop the child from the school rolls is made by the parent, guardian or other person having charge, control or custody of the child.

Any child of mandatory attendance age must by law regularly attend a public, private, denominational, parochial school or a combination of such schools not less than the entire school term of the school(s) which the child attends. This does not apply to a child who has obtained a high school diploma or received a General Equivalency Diploma, completed the program of instruction offered by a non-credited or non-approved school, has reached the age of 18, or who is at least 16 years old and whose parent or guardian has withdrawn the child from school in the manner prescribed by state statute.

Excusal from the full-time requirement of the compulsory education law can be granted by the superintendent for a child between 14 and 16 years of age having completed the work of the eighth grade when legal employment due to necessity has been obtained by the student and such a request has been made by a parent/guardian.

Withdrawal To Age 6

The parent/guardian of any child who will not reach six years of age prior to January 1 of the current school year and who is enrolled, may discontinue that enrollment according to procedures provided by the district.

Minimum Age

The district will not admit any child into its kindergarten class unless:

1. the child will reach the age of five years on or before July 31 of the current year beginning with the 2012-2013 school year or
2. the child will reach the age of five years by February 1 of the current year (October 15 of the current year beginning with the 2012-13 school year), and;
 - a) the parent provides an affidavit stating that the child attend kindergarten in another district, or
 - b) the family will be relocating to another district within 60 days to a district that allows early admission into kindergarten within the current year, or

- c) the child has demonstrated through recognized assessment procedures approved by the board his/her capability of carrying the work of the beginner grade. By January 1, 2012, each school board shall approve and make available a recognized assessment procedure for determining if a child is capable of carrying the work of kindergarten.

The district will use the Developmental Indicators for the Assessment of Learning (DIAL-4) to meet the requirement for a recognized assessment procedure to determine if a child not 5 years of age on or before July 31 of the current year is capable of carrying the work of kindergarten. The board shall update these procedures as the board deems appropriate.

Early Withdrawal at Age Sixteen

A person who has legal or actual charge or control of a child who is at least sixteen years of age may withdraw the child from school if an exit interview is conducted as required below, or if a signed notarized release form is filed with the Commissioner of Education as required by law for a child enrolled in a school that elects not to meet accreditation or approval requirements.

The exit interview shall be conducted at the time and place selected by the superintendent or designee upon receiving the written request of any person who has legal or actual charge or control of a child who is at least sixteen years of age if the child is enrolled in a school operated by the school district or resides in the school district and is enrolled in a private, denominational, or parochial school.

The exit interview shall be personally attended by:

- the child, unless the withdrawal is being requested due to an illness of the child making attendance at the exit interview impossible or impracticable;
- the person who has legal or actual charge or control of the child who requested the exit interview;
- the superintendent or designee;
- the child's principal or the principal's designee if the child at the time of the exit interview is enrolled in a school operated by the school district; and
- any other person requested by any of the required parties who agrees to attend the exit interview and is available at the time designated for the exit interview which may include other school district personnel or the child's principal or such principal's designee if the child is enrolled in a private, denominational, or parochial school.

At the exit interview, the person making the written request shall present evidence that the person has legal or actual charge or control of the child and that the child would be withdrawing due to either:

- a) financial hardships requiring the child to be employed to support the child's family or one or more dependents of the child, or
- b) an illness of the child making attendance impossible or impracticable.

The superintendent or designee shall identify all known alternative educational opportunities, including vocational courses of study, that are available to the child in the school district and how withdrawing from school is likely to reduce potential future earnings for the child and increase the likelihood of the child being unemployed in the future. Any other relevant information may be presented and discussed by any of the parties in attendance.

At the conclusion of the exit interview, the person making the written request may sign the withdrawal form provided by the school district agreeing to the withdrawal of the child or may rescind the written request for the withdrawal.

Any withdrawal form signed by the person making the written request shall be valid only if:

- a) the child signs the form unless the withdrawal is being requested due to an illness of the child making attendance at the exit interview impossible or impracticable, and
- b) the superintendent or designee signs the form acknowledging that the interview was held, the required information was provided and discussed at the interview, and, in the opinion of the superintendent or designee, the person making the written request does in fact have legal or actual charge or control of the child and the child is experiencing either:
 - 1) financial hardships requiring the child to be employed to support the child's family or dependents of the child, or
 - 2) an illness making attendance impossible or impracticable.

Legal Reference: Neb. Statute 79-201 et seq.

Cross Reference: 502 Student Admissions

Approved 05/17/2010 **Reviewed** 12/23/2013, 03/27/2017
Revised 10/15/2012, 04/17/2017

8/10/23

**POLICY 503.1F1
GERING PUBLIC SCHOOLS
GERING, NE**

**APPLICATION FOR DISCONTINUING THE ENROLLMENT OF STUDENTS
YOUNGER THAN SIX YEARS OF AGE**

Student's Name _____ Date of Birth _____

Address _____

Grade Level _____ Teacher _____

Parent or Guardian's Name _____

Address _____ Phone # _____

I hereby request that my child's enrollment at Gering Public Schools District #16 be discontinued. I certify that I am the parent, guardian, or person with the legal or actual charge or control of the above named student. I further certify that my child is or will be younger than six (6) years of age on or before October 15 of the current upcoming school year. To the best of my knowledge, the attached birth certificate verifying my child's age is an accurate, correct, and unaltered copy.

Parent(s) or Guardian's Signature

Date

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20__.

Notary Public

(Seal)

**POLICY 503.1F2
GERING PUBLIC SCHOOLS
GERING, NE**

**BASC-2 BEHAVIORAL AND EMOTIONAL SCREENING SYSTEM (BASC-2 BESS)
SUMMARY FOR EARLY KINDERGARTEN ADMISSION**

(Completed by the staff member administering the assessment.)

Student: _____

Date of Birth: _____

Date Assessment Completed: _____

Directions to Staff Member completing Assessment – Please provide a summary of the results of the assessment.

Testing Date: _____

Age at Testing: _____

*Do not round months up by one if days exceed 15.

Expected Date of Kindergarten Entry: _____

Expected Age at Kindergarten Entry: _____

Determination:

(Testers will input a summary.)

- _____ **Student is recommended for enrollment in Kindergarten.**
- _____ **Student is not recommended for enrollment in Kindergarten.**
- _____ **Student must participate in a classroom observation period for further assessment.**

Staff Member Signature: _____ Date: _____

**POLICY 503.1F3
GERING PUBLIC SCHOOLS
GERING, NE**

**YOUNG CHILDREN'S ACHIEVEMENT TEST (YCAT) SUMMARY FOR EARLY
KINDERGARTEN ADMISSION**

(Completed by the staff member administering the assessment.)

Student: _____

Date of Birth: _____

Date Assessment Completed: _____

Directions to Staff Member completing Assessment – Please provide a summary of the results of the assessment.

Testing Date: _____

Age at Testing: _____

*Do not round months up by one if days exceed 15.

Expected Date of Kindergarten Entry: _____

Expected Age at Kindergarten Entry: _____

Standard Scores as compared to peers aged 5 years 0 months:

General Information _____

Reading _____

Mathematics _____

Writing _____

Spoken Language _____

Total of Standard Scores _____ *

*Total equal to or higher than 500 indicates child is eligible for entry to Kindergarten.

_____ **Student must complete the BASC-2 Assessment.**

_____ **Student is not recommended for enrollment in Kindergarten.**

Staff Member Signature: _____ Date: _____

**POLICY 503.1R1
GERING PUBLIC SCHOOLS
GERING, NE**

EARLY ADMISSION ASSESSMENT PROCEDURES

Gering Public Schools may admit into kindergarten a child who will reach the age of five years on or after August 1 and on or before October 15 of such school year if the parent or guardian requests such entrance and the child has demonstrated through the procedures set forth below that the child is capable of carrying the work of kindergarten. Families who seek early admission of their child into kindergarten must obtain a *Written Request for Early Admission* form from any of the district elementary buildings. This form must be completed and returned to the Gering Public Schools Central Office no later than March 1 before the next school year to allow the interview and assessment to be completed.

An initial parent interview will be held prior to testing. If the child passes the initial interview, the process below must be followed:

1. parents must request, schedule, and make their child available for an Early Kindergarten admission assessment prior to May 1;
2. the early kindergarten admission assessment will be completed (as further explained below) by district personnel; and
3. the early kindergarten admission assessment results will be given to the parent with the staffs' recommendation and the superintendent's decision.

The ESU 13 regional review found two assessments to be appropriate for the purpose of early admissions. Gering Public Schools has chosen to use the following as their assessments:

- **BASC-2 Behavioral and Emotional Screening System (BASC-2 BESS)**
 - Authors: Randy W. Kamphaus, PhD, Cecil R. Reynolds, PhD
 - Description:
 - Brief, universal screening system for measuring behavioral and emotional strengths and weaknesses in preschool children which can be an effective tool in promoting student success. The BASC-2 Behavioral and Emotional Screening System offers a reliable, quick, and systematic way to determine behavioral and emotional strengths and weaknesses of children and adolescents in preschool through high school. This comprehensive screening system consists of brief forms that can be completed by teachers, parents, or students, providing one of the most comprehensive and efficient tools available today.
- **Young Children's Achievement Test (YCAT)**
 - Authors: Wayne P. Hresko, Pamela K. Peak, Shelley R. Herron, and Deanna L. Bridges

o Description:

- This test identifies young children (from preschool through first grade) who are at risk for school failure. It yields an overall Early Achievement score, plus individual subtest scores for General Information, Reading, Writing, Mathematics, and Spoken Language. Results are provided as standard scores, age equivalents, and percentiles. Because the subtests can be given independently, the YCAT permits flexible testing sessions, which are easier on both the examiner and the youngsters being tested. Normed on a representative sample of 1,224 children from all over the United States, the YCAT offers substantial evidence of validity. In addition, YCAT items were examined to eliminate bias in regard to sex, disability, race, socioeconomic status, and ethnicity.

- The YCAT Assessment will be administered first. A child eligible for Kindergarten entrance would require a score equal to or higher than that the 80th percentile for a child 5 years 0 months on the YCAT.

- If the child receives the required score on the YCAT Assessment, the BASC-2 Assessment will be administered. Gering Public Schools will take at-risk and/or clinically significant scores on the BASC-2 into consideration before allowing eligibility admission.

- If a child is within $\pm 3\%$ points on the assessments, an observation day may be required. If an observation day is required, the parents must bring their child for observation at a school designated by the district or allow school personnel to attend and observe the child at the preschool where the child is enrolled.

The final decision regarding entrance will be made by the superintendent with recommendations from the test administrator and student services director.

Approved 05/17/2010

Reviewed 03/06/2017

Revised _____

8/10/23

**POLICY 503.2
GERING PUBLIC SCHOOLS
GERING, NE**

STUDENT ATTENDANCE RECORDS

As part of the school district's records, the daily attendance of each student shall be recorded and maintained on file with the permanent records of the district.

It shall be the responsibility of the principals to ensure that such reports contain all information required by law and are filed with the administrative office.

Legal Reference: Neb. Statute 79-205 to 207

Cross Reference: 503.01 Compulsory Attendance
 507 Student Records

Approved 05/17/2010

Reviewed 03/27/2017

Revised _____

8/10/23

**POLICY 503.3
GERING PUBLIC SCHOOLS
GERING, NE**

STUDENT ABSENCES EXCUSED

Regular attendance by students is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center.

Student absences approved by the principal shall be excused absences. Excused absences, including documented illness, shall count as non-attendance days for purposes of addressing excessive absenteeism, except for notification of the county attorney in policy 503.04.

Students whose absences are approved shall make up the work missed and receive full credit for the missed school work, within guidelines of the student handbook. It shall be the responsibility of the student to initiate a procedure with the student's teacher to complete the work missed.

Students who wish to participate in school sponsored activities must adhere to attendance and activity participation rules as outlined in the student handbooks.

It shall be the responsibility of the parent to notify the student's attendance center as soon as the parent knows the student will not be attending school on that day. The principal may request evidence or written verification of the student's reason for absence. This issue is specifically addressed in the student handbook which is approved every year by the Board of Education.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Neb. Statute 79-209
 NDE Rule 10.012.01B

Cross Reference: 503.04 Excessive Absenteeism
 505 Student Discipline
 506 Student Activities
 507 Student Records
 Student Handbook

Approved 08/13/2003 **Reviewed** 10/31/2011, 03/27/2017
Revised 12/19/2011, 04/17/2017

8/10/23

**POLICY 503.4
GERING PUBLIC SCHOOLS
GERING, NE**

ADDRESSING BARRIERS TO ATTENDANCE

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center. This policy, developed and annually reviewed in collaboration with the county attorney for the district's principal office location, is an attempt to address the barriers to student attendance. This policy shall include a provision indicating how the district and the county attorney will handle cases in which excessive absences are due to illness, and shall state the circumstances and number of absences or hourly equivalent upon which the school shall render all services to address barriers to attendance.

Any superintendent, principal, teacher, or member of the school board who knows of any violation of the state school attendance laws (79-201) shall report that violation to the school attendance officer within 3 days.

The superintendent shall designate an attendance officer. The attendance officer will immediately investigate the report of any child who may be in violation of the state's compulsory attendance statutes.

If any student has exceeded the number of unexcused absences as defined in the student handbook, the school shall render all services to address barriers to attendance. These services shall include the following:

1. verbal or written communication by school officials with the person or persons who have legal or actual charge or control of any child; and
2. a meeting or meetings between the school attendance officer, school social worker, a school administrator or designee, the person who has legal or actual control of the child, and the student (when appropriate) to address the barriers to attendance. The result of the meeting or meetings shall be to develop a collaborative plan to reduce barriers identified to improve regular attendance. The plan shall consider, but not be limited to:
 - (i) illness related to physical or behavioral health of the child;
 - (ii) educational counseling;
 - (iii) educational evaluation;
 - (iv) referral to community agencies for economic services;
 - (v) family or individual counseling; and
 - (vi) assisting the family in working with other community services.

The school may report to the county attorney of the county in which the person resides when the school has documented the efforts it has made as required by statutes, that the collaborative plan to reduce barriers identified to improve regular attendance has not been successful, and that the child has been absent more than twenty days per year. The school shall notify the child's family or legal guardian in writing prior to referring the child to the county attorney. Illness that makes attendance impossible or impracticable shall not be the basis for referral to the county attorney.

Students are subject to disciplinary action for excessive absenteeism including suspension and expulsion. It shall be within the discretion of the principal to determine, in light of the circumstances, whether a student may make up work missed because of excessive absenteeism. Disciplinary action for students receiving special education services will be assigned in accordance with the goals and objectives of the student's Individualized Education Program.

The superintendent shall report to the Commissioner of Education as directed by the commissioner regarding the number of and reason for any long-term suspension, expulsion, or excessive absenteeism; referral of a student to the office of the county attorney for excessive absenteeism; or contacting of law enforcement officials other than school resource officers by the district relative to a student enrolled in the district. The superintendent shall report annually to the Commissioner of the required data for the number of students who have dropped out of school.

It shall be the responsibility of the superintendent or designee to implement this policy. The implementation may include regulations indicating the disciplinary action to be taken for excessive absenteeism.

Legal Reference: Neb. Statute 79-208 and 209
 NDE Rule 10.012.01B

Cross Reference: 411.03 Truancy Officer
 505 Student Discipline
 506 Student Activities
 507 Student Records

Approved 05/17/2010

Reviewed 06/23/2014, 03/27/2017

Revised 10/15/2012, 04/17/2017

8/10/23

**POLICY 503.4E1
GERING PUBLIC SCHOOLS
GERING, NE**

EXCESSIVE ABSENTEEISM REPORT
**THIS FORM SHALL BE SENT TO THE COUNTY ATTORNEY OF THE COUNTY
IN WHICH THE ABSENTEE STUDENT RESIDES**

Date: _____

Name of Student: _____

Name of Parent/Guardian: _____

Street Address: _____

City, State, Zip Code: _____

For Current Year

Total Days Absent: _____ Days Absent But Not Excused: _____

- The school representative requests additional time to work with the student prior to intervention by the county attorney.
- The school representative believes that the school has used all reasonable efforts to resolve the student's excessive absenteeism without success and recommends county attorney intervention.

If further action is necessary to address the student's attendance, the initial meeting between the parent/guardian of the student, the school, and the county attorney or his/her designee shall be at a location determined by the school.

School Representative's Signature: _____

Title: _____

**POLICY 503.5
GERING PUBLIC SCHOOLS
GERING, NE**

STUDENT RELEASE DURING SCHOOL HOURS

Students will be allowed to leave the school district facilities during school hours only with prior authorization from their parents, unless the custodial parent or legal guardian appears personally at the student's attendance center to arrange for the release of the student during school hours, or with the permission of the principal.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Neb. Statute 79-201 et seq.

Cross Reference: 503.01 Compulsory Attendance
505 Student Discipline
506 Student Activities
507 Student Records
Student Handbook

Approved 05/17/2010

Reviewed 03/27/2017

Revised _____

8/20/23

**POLICY 503.7
GERING PUBLIC SCHOOLS
GERING, NE**

PREGNANT OR PARENTING STUDENTS

The district recognizes that pregnant or parenting students have the right and responsibility to attend school. This attendance right and responsibility applies to students regardless of their marital or parental status. The district will educate pregnant or parenting students and will provide reasonable accommodations to support and encourage all pregnant or parenting students to obtain their high school diploma. No student will be excluded from, denied the benefit of, or discriminated against under any educational program or activity because of pregnancy or parenting responsibilities.

Attendance and Leave of Absences:

Pregnant or parenting students will be permitted to attend to their own health care, their child's medical care, or other appointments related to pregnancy or parenting with the benefit of having any such absences or tardiness excused. A student will be permitted to take a leave of absence for pregnancy, childbirth, and any other prenatal and postnatal related medical needs, along with related recovery for the duration that is considered medically necessary by the student's licensed health care provider. At the conclusion of the leave of absence, a student will be immediately enrolled in the district at the same grade and status as when the leave began. Pregnant or parenting students shall be allowed to participate in all activities including extracurricular activities throughout the student's pregnancy and following unless administrators determine such participation poses a significant risk of injury to the student or to others. A pregnant or parenting student may be asked to obtain certification from the student's licensed health care provider regarding the student's safe participation in an extracurricular activity when such certification may be required of students for other conditions which require the attention of a licensed health care provider.

Any absences accumulated due to pregnancy or pregnancy-related conditions, or care for an ill child, should not count towards any district policies in effect under compulsory attendance requirements. Pregnant or parenting students with excused absences or tardiness shall be treated like all other students with excused absences or tardiness for any other medical reasons.

Pregnant or parenting students will be provided with assignments, classwork and any additional support needed to help the student keep up with class requirements due to absences related to pregnancy or parenting.

Alternative means to complete course work:

The district will provide at least one alternate method, in addition to traditional classroom instruction to keep pregnant or parenting students in school. Such accommodation(s) may

include accessing coursework online, home-based independent study, or at-home tutoring. Alternative methods of instruction or other alternative programs for pregnant or parenting students are voluntary for the student who may elect whether to engage in an alternative method of instruction or the traditional methods of instruction available to their peers. Pregnant or parenting students shall be allowed to attend their regular classrooms and complete regular coursework.

Lactation:

The district will provide reasonable time and space to accommodate lactating students to express breast milk or breastfeed during the school day. Such accommodations will be in a location, other than a bathroom or closet, that is private, clean, has an electrical outlet, a chair and is reasonably accessible. Students shall also be provided a food-safe refrigerator to store breast milk.

Child Care:

If in-school child care is not provided, a list of qualified licensed child care providers will be provided when requested by pregnant or parenting students. The list will be updated annually and include providers that participate in the quality rating and improvement system and meet all of the quality rating criteria for at least a step three rating in keeping with the Step Up to Quality Child Care Act. Nothing in this policy is intended to prohibit or limit any referral for a student or a student's child to an early Head Start program or any other available community resources.

Privacy and Confidentiality:

Pregnant or parenting students have the right to have their health and personal information kept confidential in accordance with law. School staff will make every effort to keep personal information and health records confidential and in compliance with Nebraska and federal law.

Information about students' pregnancies and related conditions will not appear in their cumulative record and will not be used when they are being considered for educational or job opportunities, awards or scholarships.

Other Accommodations:

Pregnant or parenting students are here notified that they may request additional reasonable accommodations to ensure continued participation and enrollment in school. Accommodation requests will be evaluated on a case-by-case basis by the building principal. Such accommodations may include but are not limited to: additional frequency allowed for bathroom breaks, additional time allowed in between class periods, a larger desk or additional work space, and adjustments to requirements for physical education as needed.

**POLICY 503.8
GERING PUBLIC SCHOOLS
GERING, NE**

MARRIED STUDENTS OR STUDENTS WITH CHILDREN

Married students residing in the district are considered to be of legal age and shall have the same educational opportunities as unmarried students.

The district encourages married students and students with children to complete requirements for graduation and to participate in school activities. The district prohibits any discrimination on the basis of sex, marital status or the condition of being a parent and provides relief for those who are aggrieved under its non-discrimination policies.

Legal Reference: Neb. Statute 43-2101, 79-2,149 to 79-2, 152
 79-2, 114 to 79-2, 124
 20 U.S.C. 1681 et seq.
 34 C.F.R. 106.40

Cross Reference: 503.01 Compulsory Attendance
 605.02 Individualized Instruction

Approved 05/17/2010 **Reviewed** 03/27/2017, 08/27/2018 **Revised** 09/17/2018

8/10/23

**POLICY 503.9
GERING PUBLIC SCHOOLS
GERING, NE**

HOMELESS CHILDREN AND YOUTH

A homeless child or youth is defined as one who lacks a fixed, regular, and adequate nighttime residence. The term includes—

- (1) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.
- (2) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- (3) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (4) Migratory children (as defined in section 1309 of the ESSA of 1965, as amended), who qualify as homeless because they are living in circumstances described in this definition.

This definition includes both youth who are unaccompanied by families and those who are homeless with their families. The district will comply with state and federal law as it relates to homeless children or youth.

Assurances

1. The district adopts these policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.
2. The district will designate an appropriate staff person as the Local Educational Liaison (LEL) for homeless children and youths, to carry out the duties in compliance with state and federal law.
3. The district adopts these policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin. The "school of origin" means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled. This will be done in accordance with the following, as applicable:
 1. If the homeless child or youth continues to live in the district in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by that district.

2. If the homeless child's or youth's living arrangements in the district served by the school of origin terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another district, the school of origin and the local district in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the two districts are unable to agree upon such a method, the responsibility and costs for transportation shall be shared equally.

Comparable Services

Each homeless child or youth shall be provided services comparable to those offered to other students in the school in which the child is placed including transportation services, educational programs for children with disabilities and students with limited English proficiency, educational services for which the child or youth meets the eligibility criteria, such as Title I, school nutrition programs, programs in vocational and technical education, and programs for gifted and talented students.

Local Educational Liaison

The Superintendent or designee shall serve as the district's Local Educational Liaison who will serve in tracking, monitoring and coordinating programs and activities for these children. The identity and duties of the LEL shall annually be provided to the NDE, school staff, providers and advocates of services to homeless persons, and to homeless students.

1. In general, the LEL shall coordinate:
 1. the provision of services with local social services agencies, the NDE Homeless Education Liaison, community and school personnel, and other agencies or programs providing education, social and related services to homeless children and youths and their families; and
 2. with other local educational agencies on interdistrict issues, such as transportation or transfer of school records.
2. Coordination purpose - The coordination shall be designed to:
 1. ensure that homeless children and youths have access and reasonable proximity, to available education and related support services; and
 2. raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.
3. The LEL shall receive appropriate time and training to carry out the duties required by law and this policy, and ensure that:
 1. homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;

2. homeless children and youths enroll in schools of the district, which includes attending classes and participating fully in school activities, and have a full and equal opportunity to meet the same challenging State academic standards as other children and youths;
3. homeless families, children, and youths receive educational services for which such families, children, and youths are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services;
4. the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
5. receive individualized counseling from counselors to prepare and improve their readiness for college, including college selection, application, financial aid, and on-campus supports;
6. unaccompanied youths are informed of their status as independent students under the Higher Education Act of 1965 and may obtain assistance from the LEL to receive verification of such status for purposes of the Free Application for Federal Student Aid;
7. public notice of the educational rights of homeless children and youths is communicated where such children and youths receive services under the federal laws for homeless children, such as schools, family shelters, and soup kitchens;
8. enrollment disputes are mediated in accordance state and federal law; and
9. the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin and is assisted in accessing transportation to the school that is selected for the youth.

Enrollment and Placement

The district will handle enrollment and placement of homeless children in compliance with state and federal law according to the child's or youth's best interest such that it shall:

1. continue the child's or youth's education in the school of origin for the duration of homelessness—
 1. in any case in which a family becomes homeless between academic years or during an academic year; or
 2. for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
2. enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

3. The choice regarding enrollment shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.
4. Issues of guardianship, proof of residency, and dress code requirements shall not be cause for delay or denial of enrollment. The district is not prohibited from requiring a parent or guardian of a homeless child to submit contact information.
5. If the school district is unable to determine the grade level of the student because of missing or incomplete records, the child will be placed in the appropriate grade level by the same procedures used for non-homeless children.

School Stability

In determining the best interest of the child or youth the district shall:

1. presume that keeping a homeless child or youth in the school of origin is in the child's or youth's best interest unless doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth.
2. The district must consider student-centered factors related to a child's or youth's best interest including the impact of mobility on achievement, education, health, and safety, giving priority to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth.
3. If the district determines that it is not in a child's or youth's best interest to attend the school of origin, or the school requested by the parent, guardian, or unaccompanied youth, it must provide a written explanation of the reasons for its determination, in a manner and form that is understandable.

Enrollment Disputes

The dispute procedure must be made available for resolving disputes over eligibility, as well as school selection or enrollment. If a dispute arises over school selection or enrollment in a school:

1. the district shall immediately provide the child's parent or guardian or, in the case of an unaccompanied youth, the youth a written explanation of the decision made regarding the school selection including the right to appeal the decision. It shall be provided in a manner and form understandable to such parent, guardian, or unaccompanied youth and include the LEL contact information. The child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. Unaccompanied youths shall be assisted by the LEL in enrolling immediately.
2. Within thirty (30) days of receipt of the initial complaint, the LEL shall carry out the dispute resolution process in accordance with 92 NEC 19-005.002
3. The parent/guardian (or student, if applicable) may file a written appeal of the decision to the Nebraska Commissioner of Education. The Commissioner or designee

may file a written response to the appeal within thirty (30) calendar days of receipt of the appeal.

4. Within thirty (30) days of receipt of the Commissioner's decision, the parent/guardian (or student, if applicable) may file a written appeal of the decision with the State Board of Education and shall be governed by 92 NAC Rule 61.

Records

Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained:

1. so that the records are available, in a timely fashion, when a child or youth enters a new school or school district;
2. the district will treat the student's homeless status as a Student Education Record, not deemed to be directory information; and
3. in a manner consistent with the Federal Education Rights and Privacy Act.

The LEL shall document the number of homeless children and youths receiving services, and maintain financial records regarding any federal funds used for providing such services.

Immunization Requirements

Homeless students will not be denied enrollment for lack of immunization records. The school district will make a reasonable effort to locate immunization records from the information provided or will assist the student in obtaining the necessary immunizations. Permanent exemptions for homeless students from the immunization requirement in this policy will be allowed only for reasons in accordance with the law.

Review and Revision

The district shall review and revise any policies that may act as barriers to the enrollment of homeless children and youths in the district. In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Special attention shall be given to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.

Legal Reference: Neb. Statute 79-215
 NDE Rule 19 and Rule 61
 42 U.S.C. §11431 and §11432 (McKinney-Vento Homeless
 Assistance Act) with amendments
 20 U.S.C. §1232g Federal Education Rights and Privacy
 Act

Approved: 05/17/2010 Reviewed: 08/22/2016, 04/24/2017

Revised: 09/19/2016, 06/19/2017

**POLICY 503.10
GERING PUBLIC SCHOOLS
GERING, NE**

HOMESCHOOLING - REINTEGRATION

Gering Public School District #16 recognizes that students in Nebraska may elect the option of homeschooling, as set forth in Nebraska Rev. Statute 79-1701 and regulated by Rule 13 N.D.E., effective August, 1984.

The Board of Education encourages all school-age children of district residents to enroll in the public schools so they may benefit from a planned educational program and the socialization of a group environment.

The following policy shall govern:

1. reintegration of Rule 13 students to the Gering Public Schools, and,
2. the provision of auxiliary or supplemental education and activity services to Rule 13 students.

When a Rule 13 student enrolls in the Gering Public Schools District #16, the District reserves the right to make an appropriate grade level placement and credit issuance that fulfills the needs of the child and the District.

The appropriate level of placement or credit issuance may be determined by, but is not limited to, consideration of all or some of the following information:

1. chronological age;
2. transcript review, previous public or private school experience;
3. diagnostic testing data;
4. achievement test data;
5. criterion referenced test data;
6. final exam test data;
7. administrative/counselor review.

Rule 13 students are excluded from the provision of auxiliary or supplemental education and activity services. An exception to this policy are services provided to students who qualify for Special Education (N.D.E. Rule 51).

Legal Reference: Neb. Statute 79-1701
 Rule 13 N.D.E.
 Rule 51 N.D.E.

Cross Reference: 503.10a Administrative Procedure

Approved 05/17/2010

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8/10/23

POLICY 503.10R1
GERING PUBLIC SCHOOLS
GERING, NE

**HOMESCHOOLING – REINTEGRATION –
ACADEMIC/ACTIVITIES PARTICIPATION**

Home-Schooled, Rule 13 students who enroll in the Gering Senior High School after having initiated their education in a Home-Schooled environment will be granted credits in core curriculum subject matter to the extent they can show evidence of mastery of subject matter.

When Rule 13 students begin attending Senior High and credit has been granted for previously completed courses, pass/fail grades will be assigned to said courses.

A minimum of four (4) semesters of attendance will be required for a student to be considered for academic honors.

Pass/fail credits will not be considered when computing grade point averages.

Students enrolled on a part-time basis may be permitted at the discretion of the principal and athletic director to participate in extracurricular activities. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

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8/10/23

POLICY 505.1
GERING PUBLIC SCHOOLS
GERING, NE

DETENTION OF STUDENTS

The provisions of detention and/or an in-school suspension program for student violations of policies, rules and procedures shall provide principals with an additional alternative for dealing with disciplinary problems that occur in the schools. When this alternative is appropriate, students will be assigned to serve a specified time period in the in-school suspension program. These assignments, and the determination of the time period for them, shall be determined by the principal, or his or her designee.

Legal Reference: Neb. Statute 79-254 et seq. (Student Discipline Act)

Cross Reference: 504.01 Student Due Process Rights

**POLICY 505.3
GERING PUBLIC SCHOOLS
GERING, NE**

SUSPENSION OF STUDENTS

The authority to suspend for a "short term" and to propose an "extended term" suspension and/or expulsion is delegated to the principal or his or her designee. A short-term suspension shall mean the exclusion of a student from school attendance for a period not to exceed five school days. A long-term suspension means the exclusion of a student from school attendance for a period exceeding five school days but fewer than twenty school days. In the case of a student with a disability, the district will provide services as identified in the IEP, starting on the 11th day of suspension in any given school year.

The provisions of this section apply to all pupils enrolled in the school district. When considering possible courses of action for special education students in regard to alleged violations of school rules, policies, and regulations, procedural due process rights guaranteed under applicable Federal and State statutes are applicable. The school district is obligated to see that every special education student is provided an appropriate educational program without cost to the parent. Conversely, schools are not required to maintain pupils who are a danger to themselves or others in regular attendance centers.

Suspension from classes or school will not be carried out unless the student while subject to school authority:

- uses violence, force, threat or intimidation in a manner causing substantial interference with school purposes; or
- causes or attempts to cause substantial damage to school or private property or steals or attempts to steal school or private property of substantial value; or
- causes or attempts to cause physical injury to another person except in self-defense; or threatens or intimidates any student for the purpose or intent of obtaining something of value from the student; or
- possesses or transmits any firearm, knife, explosive or other dangerous object that is ordinarily considered a weapon; or
- without medical sanction where prescription substances are in question, possesses, uses, transmits, or is under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverages, or any other controlled substance; or
- commits public indecency as defined in Nebraska statute 28-806 if that student is at least twelve years of age but less than nineteen years of age; or

- commits or attempts to commit sexual assault against any person if a complaint has been filed by a prosecutor alleging the incident as required in Nebraska statute 79-267.8; or
- engages in any other illegal activity that constitutes a danger to other students or interferes with school purposes; or
- repeatedly violates the policies, rules and standards of student conduct established by the district.

A given suspension will be for a period of time not to exceed 5 school days. A student will be informed of the charges against him or her and, if the student denies them, an explanation of the evidence will be given and the student will be given an opportunity to refute the charges. No time delay is necessary between the time a pupil is notified of the charges and the time of the hearing before the principal.

Guidelines to insure that students are afforded due process during a suspension or proposed suspension from school will be developed. The procedural rules, regulations and guidelines will be approved by the Board of Education and made known to students, parents and school staff.

Administrative procedures complying with the Student Discipline Act shall also be in place to ensure due process to the student should the principal decide to administer a long-term suspension, expulsion, or mandatory reassignment.

Emergency Exclusion: Any student may be excluded from school in the following circumstances:

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

Such an emergency exclusion shall be based upon a clear factual situation warranting it and shall last not longer than is necessary to avoid the dangers described above.

If the emergency exclusion will be for five days or fewer, the procedures for a short-term suspension shall be followed. If the superintendent or his or her designee determines that such emergency exclusion shall extend beyond five days, a hearing will be held and a final determination made within ten school days after the initial date of exclusion. Such procedure shall substantially comply with the procedures set forth in state statutes 79-266 to 287 for a long-term suspension or expulsion and be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

The principal should make a reasonable effort to contact the parent(s) or guardian(s) of a suspended student by telephone or to communicate to them directly regarding the specific act(s) for which the suspension is ordered and the length of the suspension. If personal contact cannot be made then a notice will be mailed to parents within 24 hours stating the specific act(s) for which the suspension is ordered and the length of the suspension.

All records and documentation regarding suspension will be destroyed within three years of the student's continuous absence from school. No information regarding a suspension will be communicated to any person not directly involved in the disciplinary proceedings.

The right of appeal to the Board of Education in cases involving student suspension described in this policy does not extend to a suspension from a student extracurricular activities program or other disciplinary action affecting participation in an extracurricular activities program.

For the purposes of this policy and as defined in the Student Discipline Act, expulsion shall mean exclusion from attendance in all schools within the district for a period of time as defined in Nebraska statute 79-283.

Students may be expelled for violations of board policy, school rules or the law. It shall be within the discretion of the administrator to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

The superintendent will develop procedural rules, regulations and guidelines governing expulsions. These shall be approved by the Board of Education and made known to students, parents and school staff. The principal shall keep records of all expulsions.

All cases of expulsion shall be preceded by short-term suspension and its related procedures or by the condition of emergency exclusion which applies only when a student (a) has a dangerous communicable disease transmissible through normal school contacts and poses an immediate threat to the health and safety of the school community; or (b) exhibits conduct which presents a clear threat to the physical safety of himself/herself or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

When a student is expelled, the student shall be provided with:

1. Notice of the standard of conduct allegedly violated, acts the student is alleged to have committed and a summary of the evidence to be presented against the student;
2. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
3. A statement that the student has a right to a hearing, upon request, on the specified charges;

4. A description of the hearing procedures, along with procedures for appealing any decision rendered at the hearing;
5. A statement the principal, legal counsel for the school, the student, the student's parent or representative or guardian has the right;
 - a. to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and;
 - b. to know the identity of the witnesses to appear at the hearing and the substance of their testimony;
6. A form on which the student or the student's parent/guardian may request a hearing.

Violations of Law Relating to Suspensions or Expulsions

1. Student violations or suspected violations of Nebraska law will be reported to law enforcement as soon as possible. Conduct to be reported for law enforcement referral includes conduct that may constitute a felony, conduct which may constitute a threat to the safety or well-being of students or others in school programs and activities, and conduct that the legal system is better equipped to address than school officials. Student violations of school policy that are not apparent violations of law will be addressed by school administrators without reporting them to law enforcement. Administrators should consider the student's maturity, and known behavioral, emotional or mental disorders, if applicable. It will be the responsibility of the referring administrator to contact the student's parent that a referral to legal authorities has been or will be made, if applicable. On or before August 1 the school board will annually review the reporting guidelines above with the County Attorney. These shall be distributed to all parents and guardians and their students at the beginning of each school year, or at the time of enrollment if during the school year. The guidelines shall also be posted conspicuously in each school during the school year.
2. Except in instances of suspected child abuse, when a principal or designee releases a minor student to a law enforcement officer for the purpose of removing the minor from the school premises, immediate steps shall be taken to notify the parent, guardian, or other relative having control of the minor about the minor's release to the officer and about the place to which the minor is reportedly being taken. In cases of suspected child abuse, the principal or designee will provide the law enforcement officer with the address and telephone number of the minor's parents or guardian.

Supplemental to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.

**POLICY 505.4
GERING PUBLIC SCHOOLS
GERING, NE**

EXPULSION OF STUDENTS

For the purposes of this policy and as defined in the Student Discipline Act, expulsion shall mean exclusion from attendance in all schools within the district for a period of time as defined in Nebraska statute 79-283.

Students may be expelled for violations of board policy, school rules or the law. It shall be within the discretion of the administrator to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

The superintendent will develop procedural rules, regulations and guidelines governing expulsions. These shall be approved by the Board of Education and made known to students, parents and school staff. The principal shall keep records of all expulsions.

All cases of expulsion shall be preceded by short-term suspension and its related procedures or by the condition of emergency exclusion which applies only when a student (a) has a dangerous communicable disease transmissible through normal school contacts and poses an immediate threat to the health and safety of the school community; or (b) exhibits conduct which presents a clear threat to the physical safety of himself/herself or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

When a student is expelled, the student shall be provided with:

1. Notice of the standard of conduct allegedly violated, acts the student is alleged to have committed and a summary of the evidence to be presented against the student;
2. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
3. A statement that the student has a right to a hearing, upon request, on the specified charges;

A description of the hearing procedures, along with procedures for appealing any decision rendered at the hearing;

4. A statement the principal, legal counsel for the school, the student, the student's parent or representative or guardian has 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

- to know the identity of the witnesses to appear at the hearing and the substance of their testimony;

5. A form on which the student or the student's parent/guardian may request a hearing.

Supplemental to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.

If the special education student's conduct is not caused by the disability, the student may be expelled or suspended for a long-term period following written notice to the parent and pursuant to the school district's expulsion hearing procedures. If the misconduct is caused by the disability and a change in placement is recommended, the change must be made pursuant to the placement procedures used by the school district.

Legal Reference: Neb. Statute 28-1204.04
 79-245 et seq.
 Goss v. Lopez, 419 U.S. 565 (1975).
 Wood v. Strickland, 420 U.S. 308 (1975)
 20 U.S.C. §§ 1400 et seq. (Individuals with Disabilities
 Education Act)
 34 C.F.R. §§ 104.1 et seq.
 34 C.F.R. §§ 300 et seq.

Cross Reference: 504 Student Rights and Responsibilities
 505 Student Discipline

Approved 05/17/2010

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Revised _____

8/10/23

**POLICY 505.6
GERING PUBLIC SCHOOLS
GERING, NE**

CORPORAL PUNISHMENT

Corporal punishment is defined as the intentional physical punishment of a student and is prohibited. It includes the use of unreasonable or unnecessary physical force or physical contact made with the intent to harm or cause pain. An employee may:

- ✓ Use reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:
 - To quell a disturbance or prevent an act that threatens physical harm to any person.
 - To obtain possession of a weapon or other dangerous object within a pupil's control.
 - For the purposes of self-defense or defense of others as provided for in Nebraska Statute 28-1409 and 1410.
 - For the protection of property as provided for in Nebraska Statute 28-1411.
 - To remove a disruptive pupil from class or any area of school premises or from school-sponsored activities off school premises.
 - To protect a student from the self-infliction of harm.
 - To protect the safety of others.
- ✓ Use incidental, minor, or reasonable physical contact to maintain order and control.

Reasonable physical force should be commensurate with the circumstances of the situation. The following factors should be considered in using reasonable physical force for the reasons stated in this policy:

1. The size and physical, mental, and psychological condition of the student;
2. The nature of the student's behavior or misconduct provoking the use of physical force;
3. The method used in applying the physical force.
4. The extent and nature of resulting injury to the student, if any;
5. The motivation of the school employee using physical force.

Upon request, the student's parents shall be given an explanation of the reasons for physical force.

It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: Neb. Statute 28-1409 and 1410
 28-1413
 79-295
 Ingraham v. Wright, 430 U.S. 651 (1977).
 Goss v. Lopez, 419 U.S. 565 (1975).

Cross Reference: 403.03 Abuse of Students by School District Employees
 504 Student Rights and Responsibilities
 505 Student Discipline

Approved 05/17/2010 Reviewed 10/30/2017 Revised _____

8/10/23

**POLICY 505.7
GERING PUBLIC SCHOOLS
GERING, NE**

RESTRAINT AND SECLUSION

The board prohibits the use of seclusion and restraint by school personnel except as implemented consistent with this policy. Restraint or seclusion of students will not be used solely as a disciplinary consequence or when a known medical or psychological condition makes its use inadvisable. The superintendent will ensure that district guidelines relating to restraint and seclusion are communicated to school personnel and parents/guardians at the beginning of each school year.

Except in the case of an emergency, only school personnel who have received systematic training in the use of restraint and seclusion in accordance with the district's policy will implement physical restraint or seclusion with a student. In an emergency, a district employee may use physical restraint or seclusion as necessary to maintain order or to prevent a student from causing physical harm to self, other students, and school staff or property. School personnel will continuously monitor a student's status during any physical restraint or seclusion.

1. PHYSICAL RESTRAINT

Physical restraint means the use of physical force to restrict the free movement of all or a part of a student's body.

Physical restraint will be considered to be a reasonable use of force when used in the following circumstances:

- A. as reasonably needed to obtain possession of weapons or other dangerous objects on the person or within the control of a student;
- B. as reasonably needed to maintain order or to prevent or break up a fight;
- C. as reasonably needed for self-defense;
- D. as reasonably needed to ensure the safety of any student, employee, volunteer, or other person present;
- E. as reasonably needed to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior;
- F. as reasonably needed to escort a student safely from one area to another;
- G. if used as provided for in an IEP, Section 504, or behavior intervention plan; or

- H. as reasonably needed to prevent imminent destruction to school or another person's property.

2. MECHANICAL RESTRAINT

Mechanical restraint means the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove. Mechanical restraint includes the tying down, taping, or strapping down of a student.

Mechanical restraint of a student by school personnel is permissible only in the following circumstances:

- A. when properly used as an assistive technology device included in the student's IEP, Section 504, or behavior intervention plan or as otherwise prescribed by a medical or related service provider;
- B. when using seat belts or other safety restraints to secure a student during transportation;
- C. as reasonably needed to obtain possession of weapons or other dangerous objects on the person or within the control of a student;
- D. as reasonably needed for self-defense;
- E. as reasonably needed to ensure the safety of any student, employee, volunteer, or other person.

3. SECLUSION

Seclusion means the confinement of a student alone in an enclosed space from which the student is (a) physically prevented from leaving or (b) incapable of leaving due to physical or intellectual capacity. Seclusion is different than in-school suspension in which other students or adults may be present but in which students are not physically prevented from leaving.

Seclusion of a student by school personnel may be used in the following circumstances:

- A. as reasonably needed to respond to a person in control of a weapon or other dangerous object;
- B. as reasonably needed to maintain order or prevent or break up a fight;
- C. as reasonably needed for self-defense;
- D. as reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property; or

- E. when used as specified in the student's IEP, Section 504, or behavior intervention plan; and
- 1) the student is constantly monitored by an adult in close proximity who is able to see and hear the student at all times;
 - 2) the student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP, Section 504, or behavior intervention plan;
 - 3) the confining space has been approved for such use by the local education agency;
 - 4) the space is appropriately lighted, ventilated, and heated or cooled; and
 - 5) the space is free from objects that unreasonably expose the student or others to harm.

4. ISOLATION

Isolation means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving. Isolation is different than seclusion.

Isolation is permitted as a behavior management technique provided that:

- A. the isolation space is appropriately lighted, ventilated and heated or cooled;
- B. the duration of the isolation is reasonable in light of the purpose for the isolation;
- C. the student is reasonably monitored; and
- D. the isolation space is free from objects that unreasonably expose the student or others to harm.

5. TIME-OUT

Time-out means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting. Teachers are authorized to use time-out to regulate behavior within their classrooms.

6. NOTICE, REPORTING AND DOCUMENTATION

- A. A district Restraint or Seclusion Report must be completed for each incident of restraint or seclusion other than normal use of mechanical restraint for transportation safety. Each record shall include:
 - Name of the student

- Name of the staff member(s) administering the physical restraint or seclusion;
- Date of the incident and the time the restraint or seclusion began and ended;
- Location of the restraint or seclusion;
- A description of the restraint or seclusion;
- A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
- A description of the behavior that prompted the use of restraint or seclusion;
- Efforts to de-escalate the situation and alternatives to restraint or seclusion that were attempted; and
- Information documenting parent contact and notification

B. Notice to Administrators

The principal or designee shall be notified of the incident as soon as possible, but no later than the end of the same school day.

C. Notice to Parents

When a principal or designee has personal or actual knowledge of any of the events listed above, he or she shall promptly notify the student's parent or guardian and shall provide the name of the school employee whom the parent or guardian may contact regarding the incident.

D. Written Report to Parents

Within a reasonable period of time not to exceed 30 days after the incident, the principal or designee shall also provide the parent or guardian with a written incident report. This report must include the following:

- 1) the date, time of day, location, duration, and description of the incident and interventions;
- 2) the events or events that led up to the incident;
- 3) the nature and extent of any injury to the student; and
- 4) the name of a school employee the parent or guardian can contact regarding the incident.

Cross Reference: 403.03 Abuse of Students by School District Employees
504 Student Rights and Responsibilities

Approved 05/17/2010

Reviewed 10/30/2017

Revised _____

8/10/23

**POLICY 506.1
GERING PUBLIC SCHOOLS
GERING, NE**

STUDENT ACTIVITY ELIGIBILITY

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and abilities in students during their school years and for their lifetime.

However, students who participate in extracurricular activities serve as ambassadors of the school district throughout the calendar year, whether away from school or at school. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity and must conduct themselves in accordance with student conduct policies.

Student activity events must be approved by the superintendent. The events must not disrupt the education program or other school district operations.

Eligibility requirements as published by the Nebraska School Activities Association (NSAA) shall be observed by all students. Additional eligibility requirements may be imposed by the school district at the board's discretion.

Such eligibility requirements shall include good citizenship, acceptable academic standing, parental permission and good health (sports only). All eligibility requirements shall be published in applicable student/parent handbooks.

Any student who is sanctioned or is found by the school district or NSAA to be ineligible to participate in any extra-curricular activity may appeal the sanction or finding in accordance with the student due process policy.

It shall be the responsibility of the superintendent to develop administrative regulations for school activities.

Legal Reference: 20 U.S.C. Sect.1681-1683; 1685-1686 (1994).
34 C.F.R. Pt. 106.41 (1993)
Neb Statute 79-296
79-443

Cross Reference: 502 Student Attendance
504 Student Rights and Responsibilities
505 Student Discipline
506 Student Activities
508 Student Health and Well-Being

Approved 05/17/2010 **Reviewed:** 11/27/2017 **Revised:** 12/18/2017

8/10/23

**POLICY 506.2
GERING PUBLIC SCHOOLS
GERING, NE**

STUDENT ORGANIZATIONS

Secondary school student-initiated, non-curriculum-related groups and student curriculum-related groups, upon receiving permission from the principal, may use school facilities for group meetings during non-instructional time.

Non-instructional time shall mean any time before the first period of the day and after the last period of the day in which any student attends class. Meetings shall not interfere with the orderly conduct of the education program or other school district operations. It shall be within the discretion of the principal to determine whether the meetings will interfere with the orderly conduct of the education program or other school district operations. Activities relating to and part of the education program shall have priority over the activities of another organization.

Curriculum Related Organizations

It shall also be the responsibility of the principal to determine whether a student group is curriculum-related. One or more of the following questions will be answered affirmatively if the group is curriculum related:

- Is the subject matter of the group actually taught in a regularly offered course?
- Will the subject matter of the group soon be taught in a regularly offered course?
- Does the subject matter of the group concern the body of courses as a whole?
- Is participation in the group required for a particular course?
- Does participation in the group result in academic credit?

Secondary school curriculum related student organizations may use the school district facilities for meetings and other purposes before and after the instructional school day. Employees shall be assigned to monitor approved meetings and may interact with curriculum related organizations.

Non-curriculum Related Organizations

Student-initiated, non-curriculum related organizations shall be provided access to meeting space and school district facilities.

Only students may attend and participate in meetings of non-curriculum related groups. Such attendance shall be strictly voluntary and student-initiated. As a means of

determining whether a student's attendance is voluntary, the principal may require parental consent for the student to attend the meetings.

Legal Reference: Westside Community Board of Education v Mergens, 496
U.S. 226 (1990).
Neb. Statute 79-297 et seq.

Cross Reference: 504 Student Rights and Responsibilities
506 Student Activities

Approved 05/17/2010 Reviewed: 11/27/2017 Revised: 12/18/2017

0/10/23

**POLICY 604.4
GERING PUBLIC SCHOOLS
GERING, NE**

MULTICULTURAL EDUCATION

Students shall have an equal opportunity for a quality education without discrimination, regardless of their race, religion, color, sex, marital status, national origin or disability.

The education program shall foster knowledge of and respect and appreciation for the culture, history and contributions of diverse cultural groups including, but not limited to the following: African Americans, Hispanic Americans, Native Americans, and Asian Americans. It shall place special emphasis on human relations and sensitivity toward all races.

The Board shall adopt a written plan for the implementation of multicultural education and shall evaluate this plan periodically. During the evaluation process, the Board shall involve parents, students, employees and a diverse representation of the community members in assessing the effectiveness and appropriateness of the program. The plan shall establish district goals for the multicultural program and will include staff development to assist the district in pursuing these goals. The plan shall include a process for selecting appropriate materials and shall incorporate multicultural education into all subject areas of the core curriculum of grades kindergarten through twelve.

The superintendent will annually report the status of the multicultural education program to the Board.

Legal Reference: Neb. Statute 79-719 et seq.
 NDE Rule 10.004.01G
 NDE Rule 16

Cross Reference: 103 Equal Educational Opportunity
 600 Goals and Objectives of the Education Program

Approved 07/19/10

Reviewed 10/22/18

Revised

8/10/23

ADMINISTRATION OF NALOXONE (NARCAN)

In order to protect the health and safety of its students, staff and visitors, the district may provide, store, and administer doses of an opioid antagonist, specifically Naloxone, commonly known as Narcan, for emergency use to assist a student, staff member or other individual believed or suspected to be experiencing an opioid overdose at the school facilities.

Naloxone is a medication that can reverse an overdose caused by an opioid drug. Naloxone has no potential for abuse and is a non-narcotic and non-addicting prescription medication. Symptoms of an opioid drug overdose typically include:

- Slow and shallow, or stopped, breathing.
- Unresponsiveness or unconsciousness.
- Cold or clammy skin.
- Blue lips or fingertips.
- Snoring or gurgling sounds.

Procurement of Naloxone

The superintendent, principal, certified school nurse, or designee will be responsible for the procurement of naloxone. A health care provider shall prepare standing orders for administration of the Naloxone.

Storage

Naloxone will be clearly marked and stored in an unlocked storage cabinet in the nurse's office (or other designated area such as with AED). The school nurse will ensure that all other trained staff are aware of the naloxone storage location. Naloxone will be stored in accordance with the manufacturer's instructions to avoid extreme cold, heat and direct sunlight.

Use of Naloxone

Follow the protocol from the health care provider for the administration of naloxone for suspected opioid overdose. A person, if acting with reasonable care, who is in a position to assist a person who is apparently experiencing or who is likely to experience an opioid-related overdose may administer Naloxone without being subject to administrative action or criminal prosecution (Neb. statute 28-470).

Follow Up

After administration of naloxone, the person administering naloxone will report the incident to the building principal that same day. The district will establish procedures for notifying parents/guardians of any minors receiving Naloxone.

Legal Reference: Neb. Statute 28-470

Approved _____ Reviewed _____ Revised _____

New Policy

BEHAVIORAL POINTS OF CONTACT

The Superintendent shall designate one or more school employees as a behavioral awareness point of contact for each school building. The point of contact may be an administrator, nurse, counselor, or other appropriate staff member. Each behavioral awareness point of contact shall be trained in behavioral awareness and have knowledge of community service providers and other resources that are available for the students and families in such school district.

The district shall maintain or have access to a registry of local mental health and counseling resources for the students and families. Each behavioral awareness point of contact shall coordinate access to support services for students whenever possible. If information for an external support service is provided to an individual minor student, school personnel shall notify a parent or guardian of the contact in writing unless such recommendation involves law enforcement or child protective services.

The Superintendent shall ensure that district employees who interact with students receive at least one hour of behavioral and mental health training with a focus on suicide awareness and prevention training each year.

The district shall annually report behavioral awareness points of contact to the Nebraska Department of Education when requested.

The points of contact will be listed in the student handbook and on the district website.

Approved _____ Reviewed _____ Revised _____

New Policy

**POLICY 502.2
GERING PUBLIC SCHOOLS
GERING, NE**

NONRESIDENT STUDENTS/OPTION ENROLLMENT

Students who are eligible to attend a Nebraska public school but who are not legal residents of the school district may be admitted into the school district in accordance with the option enrollment program authorized by state statutes. Option enrollment students shall be accepted without charge. If the student has previously had an option enrollment accepted in any district, the application shall be rejected unless a statutory exception to this rule applies for that student.

Application for option enrollment option shall be made between September 1 and March 15 for enrollment during the following and subsequent school years. Upon agreement of the school boards of the resident district and the option (receiving) district, deadlines for application and approval of the option may be waived. Following the March 15 deadline, applications requesting admittance must contain a release approval from the resident district prior to the option district's consideration for acceptance.

The application for option enrollment does not require a release from the resident district and the receiving district has forty-five days to issue acceptance or rejection if:

1. After February 1 the student relocated to a different resident district, or
2. The student's option district merged with another district effective after February 1st and
3. The student's attendance would occur during the next immediate and subsequent school years.

For applications submitted by the March 15 deadline, written notification of approval or rejection of the application will be made before April 1 to the student's parent/guardian and the resident district. If the district rejects an application for a student to option in or out, the district will provide notification by certified mail to the parent/guardian of the reasons for rejection and the process for appealing the decision to the State Board of Education.

The Board shall adopt standards and conditions for acceptance or rejection of a request for release of a resident student submitting an option application after March 15. Such standards shall not include the failure to meet applications submitted after the March 15 deadline. For those applications, the option district shall notify the parent/guardian, and the resident district whether the application is accepted or rejected within sixty days after submission. False or substantively misleading information submitted by a parent/guardian on an application to an option district may be cause for the option district to reject a previously accepted application prior to the student's attendance.

The board shall adopt a resolution setting forth its specific standards for acceptance and rejection of applications as an option school. Standards will conform to those set forth by state statute. These may include the capacity of a program, class, grade level, or school building or the availability of appropriate special education programs operated by the district. The standards shall not include previous academic achievement, athletic or other extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings except as allowed by law.

An option district shall give first priority for enrollment to siblings of option students within the requirements of state statutes. The board shall follow statutes regarding the application of a student who relocates in a different district but wants to continue attending his or her original resident district or current option district.

Nonresident students not going through option enrollment may also be admitted under a contract with the student's resident district at the discretion of the superintendent upon application and payment of tuition as stated in the contract. The tuition rate shall be the current per pupil cost of the school district as computed by the superintendent.

The school board may admit a student who is a resident of another state but resides with a parent or guardian that is a Gering Public Schools employee. The school district will collect tuition for the student at a rate determined annually by the school board or the superintendent. Criteria for admittance of out-of-state students who reside with a Gering Public Schools employee follow the same standards and conditions of the option enrollment program.

Students whose residency in the district ceases during a school year may continue attending school for the remainder of the school year without payment of tuition.

The district may choose to provide transportation to the option student in the same manner as for resident students and may choose whether or not to charge the parents of those option students a fee to recover the district's costs for the transportation. All option students who qualify for free lunches are eligible for either free transportation or the reimbursement of transportation costs from the school district as provided by state statute. Students receiving special education services shall receive transportation services as provided in the student's Individualized Education Plan.

Legal Reference: Neb. Statute 79-215
 Neb. Statute 79-232 to 246
 NDE Rule 19.008

Cross Reference: 503 Student Attendance
 801 Transportation

Approved 05/17/2010 Reviewed 08/22/2016, 03/06/2017 Revised 09/19/2016

McClain v. Lafayette County Bd. of Education, 673 F.2d
106 (5th Cir. 1982).

Cross Reference:

505 Student Discipline
508 Student Health and WellBeing

**POLICY 506.2
GERING PUBLIC SCHOOLS
GERING, NE**

STUDENT ORGANIZATIONS

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Non-instructional time shall mean any time before the first period of the day and after the last period of the day in which any student attends class. Meetings shall not interfere with the orderly conduct of the education program or other school district operations. It shall be within the discretion of the principal to determine whether the meetings will interfere with the orderly conduct of the education program or other school district operations. Activities relating to and part of the education program shall have priority over the activities of another organization.

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- Is the subject matter of the group actually taught in a regularly offered course?
- Will the subject matter of the group soon be taught in a regularly offered course?
- Does the subject matter of the group concern the body of courses as a whole?
- Is participation in the group required for a particular course?
- Does participation in the group result in academic credit?

Secondary school curriculum related student organizations may use the school district facilities for meetings and other purposes before and after the instructional school day. Employees shall be assigned to monitor approved meetings and may interact with curriculum related organizations.

Non-curriculum Related Organizations

Student-initiated, non-curriculum related organizations shall be provided access to meeting space and school district facilities.

Only students may attend and participate in meetings of non-curriculum related groups. Such attendance shall be strictly voluntary and student-initiated. As a means of

determining whether a student's attendance is voluntary, the principal may require parental consent for the student to attend the meetings.

Legal Reference: Westside Community Board of Education v Mergens, 496
 U.S. 226 (1990).
 Neb. Statute 79-297 et seq.

Cross Reference: 504 Student Rights and Responsibilities
 506 Student Activities

**POLICY 605.7
GERING PUBLIC SCHOOLS
GERING, NE**

DUAL ENROLLMENT

The parent, guardian, or custodian of a student receiving instruction at a private, denominational or parochial school, or a school choosing not to meet accreditation or approval requirements may also enroll the student in the school district. The student shall be considered under dual enrollment. The parent, guardian, or custodian requesting dual enrollment for the student should notify the superintendent on a form provided by the school district. On the form, they shall indicate the academic courses and extracurricular activities in which the student is interested in participating.

A dual enrollment student is eligible to participate in the school district's academic and extracurricular activities in the same manner as other students enrolled in the school district to the extent allowed within NSAA regulations. The policies and administrative rules of the school district shall apply to the dual enrollment students in the same manner as the other students enrolled in the school district. These policies and administrative rules shall include, but not be limited to, athletic eligibility requirements, rules governing student conduct, academic eligibility requirements, and payment of the fees required for participation.

It shall be the responsibility of the superintendent to develop administrative regulations regarding deadlines, specific courses or activities approved, restrictions of classroom space, maximum or minimum course number limitations and other procedures for this policy.

Cross Reference: 502 Student Admissions
 504 Student Rights and Responsibilities
 505 Student Discipline
 506 Student Activities
 508 Student Health and Well-Being
 611 Academic Achievement

Approved 10/18/10 Reviewed 11/26/18

POLICY 204.12
GERING PUBLIC SCHOOLS
GERING, NE

PUBLIC PARTICIPATION IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the board shall set time aside for citizen participation, either at a specific time during the meeting or during the discussion of agenda items. The board has the discretion to limit the amount of time set aside for public participation.

Instructions for members of the public who wish to speak:

- Getting started: When you have been recognized, please stand and state your name.
- Time Limit: Tonight the board will allow a total of 30 minutes for the presentation of ALL public comments. Individuals may speak only one time, and must limit comments to around 5 minutes. If there are more than 6 individuals who wish to address the board, the 30 minutes will be divided equally between the number of speakers. These time limits may be changed by a majority vote of the board members in attendance to extend the time for a specific item or speaker. You may only speak ONCE.
- Personnel or Student Topic: If you are planning to speak about a personnel or student matter involving an individual, please understand that our policies may require you to follow the district's complaint procedure before addressing the board. Board members will generally not respond to any questions you ask or comments you make about individual staff members or students. Please remember that slanderous comments will not be tolerated.
- General Rules: This is a public meeting for the conduct of business. Comments from within the audience while others are speaking will not be tolerated. Lewd, obscene, profane, slanderous, threatening and hostile conduct or statements and fighting words (words whose mere utterance entails a call to violence) will not be tolerated.
- No action by the Board: The board will not act on any matter which is not on the agenda and will not take action upon the conclusion of public comment.

If the pressure of business or other circumstances dictate, the board president may decide to eliminate this practice at a particular meeting. The board president will recognize these individuals to make their comments at the appropriate time. The orderly process of the board meeting shall not be interfered with or disrupted. Only those speakers recognized by the board president shall be allowed to speak. Comments by others are out of order. If disruptive, the individual making the comments or another individual causing disruption may be asked to leave the board meeting.

Citizens wishing to address the board on a certain agenda item must notify the superintendent prior to the board meeting. Citizens wishing to present petitions to the board may do so at this time. However, the board will only receive the petitions and not act upon them or their contents.

Subjects for comment should involve areas within the board's proper responsibility. Discussion on unrelated matters is to be discouraged.

Individuals who have a complaint about employees may bring their complaint to the board only after they have followed board policy addressing citizens' complaints. Students who have a complaint may only bring their complaint to the board after they have followed board policy addressing students' complaints.

Any written or printed materials to be circulated for a meeting of the school board must be submitted to the superintendent by the Wednesday preceding a Monday night meeting.

This material will be transmitted to the members of the board for their consideration.

Legal Reference: Nebraska Statute 84-1408 to 1414

Cross Reference: 201.7 School Board Liability
204.3 Public Hearings
204.10 Agenda
403.5 Public Complaints about Employees

Approved 01/20/2003

Reviewed 02/23/2015, 10/14/2021 6/9/22

Revised 09/14/2009, 7/20/22



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July 17, 2023

To the Board of Education
Scotts Bluff County School District No. 16,
Gering Public Schools, Gering, Nebraska
1800 8th Street
Gering, NE 69341

We are pleased to confirm our understanding of the services we are to provide Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska, for the year ended August 31, 2023.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, and the disclosures, which collectively comprise the basic financial statements of Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska, as of and for the year ended August 31, 2023.

We have also been engaged to report on supplementary information that accompanies Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America (GAAS), and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditors' report on the financial statements:

1. Schedule of Expenditures of Federal Awards.
2. General Fund Components - Combining Schedule of Receipts, Disbursements, and Changes in Fund Balance - Modified Cash Basis.

In connection with our audit of the basic financial statements, we will read the following other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report:

1. Schedules of Receipts, Disbursements, and Changes in Fund Balance - Modified Cash Basis - Budget and Actual - All Funds.
2. Activities Fund - Schedule of Changes in Cash Balances.
3. Other supplementary information required or requested.

If applicable, we will also audit the schedule of classifications of payrolls by NCCI codes for the year ended August 31, 2023, to obtain reasonable assurance about whether the classifications of payrolls by NCCI codes and payrolls in total is free of material misstatements and we will issue an opinion thereon.

The objectives of our audit are to obtain reasonable assurance as to whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; issue an auditor's report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with the modified cash basis of accounting, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on:

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected customers, creditors, and financial institutions. We may also request written representations from your attorneys as part of the engagement, and they may bill you for this inquiry.

We identified the following significant risks of material misstatement during our previous audit and believe them still relevant. However, audit planning has not concluded and modifications may be made:

1. Management override of controls.
2. Improper revenue recognition.

Our audit of financial statements does not relieve you of your responsibilities.

Audit Procedures - Internal Control

We will obtain an understanding of the government and its environment, including the system of internal control, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska, in conformity with the modified cash basis of accounting and the *Uniform Guidance* based on information provided by you. We will assist in preparing the Schedule of Classification of Payrolls by NCCI Codes and Payrolls in total and propose journal entries.

These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services

previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities for the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, the schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with the modified cash basis of accounting; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are responsible for including all informative disclosures that are appropriate the modified cash basis of accounting. Those disclosures will include (1) a description of the modified cash basis of accounting, including a summary of significant accounting policies, and how the modified cash basis of accounting differs from GAAP, (2) informative disclosures similar to those required by GAAP, and (3) additional disclosures beyond those specifically required that may be necessary for the financial statements to achieve fair presentation.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we

determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the *Uniform Guidance*; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with the modified cash basis of accounting. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for

presentation of the supplementary information in accordance with the modified cash basis of accounting; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with the modified cash basis of accounting; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

In connection with this engagement, we may communicate with you or others via email transmission. As emails can be intercepted and read, disclosed, or otherwise used or communicated by an unintended third party, or may not be delivered to each of the parties to whom they are directed and only to such parties, we cannot guarantee or warrant that emails from us will be properly delivered and read only by the addressee. Therefore, we specifically disclaim and waive any liability or responsibility whatsoever for interception or unintentional disclosure of emails transmitted by us in connection with the performance of this engagement. In that regard, you agree that we shall have no liability for any loss or damage to any person or entity resulting from the use of email transmissions, including any consequential, incidental, direct, indirect, or special damages, such as loss of revenues or anticipated profits, or disclosure or communication of confidential or proprietary information.

With regard to including the auditor's report in an exempt offering document, you agree that the aforementioned auditor's report, or reference to Dana F. Cole & Company, LLP, will not be included in any such offering document without our prior permission or consent. Any agreement to perform work in connection with an exempt offering document, including an agreement to provide permission or consent, will be a separate engagement.

With regard to an exempt offering document with which Dana F. Cole & Company, LLP, is not involved, you agree to clearly indicate in the exempt offering document that Dana F. Cole & Company, LLP, is not involved with the contents of such offering document.

With regard to publishing the financial statements on your website, you understand that websites are a means of distributing information and, therefore, we are not required to read the information contained in those sites or to consider the consistency of other information on the website with the original document.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations and schedules we request and will locate any documents selected by us for testing. We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement

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based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If, for whatever reason, your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

As an attest client, Dana F. Cole & Company, LLP, cannot retain your documents on your behalf. This is in accordance with the ET 1.295.143 of the *AICPA Code of Professional Conduct*. Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska, is responsible for maintaining its own data and records.

ShareFile is used solely to transmit data and is not intended to store Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska's information. Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska, is responsible for downloading any deliverables and other records from the ShareFile that it wishes to retain for its own records at the completion of the engagement.

Upon completion of the engagement, data and other content will either be removed from the ShareFile or become unavailable to Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska, within a reasonable time frame.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the School District; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Dana F. Cole & Company, LLP, and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the State of Nebraska Auditor of Public Accounts and the Nebraska Department of Education or its designee. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Dana F. Cole & Company, LLP's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the State of Nebraska Auditor of Public Accounts and Nebraska Department of Education or its designee. The State of Nebraska Auditor of Public Accounts and the Nebraska Department of Education or its designee may intend or decide to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the State of Nebraska Auditor of Public Accounts

and the Nebraska Department of Education. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Dustin A. Kizzire is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it. To ensure that Dana F. Cole & Company, LLP's independence is not impaired under the AICPA *Code of Professional Conduct*, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel. Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

Our fee for these services will be at our standard hourly rates for the individuals involved. We estimate that our fees for these services will not exceed \$33,000. You will also be billed for travel and other out-of-pocket costs such as report production, word processing, postage, etc. The fee estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Bills will be rendered as the work progresses with payment to be made upon presentation. Interest will be charged at the rate of 1% per month on balances in excess of 60 days. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and will not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket expenditures through the date of termination. Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

You may request that we perform additional services not addressed in this engagement letter. If this occurs, we will communicate with you regarding the scope of the additional services and the estimated fees. We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our services will continue to be governed by the terms of this engagement letter.

We would expect to continue to perform our services under the arrangements discussed above from year to year unless for some reason you or we find that some change is necessary.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Board of Education of Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska. Circumstances may arise in which our reports may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than

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unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming an opinion on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawing from the engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

You have requested that we provide you with our most recent external peer review report and any subsequent reports received during the contract period. Accordingly, our 2020 peer review report accompanies this letter.

We appreciate the opportunity to be of service to you and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the original and return it to us. The copy enclosed is for your records.

Yours truly,



DUSTIN A. KIZZIRE
For the Firm

e-mail: kizzire@danacole.com

DAK:tce

Enclosures

RESPONSE:

This letter correctly sets forth the understanding of Scotts Bluff County School District No. 16, Gering Public Schools, Gering, Nebraska.

By: _____

Title: _____