

Regular Board of Education Meeting

Monday, December 9, 2024 6:00 PM

Gering High School - Freshmen Academy Wing
1500 U Street
Gering, NE 69341



Minutes

1. **GPS Board of Education Information**
Absent: Brian Copsey, **Present:** Josh Lacy, John Maser, B.J. Peters, Greg Trautman, Tracy Wiese.
2. **Opening Procedures**
 - 2.1. Call to Order

The meeting was called to order at 6:01 p.m. by President B.J. Peters.
 - 2.2. Roll Call
 - 2.3. Pledge of Allegiance
 - 2.4. Open Meetings Act
3. **Consent Agenda**
 - 3.1. Minutes from the previous month's board meeting(s)
 - 3.2. Approval of Claims/Bills
 - 3.3. Board Policy Adoption
 - 3.3.i. First Reading of Board Policies
 - 3.3.ii. Second Reading of Board Policies
 - 3.4. Personnel Items
 - 3.4.i. Certified Staff Contract(s)
 - 3.4.ii. Certified Staff Resignation(s)
Carol Propp - Retirement (May 23rd, 2025)
 - 3.5. Designation of District Newspaper of Record: Star-Herald

4. **Celebration of Excellence**

4.1. Student Athletics and Accomplishments:

Jenn Sibal presented to the board all the activities and honors we recognized tonight. She awarded each individual and each group with a certificate signed by our board president, B.J. Peters, and Superintendent, Dr. Regan. B.J. commented that the softball team had a great season! Greg stated how great it is to see them improve and how proud he is of their team. Greg also thanked Mr. Zwig for his efforts in including kids in his schoolhouse in Santa's Village. It's always good to see student participation.

4.2. Central Office Celebration

Kory Knight presented to the board on B.J. Peter's celebration of 20 years on the board at Gering Public Schools. This was his last board meeting, and our district staff presented him with a gift of appreciation. He was given a picture frame with a poem and several pictures of all the things B.J. has had his hand on over the last 20 years.

5. **Reports & Discussions**

5.1. Board Committee Report: Curriculum & Personnel

John Maser presented to the board how the bond resolution survey went out to the community. Also, how Jack Baker is creating a design for the potential new Middle School building. He also talked about the potential need for a new JAG teacher position next school year as they have had excellent participation among students. There is also a potential grant that we can receive which will go towards helping improve 3rd grade reading. He also discussed the budgets for all student services that we provide and how we need to do what we can to serve our students in-house. Lastly, he talked about AQUESTT scores and how it's good to see where we fall. Our numbers are good, but it's also good to see where we can improve.

5.2. Board Committee Report: Business & Facilities

Josh Lacy presented to the board in regard to their last meeting that Sentor Hardin was present via Zoom. He stated that we are feeling the pinch, and we need to do what we can as a district to use taxpayer money the best we can. In regard to facilities, we need several roof repairs at the Middle School and new filters for the Auditorium at the High School. We bought a snow plow, which will help reduce the cost of paying an outside company.

5.3. Superintendent's Report

When you think about leadership talent and a culture of excellence...it starts at the top with our Board of Education. In 2004, Board President BJ Peters began his leadership journey serving the Gering community. For 20 years, BJ has dedicated his time and talent in promoting a culture in Gering Public Schools that is unmatched. His passion for public education, heart for students and deep understanding of the systems in a school district has earned him accolades throughout the state of Nebraska. Although this critical leadership seat is not monetary, the dividends are profound. Just a few notable accomplishments of BJ Peters:

- **He has lead the hiring of 4 superintendents,**

- Served on all committees including policy review, personnel, curriculum and assessment, business and finance
- 2017 bond passed GHS
- 2008 bond passes for Lincoln Elem.
- Facility enhancements of district tennis courts, greenhouse, elementary preschool
- He has high standards driving excellence in all areas but also trusting us to do the work to continuously make Gering Great in every sense.

BJ has been the thread woven into the fabric of our success in Gering Public Schools. He has been a voice on the state level advocating for strong leadership and responsibility to serve our most precious resources, our students as well as a call to action to serve as a school board member to others.

Steven Covey- Begin with the end in mind....I hope we have supported your vision and you can see what you have so successfully set forth in accomplishing for Gering Public Schools.

I hope your story is the happy ending that you sought 20 years ago.

Because of you, there is a foundation of excellence, high talent in this room, an empowering culture and a team of leaders in all of us where you can feel proud of the work and commitment you have done for us.

Although your board appointed journey ends this year, your impact continues as making a difference in the lives of students and the community.

Call to action: Leadership matters. Just as we know as educators, we have young lives looking to us, watching us, placing their hopes and dreams in our hands for us to open doors, experiences and opportunities for them to have the best opportunities this life has to offer us.

Thank you BJ, for being such a support to me personally and professionally.

6. **Enter into Executive Session for the sole purpose of discussing personnel matters to prevent needless injury to the reputation of an individual if deemed necessary.**

The board entered into Executive Session at 6:26 p.m.

7. **Reconvene from the Executive Session.**

8. **Any action deemed necessary as a result of the Executive Session discussion.**

9. **Public Comments: 204.12**

Mike Brunner and Curt Richter addressed the board.

10. **Action Items**

- 10.1. Discuss, consider, and take action regarding the approval of a second JAG (JOBS for America's Graduates) position for the district.

- 10.2. Discuss, consider and take action on a resolution to call a special election to pay for the costs of construction additions, renovations and improvements to the Gering Middle School building and related matters.

- 10.3. Discuss, consider, and take action regarding the review and approval of the Superintendents' 2024-2025 school year evaluation.

- 10.4. Discuss, consider, and take action regarding the annual review and approval of the Superintendents' 2025-2026 school year contract and salary.

11. **Board Comments**

Josh Lacy - Good to see the softball team and construction class tonight! Thank you for the public comments and a special thanks to B.J. for what he has done on the board.

John Maser - Great to see input from the public. Awesome to have had B.J. on the board for the last 20 years!

Tracy Wiese - Loved seeing the softball team! Cool to see Mr. Zwig and how he changes the lives of our students! Thanks for the public comments. Glad that the public gets to vote. I am also a taxpayer and understand that this is a difficult discussion going forward on the bond. We do have a building fund now. We have spent ESSER funds, not our budget money, on certain things. Even though my kids are gone, I still want to invest in GPS. Thanks to B.J. for being so kind and having taught me a lot!

Greg Trautman - Thank you for the public comments. We do have things to improve, and we need to do more preventive maintenance. So cool that GPS has unified bowling now! GPS is becoming more inclusive. Thanks to B.J. for being a mentor and for his leadership.

B.J. Peters - How do you put 20 years into words? I want to thank my wife for all her support over the years. Thank you to parents, students, and staff. Thank you to the past and present board members. Be confident in what you are doing!

- 11.1. Tentative Upcoming Board Meeting/Event Dates

12. **Adjourn**

The meeting was adjourned at 7:19 p.m.

Regular Board of Education Meeting

Monday, November 11, 2024 6:00 PM

Gering High School - Freshmen Academy Wing
1500 U Street
Gering, NE 69341



Minutes

1. GPS Board of Education Information

2. Opening Procedures

2.1. Call to Order

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

2.2. Roll Call

2.3. Pledge of Allegiance

2.4. Open Meetings Act

3. Consent Agenda

A motion to approve the Consent Agenda was presented by Greg Trautman, 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**

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

3.2. Approval of Claims/Bills

October Claims

01 General \$827,095.16

03 Employee \$786.50

05 Activity \$106,781.40

06 Nutrition \$136,343.87

09 QCPUF \$20,417.00

Fund Totals: \$1,091,423.93

3.3. Board Policy Adoption

3.3.i. First Reading of Board Policies

3.3.ii. Second Reading of Board Policies

3.4. Personnel Items

3.4.i. Certified Staff Contract(s)

3.4.ii. Certified Staff Resignation(s)

Mara Carrier - Effective Jan. 6th

4. Celebration of Excellence

4.1. Annual Financial Literacy Status Report - Kory Knight

Kory Knight presented to the board her Annual Financial Literacy Status Report. She thanked principal Mario Chavez for helping implement this program. We have partnered with Riverstone Bank and use the Dave Ramsey program.

4.2. Student Athletic, Activity, & Academic Accomplishments:

Jenn Sibal presented to the board all the activities and honors we recognized tonight. She awarded each individual and each group with a certificate signed by our board president, B.J. Peters and Superintendent, Dr. Regan. B.J. commented that he is so excited to see where football has come over the years. Greg wanted to thank the cross-country coaches for setting such a good example for their team. John and Josh both commented on how we are making a difference here at Gering and the community has come to life!

5. Reports & Discussions

5.1. Board Committee Report: Curriculum & Personnel

John Maser discussed how state aid is potentially going down; \$1,500 to \$900 in funds per student. This is a decrease of almost \$146,000 for next year. What does this look like moving forward for negotiations? He also discussed how we can potentially save money with contracted services and try to do more from within the district. There is some good news in that there will only be a 5% increase in health insurance next year, instead of the proposed 10%. He talked about having 15 community members tour the middle school and hopefully moving forward on some of their improvement plans. Our enrollment is even compared to other districts.

5.2. Board Committee Report: Business & Facilities

Josh Lacy presented to the board about how we are planning for the future. They had a good meeting with Senator Harden, and he was very involved in their conversation regarding state funding. He is glad that we have hired a new HVAC technician, who is very knowledgeable and can hopefully save the district money. . Excited we have finished the new preschool over at Northfield and excited to be getting our maintenance team uniforms.

5.3. Superintendent's Report

Happy Veteran's Day! I want to extend a heartfelt thank you to all our service men and women for their unwavering dedication and sacrifice. Because of their commitment, we are privileged to serve our students in one of the best public education settings in the state. We have so much to celebrate this month, and I'm grateful for the great work being done across every school and program.

A special thank you to Shawn Seiler for leading an outstanding season of activities and athletic achievements. Your efforts are raising the bar, and our students are not only excelling but also having fun in the process.

We are also embarking on a new proactive collaboration this fiscal year. Following another successful financial report from Stacy Rodriguez, we are getting a head start with intentional dialogue with our state delegates. This month, we had the honor of hosting Senator Hardin at a business committee meeting where he gained a deeper understanding of school finance ahead of his upcoming legislative session.

All systems are go! Jennifer and I recently met with our community action team and held a focus group session. The insights shared by the members were invaluable in helping us address the needs of our middle school facilities. Rita Stinner aptly commented, "Nikki... you and Jennifer are a well-oiled machine telling the story of our work and the opportunity to build the future of Gering Middle School—one that

will serve both our students and the community, all while maintaining fiscal responsibility."

Next week, we'll be attending the NASB State Conference, where we'll be presenting at the CHI Conference Center on the topic: "Building and Growing our Future: A Board Vision of Investment." Our presentation will showcase the innovative work we've been doing in workforce development and early childhood programs, which has recently gained attention at both the state and national levels.

Lastly, save the date for a unique leadership training opportunity on January 6, 2025, with Dr. Jim Sutfin. More details to come!

Thank you, as always, for your continued support and dedication to the success of our students.

This concludes my report.

6. Public Comments: 204.12

7. Action Items

8. Board Comments

B.J. Peters - Not sure what will happen next year regarding taxes. We need to protect our investments. He will miss the kids when he is off the board.

Tracy Wiese - Really likes that we are very involved with Financial Literacy and that we are not just doing the bare minimum with that. We are a well-rounded district - taking care of our preschools (new building), Middle School (trying to make improvements), and the High School honoring music, band, and athletics.

John Maser - Happy Veterans Day! Thank you, Jenn Sibal for all the things you put on social media!

Brian Copsey - Loves seeing kids at the meetings and bringing all the different groups together. We are creating a "buzz" at the Middle School. Senator Harden has been listening and will hopefully be more on the side of public schools.

Greg Trautman - Keep working on Sen. Harden, he is from western NE. We tried to get the point across to him that we need to be funded. Very proud to see all the kids tonight. PTC went very well! He loves all the different activities available at the Middle School.

Josh Lacy - He is hopeful that something will change with taxes and funding doesn't get taken away. Happy Veterans Day! Excited about the new preschool building at Northfield!

8.1. Tentative Upcoming Board Meeting/Event Dates

9. Adjourn

The meeting was adjourned at 6:41 p.m.

MONTHLY FINANCIAL REPORT TO THE BOARD

Reconciled Cash Balances November 30, 2024		
Fund	2023-2024	2024-2025
General	\$1,087,851.00	\$40,176.00
Depreciation	\$14,067.00	\$14,374.00
Employee Benefit	\$0.00	\$38,779.40
Activity	\$19,717.00	\$47,737.00
Nutrition	\$568,474.00	\$339,598.65
Bond	\$1,211,863.00	\$502,245.00
Special Building	\$137,563.00	\$229,927.00
QCPUF	\$82,804.00	\$65,324.00
Student Fee	\$2,962.00	\$47,706.00
FUNDS TOTAL	\$3,125,301.00	\$1,325,867.05

Cash Reserve (Wells Fargo) **907,632.21**
 Current Market Yield **4.22%**

General Fund Expenses for November		
	2023-24	2024-2025
GF Payroll	\$1,765,908.74	\$1,661,445.15
GF Bills	\$223,262.22	\$261,151.20
Total	\$1,989,170.96	\$1,922,596.35
General Fund Revenue for December		
	2023-24	2024-25
Beginning Cash	\$1,366,708.00	\$40,176.00
State Aid	\$955,171.00	\$1,910,234.00
SPED State Payment	\$201,907.00	?
Scottsbluff County	\$206,923.00	\$0.00
ESSERS III Claim		\$650,031.00
Title IV Claim		\$29,253.00
Total Monthly Available	\$2,730,709.00	\$2,629,694.00

General Fund			
Three Year Comparison			
Revenue			
Month	2022-23	2023-24	2024-25
September	\$4,084,148.71	\$4,136,320.26	\$4,154,028.25
October	\$2,412,542.77	\$1,833,799.49	\$1,382,478.59
November	\$1,501,334.57	\$1,162,095.52	\$1,189,612.86
December	\$1,623,393.21	\$1,473,496.00	
January	\$2,111,040.98	\$3,220,765.00	
February	\$2,103,324.00	\$1,917,222.00	
March	\$1,824,699.17	\$1,538,277.00	
April	\$1,833,512.44	\$1,841,628.93	
May	\$4,177,578.89	\$5,740,143.23	
June	\$1,773,999.44	\$1,878,022.00	
July	\$292,542.99	\$612,423.62	
August	\$453,108.91	\$762,383.19	
Running Total	\$7,998,026.05	\$7,132,215.27	\$6,726,119.70
Three Year Comparison			
Expenses			
Month	2022-23	2023-24	2024-25
September	\$2,402,603.81	\$2,738,392.70	\$2,600,710.03
October	\$2,030,576.09	\$1,938,697.62	\$2,488,312.15
November	\$1,748,676.74	\$1,989,169.98	\$1,922,596.35
December	\$1,706,020.10	\$2,319,064.45	
January	\$1,799,000.00	\$2,161,078.46	
February	\$1,822,179.46	\$2,437,546.41	
March	\$1,908,976.11	\$2,509,258.50	
April	\$1,852,799.40	\$1,977,270.86	
May	\$2,173,668.95	\$1,997,115.88	
June	\$2,200,210.80	\$2,101,757.76	
July	\$1,599,004.77	\$2,565,836.00	
August	\$1,335,015.21	\$1,599,543.94	
Month Total			
Running Total	\$6,181,856.64	\$6,666,260.30	\$7,011,618.53
Annual Budget	\$29,437,462.20	\$28,920,928.30	\$27,187,645.12
Percent Spent	21%	23%	26%

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

POLICY 504.1
GERING PUBLIC SCHOOLS
GERING, NE

STUDENT DUE PROCESS RIGHTS

Student complaints and grievances regarding board policy or administrative regulations and other matters should be addressed to the student's specific teacher, activity sponsor or other certified employee, other than the administration, for resolution of the complaint. It is the goal of the board to resolve student complaints at the lowest organizational level.

All students will be afforded due process as guaranteed by constitutional provisions. Complaints involving student suspension, expulsion, or mandatory reassignment will follow provisions of the Student Discipline Act. All other student complaints are to follow the chain of command as outlined in district policies. Rules for student conduct and appeal procedures will also be published in the student handbook.

If the complaint cannot be resolved by a certified employee, the student may discuss the matter with the principal within five (5) school days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within ten (10) school days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may appeal to the board in writing. However, the board will only directly consider appeals dealing with policies, procedures and programs. Any complaints involving employee issues will be passed on to the board's legal counsel to determine whether district policies and procedures were followed by the administrator in attempting to resolve the conflict.

Legal Reference: Neb. Statute 79-268 et seq.

Cross Reference: 204.10 Board Meeting Agenda
 204.12 Public Participation in Board Meetings
 301.04 Communication Channels
 504 Student Rights and Responsibilities
 506.06 Student Publications
 1005.01 Public Complaints
 Student Handbook

Approved 05/17/2010 Reviewed 04/24/2017 Revised 05/15/2017

POLICY 504.2
GERING PUBLIC SCHOOLS
GERING, NE

STUDENT INVOLVEMENT IN DECISION MAKING

Students are in a unique position to make positive contributions to the improvement of the educational program and to the operation of a more effective school system.

It is the board's belief that students, in keeping with their level of maturity, should be encouraged to participate in the development of policies, regulations, and procedures that affect them. Their participation in decision making will be considered part of the educational process.

As appropriate to the age of students, class or school organizations such as student councils may be formed to offer practice in self government and to serve as channels for the expression of student ideas and opinions.

The board, through the staff, will take into consideration student opinions in establishing policies that directly affect student programs, activities, privileges, and other areas of student sensitivity.

Students will be welcomed at board meetings and granted privileges of speaking in line with such privileges extended to the general public.

Cross Reference: 204.12 Public Participation at Board Meetings
 506 Student Activities

Approved 05/17/2010

Reviewed 04/24/2017

Revised _____

POLICY 504.3
GERING PUBLIC SCHOOLS
GERING, NE

STUDENT CONDUCT

The board believes inappropriate student conduct causes serious disruption to the learning environment, interferes with the rights of others, and threatens the health and safety of students, employees and the public. The Superintendent and staff will develop and implement age-appropriate student codes of conduct to facilitate the educational process.

The district will not substantially burden the right to a student's religious exercise unless that religious exercise is disruptive to, or interferes with the school learning environment, is detrimental to the health or safety of the student or another person, or violates the permission of staff.

Students shall conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district. This policy will also apply while on school owned, operated, or chartered transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and educational processes of the school district.

Students who violate this policy and the administrative regulations supporting it will be subject to disciplinary measures including, but not limited to, removal from the classroom, detention, suspension, probation and expulsion. The codes of conduct will include measures to prevent or discourage behavior that interferes with the educational program, behavior that disrupts the orderly and efficient operation of the school or the functioning of school activities, behavior that interferes with the maintenance of a learning environment, behavior that is violent or destructive, or behavior that interferes with the rights of other students to pursue their education. Procedures will be available to allow rights of due process for all students.

Every report of alleged violation of student conduct policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing student conduct investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of student conduct policies.

This disciplinary process is designed to create the expectation that the degree of discipline imposed by the school will be proportional to the severity of the behavior of the particular student, the previous discipline history of the student and other relevant factors. It will also include parental involvement processes designed to enable parents, guardians, teachers and school administrators to work together to improve and enhance appropriate student behavior and academic performance. All student codes of conduct shall be submitted to the board for approval or review.

The code of conduct will be included in the student handbook, and a parent/guardian will sign and promptly return an acknowledgement of receipt of the handbook that specifically mentions the student code of conduct.

Legal Reference: Goss v. Lopez, 419 U.S. 565 (1975).
Neb. Statute 79-2,114 et seq. (Nebr. Equal Opportunity
in Education Act)
79-254 et seq. (Student Discipline Act)

Cross Reference: 503 Student Attendance
506 Student Activities
1005.02 Communication with Parents
Student Handbook

Approved 05/17/2010

Reviewed 04/24/2017

Revised 05/15/2017

POLICY 504.4
GERING PUBLIC SCHOOLS
GERING, NE

STUDENT CONDUCT ON BUSES

The privilege of riding a school bus is contingent upon a student's good behavior and observance of established regulations for student conduct both at bus stops and inside buses. Since bus transportation is provided to assist the education program, the board shall require students to conduct themselves on the bus in a manner consistent with established standards for classroom behavior.

The driver of a school bus shall be responsible for the safety of the students on the bus, both during the ride and while students are entering or leaving the vehicle. Therefore, it is the bus driver's duty to notify the supervisor of transportation or the principal of the school involved if any student persists in violating the established rules of conduct.

After due warning has been given to the student and to parents/guardians, the principal may withhold from the student the privilege of riding the school bus. In such cases, the parents of the children involved will be responsible for seeing that their children get to and from school safely.

The student may also face detention, suspension, or expulsion, in accordance with established policies, for flagrant violation of school bus rider conduct regulations or conduct detrimental to the safe operation of the bus.

Cross Reference: 504.03 Student Conduct
 505 Student Discipline

POLICY 504.6
GERING PUBLIC SCHOOLS
GERING, NE

STUDENT APPEARANCE

The board believes inappropriate student appearance causes material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees and visitors.

Students are expected to adhere to standards of cleanliness, grooming and dress that are compatible with the requirements of a good learning environment. The standards will be those generally acceptable to the community as appropriate in a school setting.

The board expects students to be clean and well groomed and wear clothes in good repair and appropriate for the time, place and occasion. Clothing or other apparel promoting products illegal for use by minors and clothing displaying obscene material, profanity, or reference to prohibited conduct are disallowed. While the primary responsibility for appearance lies with the students and their parents, appearance disruptive to the education program will not be tolerated. When, in the judgment of a principal, a student's appearance or mode of dress disrupts the educational process or constitutes a threat to health or safety, the student may be required to make modifications.

A student who is a member of an indigenous tribe of the United States or another country may wear tribal regalia in any public or private location on the school grounds or at any school function where the person is otherwise authorized to be as long as the tribal regalia does not interfere with the educational process and is not detrimental to the health or safety of the student to another person.

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

Legal Reference: Hines v. Caston Sch. Corp. 651 N.E.2D 330 (1995)
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethal School District v. Fraser, 478 U.S. 675 (1986).
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).
Neb. Statute 79-526

Cross Reference: 501 Objectives for Equal Educational Opportunities for
Students
504 Student Rights and Responsibilities
Student Handbook

Approved 05/17/2010 **Reviewed** 04/24/2017 **Revised** 7/8/2024

POLICY 504.7
GERING PUBLIC SCHOOLS
GERING, NE

CARE OF SCHOOL PROPERTY AND VANDALISM

Students shall treat school district property with care and respect. They shall be subject to discipline under board policy and the school district rules and regulations. Students found to have destroyed or otherwise harmed school district property may be required to reimburse the school district. They may also be referred to local law enforcement authorities.

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

Cross Reference: 504 Student Rights and Responsibilities
 Student Handbook

Approved 05/17/2010

Reviewed 04/24/2017

Revised 05/15/2017

POLICY 504.9
GERING PUBLIC SCHOOLS
GERING, NE

STUDENT LOCKERS

Student lockers are the property of the school district. Students shall use the lockers assigned to them by the school district for storing their school materials and personal belongings necessary for attendance at school. It shall be the responsibility of students to keep their assigned lockers clean and undamaged.

To ensure students are properly maintaining their assigned lockers, the principal of the building may periodically inspect all or a random selection of lockers. Students may be present during the inspection of their lockers. Student lockers may also be searched in compliance with board policy regulating search and seizure.

Cross Reference: 504.01 Student Due Process Rights

Approved 05/17/2010

Reviewed 04/24/2017

Revised _____

**POLICY 504.10
GERING PUBLIC SCHOOLS
GERING, NE**

STUDENT USE OF COMPUTERS

The Board of Education believes that the availability of computers and computer technology will enhance the learning opportunities of our students. Students are expected to conduct themselves within the guidelines of district computer use policy as stated in Policy 606.06, Acceptable Use of Computers, Technology and the Internet.

Cross Reference: 504.03 Student Conduct
 505 Student Discipline
 606.06 Acceptable Use of Computers, Technology and the
 Internet

Approved 05/17/2010 Reviewed 04/24/2017 Revised _____

**POLICY 504.13
GERING PUBLIC SCHOOLS
GERING, NE**

USE OF METAL DETECTORS

When the administration has reasonable cause to believe that weapons are in the possession of unidentified students, when there has been a pattern of weapons found at school or when violence involving weapons has occurred at the school or at school sponsored events, the administration shall be authorized to use stationary or mobile metal detectors in accordance with procedures approved by the Board.

Any search of a student's person as a result of the activation of the detector shall be conducted in private in accordance with the policy on Searches, Seizures and Arrests.

Cross Reference: 504.16 Searches, Seizures and Arrests
 505 Student Discipline

Approved: 05/17/2010 Reviewed: 09/25/2017 Revised: _____

POLICY 504.14
GERING PUBLIC SCHOOLS
GERING, NE

HAZING, INITIATION, SECRET SOCIETIES OR GANG ACTIVITIES

Hazing or initiation by any school organizations, groups, clubs, teams or individuals are prohibited unless specifically approved by the administration. Anyone engaging in hazing or initiation behavior will be subject to disciplinary action up to and including expulsion.

Hazing is any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any school organization. Such hazing activity includes whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act which endangers the physical or mental health or safety of any person or the coercing of any such activity.

The Board of Education prohibits the organization of school-sponsored fraternities, sororities or secret organizations wherein membership is determined by members themselves rather than on the basis of free choice. The Board considers those organizations or memberships in those organizations detrimental to the good conduct and discipline of the school. Interference with the instructional program of the district by those groups will not be condoned, and no organizational activities are permitted under the sponsorship of the school district or its personnel.

In addition, the use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute that indicates or implies membership or affiliation with such a group, is disruptive of a positive learning environment and will not be tolerated.

Legal Reference: Neb. Statute 79-2,101 to 2,102

Cross Reference: 505 Student Discipline
 506 Student Activities

Approved 05/17/2010 Reviewed 08/22/2016, 09/25/2017 Revised 09/19/2016

POLICY 504.15
GERING PUBLIC SCHOOLS
GERING, NE

SMOKING - DRINKING - DRUGS

The board prohibits the distribution, dispensing, manufacture, possession, use, or being under the influence of beer, wine, alcohol, tobacco, other controlled substances, or "look alike" substances that appear to be tobacco, beer, wine, alcohol or controlled substances by students while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct will directly affect the good order, efficient management and welfare of the school district.

The board believes such illegal, unauthorized or contraband materials generally cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees, or visitors.

Violation of this policy by students will result in disciplinary action including suspension or expulsion. Use, purchase or being in possession of cigarettes, tobacco or tobacco products for those under the age of eighteen, may be reported to the local law enforcement authorities. Possession, use or being under the influence of beer, wine, alcohol and/or of a controlled substance may also be reported to the local law enforcement authorities.

Students who violate the terms of this policy may be required to satisfactorily complete a substance abuse assistance or rehabilitation program approved by the school board. If such student fails to satisfactorily complete such a program, the student may be subject to discipline including suspension or expulsion.

The board believes the substance abuse prevention program shall include:

- Age-appropriate, developmentally-based drug and alcohol curriculum for students in grades kindergarten through twelve, which address the legal, social, and health consequences of tobacco, drug and alcohol use and which provide information about effective techniques for resisting peer pressure to use tobacco, drugs or alcohol;
- A statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities;
- A clear statement that disciplinary sanctions, up to and including suspension or expulsion and referral for prosecution, will be imposed on students who violate the policy and a description of those sanctions;

- A statement that students may be required to successfully complete an appropriate rehabilitation program;
- Information about drug and alcohol counseling and rehabilitation and reentry programs available to students;
- A requirement that parents and students be given a copy of the standards of conduct and the statement of disciplinary sanctions required; and
- Notification to parents and students that compliance with the standards of conduct is mandatory.

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

Legal Reference: 34 C.F.R. Pt. 86 (1996).

Cross Reference: 504 Student Rights and Responsibilities
505 Student Discipline
508 Student Health and Well-Being

Approved: 05/17/2010 Reviewed: 09/25/2017 Revised: _____

POLICY 504.16
GERING PUBLIC SCHOOLS
GERING, NE

SEARCHES, SEIZURES AND ARRESTS

School district property is held in public trust by the board. School district authorities may, without a search warrant, search students or protected student areas based on a reasonable and definable suspicion that a school district policy, rule, regulation or law has been violated.

The search shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the school district facilities. The furnishing of a locker, desk or other facility or space owned by the school and provided as a courtesy to a student, even if the student provides the lock for it, shall not create a protected student area and shall not give rise to an expectation of privacy with respect to the locker, desk, or other facility.

School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, non prescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco, weapons, explosives, poisons and stolen property. Such items are not to be possessed by students while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management, and welfare of the school district.

Possession of such items will be grounds for disciplinary action including suspension or expulsion and may be reported to local law enforcement officials. The board believes that illegal, unauthorized or contraband materials may cause material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees, or visitors on the school district premises or property within the jurisdiction of the school district.

The superintendent or building principal shall only release minor students into the custody of a law enforcement officer upon presentation of a court order or warrant for the student's arrest, or under conditions for temporary custody of a juvenile without a warrant as provided by state statutes.

The principal or designee will immediately attempt to notify the parent/guardian or responsible relative of the student's release and the place to which the student is reportedly taken, except in cases of child abuse.

It shall be the responsibility of the superintendent, in conjunction with the administrative team, to implement this policy.

Legal Reference: Neb. Statute 43-248 & 79-294
New Jersey v. T.L.O., 469 U.S. 325 (1985).
Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), cert. den.,
482 U.S. 930 (1987).

Cross Reference: 504 Student Rights and Responsibilities
 505 Student Discipline
 508.10 Referral of Students to Other Agencies

Approved 05/17/2010

Reviewed 08/28/2017

Approved 09/18/2017

**POLICY 504.16F1
GERING PUBLIC SCHOOLS
GERING, NE**

SEARCH AND SEIZURE CHECKLIST

Student(s) name(s): _____ Date: _____

1. What factors caused you to have a reasonable and definable suspicion that the search of this student or the student's effects or automobile would turn up evidence that the student has violated or is violating the law, school policy, rules or regulations affecting school order?

A. Eyewitness account.

1) By whom: _____

2) Date/Time: _____

3) Place: _____

4) What was seen: _____

B. Information from a reliable source.

1) From whom: _____

2) Time received: _____

3) How information was received: _____

4) Who received the information: _____

5) Describe information: _____

C. Suspicious behavior? Explain.

D. Student's past history? Explain.

E. Time of search: _____

F. Location of search: _____

G. Student told purpose of search: _____

H. Consent of student requested: _____

2. Was the search you conducted reasonable in terms of scope and intrusiveness?

A. What were you searching for: _____

B. Where did you search? _____

C. Sex of the student: _____

D. Age of the student: _____

E. Exigency of the situation: _____

F. What type of search was being conducted: _____

G. Who conducted the search: _____

Position: _____ Sex: _____

H. Witness(s): _____

3. Explanation of Search.

A. Describe the time and location of the search: _____

B. Describe exactly what was searched: _____

C. What did the search yield: _____

D. What was seized: _____

E. Were any materials turned over to law enforcement officials?

F. Were parents notified of the search including the reason for it and the scope: _____

POLICY 504.16R1
GERING PUBLIC SCHOOLS
GERING, NE

SEARCH AND SEIZURE REGULATION

1. Searches, in general.

- A. Reasonable and Definable Suspicion: A search of a student will be justified when there are reasonable grounds for the suspicion that the search will turn up evidence that the student has violated or is violating the law or school district policy, rules, or regulations affecting school order.

Reasonable suspicion may be formed by considering factors such as the following:

- 1) eyewitness observations by employees;
- 2) information received from reliable sources;
- 3) suspicious behavior by the student; or,
- 4) the student's past history and school record although this factor alone is not sufficient to provide the basis for reasonable suspicion.

- B. Reasonable Scope: A search will be permissible in its scope or intrusiveness when the measures adopted are reasonably related to the objectives of the search. Reasonableness of scope or intrusiveness may be determined based on factors such as the following:

- 1) the age of the student;
- 2) the sex of the student;
- 3) the nature of the infraction; and
- 4) the emergency requiring the search without delay.

2. Types of Searches

A. Personal Searches

- 1) A student's personal and/or personal effects (e.g., purse, backpack, etc.) may be searched when a school official has reasonable suspicion to believe the student is in possession of illegal or contraband items or has violated school district policies, rules, regulations or the law affecting school order.
- 2) Personally intrusive searches will require more compelling circumstances to be considered reasonable.

- a) Pat-Down Search: If a pat-down search or a search of a student's garments (such as jackets, socks, pockets, etc.) is conducted, it will be conducted in private by a school official of the same sex as the student and with another adult witness of the same sex present, when feasible.
- b) A more intrusive search, short of a strip search, of the student's person, handbags, book bags, etc., is permissible in emergency situations when the health and safety of students, employees, or visitors are threatened. Such a search may only be conducted in private by a school official of the same sex as the student, with an adult of the same sex present unless the health or safety of students will be endangered by the delay which may be caused by following these procedures.

B. Locker and Desk Inspections

Although school lockers and desks are temporarily assigned to individual students, they remain the property of the school district at all times. The school district has a reasonable and valid interest in insuring the lockers and desks are properly maintained. For this reason, lockers and desks are subject to unannounced inspections and students have no legitimate expectations of privacy in the locker or desk. Periodic inspections of all or a random selection of lockers or desks may be conducted by school officials in the presence of the student or another individual. Any contraband discovered during such searches shall be confiscated by school officials and may be turned over to law enforcement officials.

The contents of a student's locker or desk (coat, backpack, purse, etc.) may be searched when a school official has reasonable and definable suspicion that the contents contains illegal or contraband items or evidence of a violation of law or school policy or rule. Such searches should be conducted in the presence of another adult witness when feasible.

C. Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of the student parking lots. The interior of a student's automobile on the school premises may be searched if the school official has reasonable and definable suspicion to believe that illegal, unauthorized or contraband items are contained inside.

POLICY 504.17
GERING PUBLIC SCHOOLS
GERING, NE

QUESTIONING OF STUDENTS BY OUTSIDE AGENCIES

Generally, students may not be interviewed during the school day by persons other than parents and school district officials and employees.

Requests from law enforcement officers and from persons other than parents, school district officials, and employees to interview students shall be made through the principal's office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Generally, prior to granting a request, the principal shall attempt to contact the parents to inform them of the request and to ask them to be present.

If a child abuse investigator wishes to interview a student, the principal will determine as to whether the student should be interviewed independently from the student's parents, whether the school is the most appropriate setting for the interview, and who will be present during the interview.

The superintendent or building principal shall only release minor students into the custody of a law enforcement officer upon presentation of a court order or warrant for the student's arrest, or under conditions for temporary custody of a juvenile without a warrant as provided by state statutes.

Legal Reference: Neb. Statute 79-294

Cross Reference: 403.02 Child Abuse Reporting
 504.16 Searches, Seizures and Arrests
 505 Student Discipline

POLICY 504.18
GERING PUBLIC SCHOOLS
GERING, NE

HARASSMENT BY STUDENTS

Harassment of students, staff or visitors by other students will not be tolerated in the school district. This policy is in effect while students are on school grounds, school district property, or on property within the jurisdiction of the school district; while on school-owned and/or school-operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school district.

Harassment includes, but is not limited to, race, religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, or other prohibited status. Harassment by board members, administrators, employees, parents, vendors, and others doing business with the school district is prohibited. Students whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, suspension and expulsion.

Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of an individual's participation in school programs or activities;
- submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, offensive or hostile learning or work environment.

Sexual harassment as set out above, may include, but is not limited to the following:

- verbal, written, or electronic harassment or abuse, or unwelcome communication implying sexual motives or intentions;
- pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;
- unwelcome touching;
- unwelcome and offensive public sexual display of affection;

- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, achievements, etc.

Harassment on the basis of race, religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, or other prohibited status means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble individuals when:

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of an individual's participation in school programs or activities;
- submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or
- creating an intimidating, offensive or hostile learning or work environment.

Harassment as set forth above may include, but is not limited to the following:

- verbal, physical, written, or electronic harassment or abuse;
- repeated remarks of a demeaning nature;
- implied or explicit threats concerning one's grades, achievements, etc.;
- demeaning jokes, stories, or activities directed at an individual.

The district will promptly and reasonably investigate allegations of harassment. The building principal will be responsible for handling all complaints by students alleging harassment.

Upon receiving a complaint, the investigator shall confer with the complainant to obtain an understanding and a statement of the facts. It shall be the responsibility of the investigator to promptly and reasonably investigate claims of harassment and to pass the findings on to the superintendent who shall complete such further investigation as deemed necessary and take such final action as appropriate. It is the intention of the district to complete its investigation within ten (10) working days after receiving a complaint unless extenuating circumstances such as unavailability of a witness or needing additional time because of the complexity of the investigation or the need to involve outside experts. The extended timeframe for investigation due to extenuating circumstances shall not exceed ten (10) days without the consent of the complainant, unless the alleged victim agrees to a longer time limit. Information regarding an investigation of harassment shall be confidential to the extent possible, and those individuals who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process.

Retaliation against an individual because the individual has filed a harassment complaint or assisted or participated in a harassment investigation or proceeding is also prohibited. A student who is found to have retaliated against an individual in violation of this policy will be subject to discipline, up to and including, suspension and expulsion.

It shall also be the responsibility of the superintendent, in conjunction with the investigator and principals, to develop administrative rules regarding this policy. These rules will be printed and distributed to students and parents in the student handbook. The superintendent shall also be responsible for organizing training programs for students and employees. The training shall include how to recognize harassment and what to do in case an individual is harassed. The employee training will be documented in personnel files to ensure a record of training for each employee.

- | | |
|-------------------|---|
| Legal References: | 20 U.S.C. §§ 12211234i (1994) |
| | 20 U.S.C. § 1681 et seq. |
| | 29 U.S.C. § 794 (1994) |
| | 42 U.S.C. § 1983 |
| | 42 U.S.C. §§ 2000d2000d7 (1994). |
| | 42 U.S.C. §§ 12101 et. seq. (1994). |
| Cross References: | 404.06 Harassment |
| | 504 Student Rights and Responsibilities |
| | 505 Student Discipline |
| | 507 Student Records |

Approved 05/17/2010 Reviewed: 09/25/2017, 08/27/2018
Revised: 10/16/2017, 09/17/2018

**POLICY 504.18F1
GERING PUBLIC SCHOOLS
GERING, NE**

HARASSMENT COMPLAINT FORM

Name of complainant:

Position of complainant:

Date of complaint:

Name of alleged harasser:

Date and place of incident or incidents:

Description of misconduct:

Name of witnesses (if any):

Evidence of harassment, i.e., letters, photos, etc. (attach evidence if possible):

Any other information:

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

**POLICY 504.18F2
GERING PUBLIC SCHOOLS
GERING, NE**

WITNESS DISCLOSURE FORM

Name of witness:

Position of witness:

Date of testimony, interview:

Description of instance witnessed:

Any other information:

I agree that all of the information in this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

POLICY 504.18R1
GERING PUBLIC SCHOOLS
GERING, NE

HARASSMENT BY STUDENTS INVESTIGATION PROCEDURES

Harassment of students by other students will not be tolerated in the school district.

Harassment is a violation of school district policies, rules and regulations and, in some cases, may also be a violation of criminal or other laws. The school district has the authority to report students violating this rule to law enforcement officials.

Students or individuals who feel that they have been harassed by other students should:

- Communicate to the harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual needs assistance communicating with the harasser, he/she should ask a teacher, counselor or principal to help.
- If the harassment does not stop, or the individual does not feel comfortable confronting the harasser, he/she should:
 - tell a teacher, counselor or principal; and
 - write down exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including:
 - ✓ what, when and where it happened;
 - ✓ who was involved;
 - ✓ exactly what was said or what the harasser did;
 - ✓ witnesses to the harassment;
 - ✓ what the individual said or did, either at the time or later;
 - ✓ how the individual felt; and
 - ✓ how the harasser responded.

Complaint Procedure

An individual who believes he/she has been harassed shall notify the principal who will designate an investigator. The investigator may request that the individual complete the Harassment Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. Information received during the investigation shall be kept confidential to the extent possible.

The investigator, with the approval of the superintendent, or the superintendent has the authority to initiate a harassment investigation in the absence of a written complaint.

Investigation Procedure

The investigator shall reasonably and promptly commence the investigation upon receipt of the complaint. The investigator shall interview the complainant and the alleged harasser. The alleged harasser may file a written statement refuting or explaining the behavior outlined in the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator shall make written findings and conclusions as to each allegation of harassment and report the findings and conclusions to the principal. The investigator will outline the findings of the investigation to the principal.

Resolution of the Complaint

Following receipt of the investigator's report, the principal may investigate further, if deemed necessary, and make a determination of the appropriate next step which may include discipline, up to and including, suspension and expulsion.

Prior to the determination of the appropriate remedial action, the principal may, at the principal's discretion, interview the complainant and the alleged harasser. The principal shall file a written report closing the case and documenting any disciplinary action taken or any other action taken in response to the complaint. The complainant, the alleged harasser and the investigator shall receive notice as to the conclusion of the investigation.

Points to Remember in the Investigation

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and investigated.
- No retaliation will be taken against individuals involved in the investigation process.
- Retaliators will be disciplined up to and including suspension and expulsion.

Conflicts

If the investigator is a witness to the incident, the alternate investigator shall be the investigator.

POLICY 504.19
GERING PUBLIC SCHOOLS
GERING, NE

STUDENT FEES

The board realizes some activities may require additional expenditures which are properly to be borne by students as a separate charge. Such charges may be waived as specified below depending upon the student's eligibility for the free and reduced-price lunch program. No fees, specialized or non-specialized attire or equipment shall be required of students outside this policy. This policy does not apply to tuition payments by nonresident students.

For the purposes of this policy, the following definitions shall apply:

- Extracurricular activities means student activities or organizations which are supervised or administered by the school district, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the school district;
- Postsecondary education costs means tuition and other fees associated with obtaining credit from a post-secondary educational institution.

The district may charge student fees or require students to provide specialized equipment or attire in the following areas:

- Participation in extracurricular activities, including extracurricular music courses;
- Admission fees and transportation charges for spectators attending extracurricular activities;
- Post-secondary education costs, limited to tuition and fees associated with obtaining credits from the post-secondary institution;
- Transportation fees for option students not qualifying for free lunches and nonresident students as allowed by state statute;
- Copies of student files or records as allowed by state statute;
- Reimbursement to the district for property lost or damaged by the student;
- Before-and-after-school or pre kindergarten services in accordance with state statute;
- Summer school or night school; and
- Breakfast and lunch programs.

The district may also require students to furnish musical instruments for participation in optional music courses that are not extracurricular activities. Students qualifying for free

or reduced-price lunches shall be provided with a musical instrument of the school's choice.

Waivers shall be provided to students who qualify for free or reduced-price lunches for fees, specialized equipment and specialized attire required for participation in extracurricular activities.

The superintendent shall establish a Student Fee Fund and ensure that funds collected as fees for the following purposes are properly recorded and deposited to it:

- Participation in extracurricular activities;
- Post-secondary education costs; and
- Summer school or night school.

The superintendent shall promulgate regulations outlining the purposes for which fees in these three areas are collected and shall ensure such fees are spent for those purposes.

The superintendent shall promulgate regulations to be published annually in the student handbook authorizing and governing:

1. Any non-specialized clothing required for specified courses and activities;
2. Any personal or consumable items a student will be required to furnish for specified activities; and
3. Any specialized equipment or specialized attire which a student will be required to provide for any extracurricular activity, including extracurricular music courses.

The superintendent shall also promulgate regulations authorizing and governing the following areas:

- All fees to be collected within the nine numbered areas of the third paragraph of this policy;
- Any other types of specialized equipment or attire to be provided by all students in the nine numbered areas of the third paragraph of this policy;
- Procedures and forms for students or parent/guardians to apply for waivers under this policy;
- Deadlines for waivers for all types of fees;
- Procedures for the handling of fees for students receiving post-secondary education credits;
- Procedures for handling of fees related to summer school or night school; and

- Attendance requirements and procedures in connection with evening, weekend or summer use of facilities related to all extracurricular activities to avoid conflict with this policy.

The maximum dollar amount of each fee must be specified as part of this policy.

Public concerns or complaints regarding required fees, attire or equipment shall be addressed under Policy 1005.01, Public Complaints.

This policy will be reviewed and re-adopted annually by August 1 at a regular or special meeting of the board. This shall include a review of the amount of money collected under this policy and the use of waivers as provided by this policy. The policy shall be published in the student handbook provided at no cost to each household.

Legal Reference: Neb. Constitution, Art VII, Sect. 1
 Neb. Statute 79-215 (tuition)
 79-241 (option student busing)
 79-605 (nonresident busing)
 79-611 (transportation fees)
 79-734 (books, equipment and supplies)
 79-2,104 (student files)
 79-2,125 to 2,134 (student fees law)
 79-1104 (before-and-after-school services)
 79-1106 to 1108 (learners with high ability)

Cross Reference: 505.05 Fines for Lost or Damaged Items
 506 Student Activities
 507.01 Student Records Access
 801 Transportation
 802.05 Free or Reduced Cost Meals Eligibility
 1005.01 Public Complaints

Approved 07/19/2010 Reviewed 07/18/2016, 07/19/2017, 08/20/2018, 07/15/2019
Revised _____

**POLICY 504.19R1
GERING PUBLIC SCHOOLS
GERING, NE**

**STUDENT FEES
~~2023-24~~2024-25**

Gering High School

	Fund	Waiver Eligible	Maximum Cost
Band			
Uniform Cleaning	Activity	Yes	\$ 15.00
T Shirts	Activity	Yes	\$ 20.00
Marching Shoes	Activity	Yes	\$ 35.00
Black Slacks	Activity	Yes	\$ 25.00
Honor Band/Choir	Activity	No	\$ 40.00
Musical Groups	Activity	Yes	\$ 175.00
All School Musical	Fee	No	\$ 100.00
Class Projects	Activity	No	\$ 150.00
College Classes	Fee	No	\$ 800.00
Physiology Cholesterol Check	Direct Pay	No	\$ 25.00
Cap & Gown	Activity	No	\$ 30.00
Cheerleaders	Activity	No	\$ 750.00
Club Apparel	Activity	No	\$ 40.00
Club Dues	Fee	No	\$ 25.00
Field Trips (required)	Activity	Yes	\$ 20.00
Field Trips (not required)	Activity	No	\$ 65.00
Class Dues	Activity	No	\$ 10.00
Activity Tickets	Activity	No	\$ 35.00
Test prep course fees	Activity	No	\$ 20.00
Technology Usage Fee	Fee	Yes	\$ 20.00
Banquet/Dinners	Activity	No	\$ 20.00

Gering Junior High School

	Fund	Waiver Eligible	Maximum Cost
Band T-Shirt	Activity	Yes	\$ 15.00
Band Black Slacks	Activity	Yes	\$ 25.00
Honor Band Audition	Activity	No	\$ 40.00
Class Projects	Activity	No	\$ 100.00
Club Dues	Fee	Yes	\$ 5.00
Activity Tickets	Activity	No	\$ 20.00

Approved 7/24/21

POLICY 504.20
GERING PUBLIC SCHOOLS
GERING, NE

BULLYING PREVENTION

The board recognizes the negative impact that bullying has on student health, welfare, safety, and the school's learning environment and, therefore, prohibits such behavior. Bullying is defined as any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or his or her designee, or at school sponsored activities or school-sponsored athletic events.

Bullying may constitute grounds for long-term suspension, expulsion or mandatory reassignment, subject to state and federal statutes and the district's student discipline and due process procedures.

It shall be the responsibility of the superintendent to implement appropriate programs or procedures for the purpose of educating students regarding bullying prevention.

This policy shall be reviewed annually.

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

Cross Reference: 505 Student Discipline

Approved: 05/17/2010 Reviewed 06/23/2014, 07/17/2017, 08/20/2018, 7/20/2020
Revised _____

POLICY 504.21
GERING PUBLIC SCHOOLS
GERING, NE

DATING VIOLENCE PREVENTION

The board prohibits behavior that has a negative impact on student health, welfare, safety, and the school's learning environment. Incidents of dating violence will not be tolerated on school grounds, in district vehicles, or at school sponsored activities or school-sponsored athletic events.

Dating violence is defined as a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner. Dating partner means any person, regardless of the partner's sex, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate involvement whether casual, serious or long-term.

The district will provide appropriate training to staff and incorporate within its educational program age-appropriate dating violence education that shall include, but not be limited to, defining dating violence, recognizing dating violence warning signs, and identifying characteristics of healthy dating relationships.

This policy shall be published in the student handbook.

Legal Reference: Neb. Statute 79-2,141

POLICY 504.22
GERING PUBLIC SCHOOLS
GERING, NE

STUDENT CONTACT BY NON-SCHOOL PERSONS

Any person, other than a school employee, who wishes to contact a pupil, either by telephone or in person, must first obtain permission from the building principal or other person in authority before so doing. Such permission shall not be granted unless the person making the request can present acceptable reasons for contacting the pupil.

Under no circumstances will permission be granted for taking a pupil from school unless the person making such request can prove to the building principal, his/her identity, relationship to the student, and adequate justification for the action.

Approved 05/17/2010

Reviewed 09/25/2017

Revised _____

**POLICY 504.23
GERING PUBLIC SCHOOLS
GERING, NE**

SUICIDE AWARENESS

The board wishes to ensure that appropriate staff training for suicide awareness and prevention as required by state statutes is conducted on an annual basis. All district nurses, teachers, counselors, school psychologists, administrators, school social workers, and any other appropriate personnel shall receive at least one hour of such training each year.

The training should include such topics as how to identify appropriate mental health services both within the school and also within the larger school community, and when and how to refer youth and their families to those services.

It shall be the responsibility of the superintendent or his/her designee to implement and monitor this training.

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POLICY 504.24
GERING PUBLIC SCHOOLS
GERING, NE

TITLE IX NONDISCRIMINATION

Statement of Policy

This district does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admissions and employment. The board appoints the superintendent as the district's Title IX Coordinator. The Title IX Coordinator is the district's employee who coordinates the district's efforts to comply with its responsibilities under Title IX. In the event the Title IX coordinator is unavailable or is the respondent to a complaint, an alternate coordinator should instead be directed to receive complaints and act as the coordinator.

General Obligations under Title IX

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district, as required by law. Sex discrimination includes but is not limited to creating a hostile environment on the basis of sex.

The district also prohibits intimidation, threats, coercion, or discrimination against any person by the district, a student, or an employee or other person authorized by the district to provide aid, benefit, or service under the district's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate (except as an employee) in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

If the district has knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity, it must respond promptly and effectively. The district is required by law to address sex-based discrimination even if it occurs off of school grounds, as long as it is conduct that is subject to the district's disciplinary authority. The district has an obligation to address a sex-based hostile environment under its education

program or activity, even when some conduct contributing to the hostile environment occurred outside the district's program or activity.

Giving Notice of Title IX Policy

The superintendent must create and distribute a Notice of Nondiscrimination in the form and circumstances required by the Title IX regulations, including how to find this policy including its Title IX grievance procedures, and contact information for Title IX Coordinator. The district will provide such notice to students, parents/guardians/other student legal representatives, employees, applicants for admission and employment, unions and professional organizations with collective bargaining or other professional agreements with the district. Notice will be as required by law.

Title IX Coordinator duties are as prescribed in the Title IX regulations and may be delegated to another employee or a third party, but the board-named Title IX Coordinator must be an employee and will maintain ultimate administrative oversight of the district's Title IX compliance efforts.

The Title IX Coordinator monitors the district's education program or activity for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX and take steps reasonably calculated to address such barriers.

Investigation and Reporting Forms Under This Policy

For complaints of sex-based discrimination, harassment or retaliation by an individual:

<u>Form</u>	<u>Completed By</u>
504.24E2 – initial report of sex discrimination	Complainant
504.24E3 – title IX coordinators intake report	Title IX Coordinator
504.24E4 – informal resolution procedures	Title IX Coordinator
504.24E5 – determination of sex-based harassment	Title IX Coordinator
504.24E6 – notice of dismissal of complaint	Title IX Coordinator
504.24E7 – appeal of dismissal or appeal of determination	Complainant
504.24E9 – decision of appeal of dismissal	Title IX Coordinator

For complaints Title IX discrimination in the district's programs or activities:

<u>Form</u>	<u>Completed By</u>
504.24E2 – initial report of sex discrimination	Complainant
504.24E3 – title IX coordinators intake report	Title IX Coordinator
504.24E4 – informal resolution procedures	Title IX Coordinator
504.24E8 – notice of initiation of grievance procedure	Title IX Coordinator
504.24E5 – determination of sex-based harassment	Title IX Coordinator
504.24E6 – notice of dismissal of complaint	Title IX Coordinator

504.24E7 – appeal of dismissal or appeal of determination Complainant
504.24E10 – decision on appeal of grievance outcome Title IX Coordinator

Definitions

As used in this policy:

Complaint is an oral or written request to the district that objectively can be understood as a request for the district to investigate and make a determination about alleged discrimination under Title IX or its regulations. The Title IX Coordinator’s knowledge of the existence of a complainant requires a district response but does not itself constitute a complaint as used in this grievance procedure.

Complainant is a student, employee, or persons other than students or employees who were participating or attempting to participate in the district’s program or activity, alleged to have been subjected to conduct that could constitute sex discrimination under Title IX.

Respondent is a person who is alleged to have violated the district’s prohibition on sex discrimination.

Consent in this policy means willingly allowing conduct to occur but an individual may be incapable of providing consent to sexual conduct or activity due to circumstances resulting from age, disability, lack of information, incapacity or other causes. Since neither verbal nor physical resistance to the conduct is required to show lack of consent, the decisionmaker will consider the full circumstances when determining whether consent occurred. Consent, if given, may also be withdrawn at any time.

Sex-based harassment, which is prohibited by Title IX and is a form of sex discrimination, means “sexual harassment and other harassment on the basis of sex” that is: (1) quid pro quo harassment, (2) hostile environment harassment, or (3) a specific offense as identified in Title IX regulations.

Quid pro quo harassment occurs when “an employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient’s education program or activity explicitly or impliedly condition[s] the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct.”

Hostile environment harassment involves “unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the recipient’s education program or activity (i.e., creates a hostile environment).” It is a fact-specific inquiry to determine whether a hostile

environment has been created, and the following factors may be considered in making such a determination:

- The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
- The type, frequency, and duration of the conduct;
- The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- The location of the conduct and the context in which the conduct occurred; and
- Other sex-based harassment in the recipient's education program or activity.

Sexual Assault may be defined as a forcible or non-forcible offense under the uniform crime reporting system of the Federal Bureau of Investigation.

- Forcible Sex Offenses may include fondling, rape, sexual assault with an object, and sodomy.
- Non-forcible Sex Offenses include incest and statutory rape.

Dating Violence is defined as a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner.

Domestic Violence refers to crimes committed by a current or former spouse under the laws of that jurisdiction where the victim is or has cohabited with the perpetrator, has a child together with the perpetrator, or the perpetrator commits violence against a youth or adult of that household under the domestic violence laws of that jurisdiction.

Stalking is the intentional conduct of following, harassing, or interfering with a specific individual to cause fear or emotional distress.

Retaliation

1. Retaliatory actions include, but are not limited to, acts of intimidation, threats, coercion or discrimination against those who:
 - a. Make complaints of illegal discrimination or harassment.
 - b. Report illegal discrimination or harassment.
 - c. Participate in an investigation, formal proceeding or informal resolution, whether conducted internally or outside the district, concerning illegal discrimination or harassment.

2. Aiding, abetting, inciting, compelling or coercing illegal discrimination, harassment or retaliatory actions.
3. Discrimination, harassment or retaliation against any person because of such person's association with a person protected from discrimination or harassment in accordance with this policy and law.

Staff Obligation to Report Sex Discrimination to Title IX Coordinator

All employees are required to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination. However, an employee who is personally subjected to conduct that reasonably may constitute sex discrimination is encouraged to report such conduct to the Title IX Coordinator, but is not required by this policy to report if no other person within the district's program or activity (including any student) is adversely affected by that conduct, and the conduct is not required to be reported by another policy or law. If a student alleges sexual misconduct on the part of any district employee to any person employed by the district, that person will immediately report the allegation to local law enforcement or DHHS in accordance with district policy.

Law Enforcement Reporting

Regardless of the Title IX Complaint process, school employees are still required to follow state law and district policies requiring reporting to law enforcement, social services agencies, or other relevant agencies. In cases where a report has been made that concerns conduct that also triggers the district's Title IX obligations, the Title IX Coordinator is directed to coordinate the investigation with law enforcement agencies, social services agencies, and related services agencies. The district may implement supportive measures or an emergency removal as appropriate. The district may extend the timeframes for the investigation and processing of a grievance if necessary due to a concurrent investigation by law enforcement or social services.

Permitted Emergency Exclusion Upon Complaint of Sex Discrimination

In consultation with the Title IX Coordinator, district administrators may remove a complaint respondent from the district's education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of a complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision must not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504, or the Americans with Disabilities Act.

This provision does not preclude the district from placing any employee on administrative leave.

Special Education /Section 504 Overlap

If a complainant or respondent is a student with a disability, the Title IX Coordinator must consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under Section 504, if any, to determine how to comply with federal law requirements throughout the district's implementation of grievance procedures and/or supportive measures.

Additional Prohibited Behavior

Behavior that is not unlawful or does not rise to the level of Title IX discrimination, harassment or retaliation on the basis of sex might still be unacceptable for the workplace or the educational environment. The district encourages students, employees and the public to report such behavior so that it can be promptly addressed whether under this policy or policy 504.18 Harassment.

Confidentiality and Records

To the extent permitted by law and in accordance with board policy, the district will keep confidential the identity of the person filing a grievance and any grievance or other document that is generated or received pertaining to grievances. Information may be disclosed if necessary to further the investigation, appeal or resolution of a grievance, or if necessary to carry out interim or disciplinary measures. The district will disclose information to the district's attorney, law enforcement, social services agencies, and others when necessary to enforce this policy or when required by law. In implementing this policy, the district will comply with state and federal laws regarding the confidentiality of student and employee records. Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record. The district will keep any documentation created in investigating the complaint including, but not limited to, documentation considered when making any conclusions and as advised by the district's attorney.

All Other Reports

Unless the concern is otherwise voluntarily resolved, all persons must report incidents that might constitute discrimination, harassment or retaliation directly to the Title IX

Coordinator. All district employees will instruct all persons seeking to file a grievance to communicate directly with the Title IX Coordinator. Even if the suspected victim of discrimination, harassment or retaliation does not file a grievance, district employees are required to report to the Title IX Coordinator any observations, rumors or other information about actions prohibited by this policy. If a person refuses or is unable to submit a written complaint, the Title IX Coordinator will summarize the verbal complaint in writing. A grievance is not needed for the district to act upon finding a violation of law, district policy or district expectations.

Students, employees and others may attempt to resolve minor issues by addressing concerns directly to the person alleged to have violated this policy, but they are not expected or required to do so. Any attempts to voluntarily resolve a grievance will not delay the investigation once a report has been made to the district.

Even if a grievance under this policy is not directly filed, if the Title IX Coordinator otherwise learns about possible discrimination, harassment or retaliation, including violence, the district will conduct a prompt, impartial, adequate, reliable and thorough investigation to determine whether unlawful conduct occurred and will implement the appropriate interim measures if necessary.

If sex-based harassment is observed or alleged in a student behavior, the administrator must consult the Title IX coordinator prior to imposing discipline. Administrators will report all incidents as directed in the "Reporting" section of this policy and will direct the parent/guardian and student to the Title IX Coordinator for further assistance. In cases not being handled under this policy, the Title IX Coordinator may determine that the incident has been appropriately addressed or recommend additional action.

Title IX Grievance Procedures

The superintendent or designee will adopt, publish and implement grievance procedures consistent with Title IX regulations that provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by Title IX. The grievance procedures must treat complainants and respondents equitably. The Title IX Coordinator coordinates implementation of the grievance procedure.

The Title IX Coordinator may also serve as the investigator and/or decisionmaker under the district's grievance procedures.

The grievance procedure may, at the discretion of the superintendent or designee, include provisions for Informal Resolution of some complaints in accordance with Title IX regulations.

Any employee or any other person authorized by the district to provide any aid, benefit, or service under the district's education program or activity must participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing under this policy.

When the Title IX Coordinator is Made Aware of Possible Sex-based Discrimination

When the Title IX Coordinator is notified of conduct that reasonably may constitute sex discrimination under Title IX or its regulations, the Title IX Coordinator will:

1. Treat the complainant and respondent equitably.
2. Offer and coordinate supportive measures as appropriate for the complainant. In addition, if the grievance procedure has been initiated or if the district has offered an informal resolution process to the respondent, the Title IX Coordinator will also offer and coordinate supportive measures as appropriate for the respondent;
3. Notify the complainant of the grievance procedures and the informal resolution process, if offered.
4. In response to a complaint, initiate the grievance procedures or the informal resolution process; and
5. Regardless of whether a complaint is initiated, take other appropriate prompt and effective steps, in addition to steps necessary to effectuate the remedies provided to an individual complainant, if any, to ensure that sex discrimination does not continue or recur within the recipient's education program or activity.
6. The Title IX Coordinator is not required to comply with (1) through (5) of this section upon being notified of conduct that may constitute sex discrimination if the Title IX Coordinator reasonably determines that the conduct as alleged could not constitute sex discrimination under Title IX or this part.

How a Complaint is Made about District Programs or Activities

The Title IX Coordinator's knowledge of the existence of a complainant requires a district response but does not itself constitute a complaint as used in this grievance procedure. A complaint is made by an oral or written request to the district that objectively can be understood as a request for the district to investigate and make a determination about alleged discrimination under Title IX or its regulations.

Persons Making a Complaint

The following people have a right to make a "complaint" of sex discrimination in the program or activity of the district:

- Any student or employee the district;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant;
- Any person other than a student or employee who was participating or attempting to participate in the district's education program or activity at the time of the alleged sex discrimination.
- The Title IX Coordinator.

Limitation on Complaints of Sex-Based Harassment including Hostile Environment: A person is entitled to make a complaint of sex-based harassment (a sub-category of sex discrimination) including a sex-based hostile environment, only if :
 they themselves are alleged to have been subjected to the sex-based harassment,
 they have a legal right to act on behalf of such person, or
 the Title IX Coordinator initiates a complaint in accordance with law.

District-Initiated Complaints. In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, the Title IX Coordinator may initiate a complaint of sex discrimination if they determine that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents the district from ensuring equal access on the basis of sex to its education program or activity .

To make this fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:

- The complainant's request not to proceed with initiation of a complaint;
- The complainant's reasonable safety concerns regarding initiation of a complaint;
- The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the respondent is an employee of the district;
- The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- Whether the district could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

Complaint Consolidation

The district may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances.

Complaints Concerning District Policy or Practice

Not all complaints of sex discrimination involve active participation by complainants and respondents, including those alleging that the recipient's own policies and procedures discriminate based on sex. When a sex discrimination complaint alleges that the district's own policy or practice discriminates on the basis of sex, the district is not considered a "respondent" for procedural purposes. However, the district must fully implement and follow those parts of the grievance procedures that do apply to such complaints and complainants, including when responding to a complaint alleging that the recipient's policy or practice discriminates on the basis of sex.

For a complaint alleging that an individual engaged in sex discrimination based on actions the individual took in accordance with the recipient's policy or practice, the district must treat the individual as a respondent and comply with the requirements in these grievance procedures that apply to respondents. This is because such complaints may involve factual questions regarding whether the individual was, in fact, following the recipient's policy or practice, what actions the individual took, and whether the individual could be subject to disciplinary sanctions depending on these facts. To the extent an individual was following the recipient's policy or practice, the district has flexibility to determine whether the original complaint must be amended to be a complaint against the district itself or whether this determination can be made based on the original complaint against the individual.

Notice of a Complaint

When the district's grievance procedures are initiated the Title IX Coordinator or designee must provide notice of the allegations to the parties whose identities are known.

The notice must include:

- These grievance procedures
- The informal resolution process, if available and appropriate.
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited; and

- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the district provides a description of the evidence, the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

If, in the course of an investigation, the Title IX Coordinator or designee decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the Title IX Coordinator or designee will notify the parties of the additional allegations.

Dismissal of a Complaint

The Title IX Coordinator or designee may dismiss a complaint of sex discrimination if, after making reasonable efforts to clarify the allegations with the complainant:

- The district is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the district's education program or activity and is not employed by the district;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the district determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- The Title IX Coordinator or designee determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX.

When a complaint is dismissed, the Title IX Coordinator will, at a minimum:

- Notify the complainant of the dismissal, the basis for the dismissal and the process for appealing the dismissal.
- If the dismissal occurs after the respondent has been notified of the allegations, notify the respondent of the dismissal, the basis for the dismissal and that the dismissal may be appealed promptly following notification to the complainant, or simultaneously if notification is in writing.
- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the district's education program or activity.

Dismissal on these grounds does not prevent the application of any other district policy that applies to the alleged conduct or referral of the alleged conduct to appropriate administrators.

Appeal of Dismissal of Complaint

Dismissals may be appealed on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, the Title IX Coordinator or designee will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties of the result of the appeal and the rationale for the result.

Investigation of the Complaint by the District

The district will provide for adequate, reliable, and impartial investigation of complaints. The burden is on the district—not on the parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred. Any employee or any other person authorized by the district to provide aid, benefit, or service under the district's education program or activity to must, upon request by the Title IX Coordinator, an investigator, or a decisionmaker, participate as a witness in, or otherwise assist with, an investigation or proceeding under Policy 504.24 including these grievance procedures.

The district presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

The district will objectively evaluate all evidence that is relevant and not otherwise impermissible including both inculpatory and exculpatory evidence.

Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

The district will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible.

The district will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

The district will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, or an accurate description of the evidence, in the following manner:

- If the district provides a description of the evidence, the district will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
- The district will provide a reasonable opportunity for either party to respond to the evidence or the description of the evidence; and
- The district will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Evidentiary Exclusions

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by the district to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a legal privilege, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the district obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless it is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Confidentiality and Privacy

The district will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures.

The district must not disclose personally identifiable information obtained in the course of complying with Title IX, except in the following circumstances:

- When the district has obtained prior written consent from a person with the legal right to consent to the disclosure;
- When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
- To carry out the purposes of Title IX, including action taken to address conduct that reasonably may constitute sex discrimination under Title IX in the district's education program or activity;
- As required by Federal law, Federal regulations, or the terms and conditions of a Federal award, including a grant award or other funding agreement; or

- To the extent such disclosures are not otherwise in conflict with Title IX, when required by State or local law or when permitted under FERPA.

Investigatory Questioning of the Parties and Witnesses:

The grievance decisionmaker will question parties and witnesses to adequately assess their credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. Where the investigator has interviewed a party or witness and the investigator is also serving as the grievance decisionmaker, credibility evaluation is inherent in the process of conducting the interview. In situations where credibility determinations are required from a grievance decisionmaker who did not interview a party or witness, the Title IX Coordinator will facilitate an opportunity for the decisionmaker to conduct an interview as part of the grievance decisionmaker's process of engaging with the evidence resulting from the investigation.

Making the Determination Whether Sex Discrimination Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the grievance decisionmaker will:

- Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. If the decisionmaker is not persuaded by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.
- Notify the parties in writing of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal;
- If sex discrimination occurred, identify recommended discipline for the respondent for sex discrimination prohibited by Title IX ;
- Promptly transmit the grievance record and the determination to the Title IX Coordinator if the Title IX Coordinator did not serve as the decisionmaker.

If Sex Discrimination Occurred, How Does the District Respond?

When the respondent is found to have violated the prohibition on sex discrimination under Policy 504.24, the Title IX Coordinator will, as appropriate:

- Coordinate the provision and implementation of remedies, provided to restore or preserve equal access to the district's education program or activity when limited or denied by sex discrimination;
- Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
- Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the district's education program or activity.
- Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

Appeal of Grievance Process Outcomes

Appropriate supportive measures managed by the Title IX Coordinator will continue during all appeals.

Within 5 days after the decisionmaker makes a final decision at the conclusion of the grievance process, the complainant or the respondent, or both, may appeal the decision to the superintendent or designee by notifying the Title IX Coordinator in writing. The superintendent or designee will complete a written decision on the appeal within 10 days. The decision will be provided to the Title IX Coordinator, complainant, and respondent within 5 days of the decision.

If the determination that sex discrimination occurred is affirmed, reversed, or modified on appeal, the grievance returns to the Title IX Coordinator and the superintendent or designee to implement or modify the appropriate remedies, disciplinary sanctions, and other prompt and effective district steps to ensure that sex discrimination does not continue or recur.

Remedies When Sex Discrimination Occurred

After the district determines that sex discrimination occurred, the district may provide remedies, as appropriate, to a complainant or any other person the district identifies as having had their equal access to the district's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the district's education program or activity.

Supportive Measures

The district will provide supportive measures through its Title IX Coordinator, to complainants as appropriate and, if a complaint has been filed, to the respondent as appropriate.

For complaints of sex-based harassment, these supportive measures may include individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

Restore or preserve that party's access to the recipient's education program or activity, including measures that are designed to protect the safety of the parties or the recipient's educational environment; or

Provide support during the recipient's grievance procedures or during an informal resolution process.

Supportive measures may vary depending on what the district deems to be reasonably available. These measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

The district may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process, or the district may continue them beyond that point.

For allegations of sex discrimination other than sex-based harassment or retaliation, the district may provide supportive measures, but is not required to alter the alleged discriminatory conduct during the grievance process.

Confidentiality of Supportive Measures

The district must not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or when an exception to this policy's prohibition on disclosures of personally identifiable information applies.

Review of Supportive Measures Decisions

Upon request, the Title IX Coordinator will designate an appropriate and impartial employee to review the modification or reversal of the district's decision to provide, deny, modify, or terminate supportive measures. The reviewing employee must be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision. The district must also provide a party with the opportunity to seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

Disciplinary Sanctions

Administrators should consult with the Title IX Coordinator about potential disciplinary responses to the conduct that is alleged to be in violation of the prohibition on sex discrimination. The district is not permitted to impose disciplinary sanctions upon a respondent to a complaint for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the district's grievance process that the respondent engaged in prohibited sex discrimination. Appropriate supportive measures may be employed during the grievance process and an emergency removal may occur when necessary.

Overlapping Discrimination Claims and this Procedure

To the extent the underlying facts and legal questions in a complaint handled under the Title IX grievance process overlap with and pertain to compliance by the district with another law or regulation concerning discrimination under Policy 504.18, the evidence and findings of the Title IX grievance process may be used for both purposes, in the discretion of the Title IX Coordinator and, if not the same person, the district's Policy 504.18 Compliance Officer.

Timelines for the Grievance Process

The timelines shown in this policy are the ones approved by the board and are not statutory but are intended to establish expectations for being "prompt" in resolving Title IX matters in most cases.. The board may choose to modify those timelines within the following ranges:

- Arriving at the decision whether to investigate or dismiss a sex discrimination complaint, 1 to 15 days.
- Conducting the investigation, 1 to 30 days.
- Making a determination on the complaint, 1 to 30 days.
- Conducting and deciding an appeal, 1 to 20 days.

403.03 Abuse of Students by School District Employees
404.06 Harassment by Employees
405.00 Employee Conduct and Appearance
501.00 Objectives for Equal Educ. Opportunities for Students
504.03 Student Conduct
504.14 Hazing, Initiation, Secret Societies or Gang Activity
504.18 Harassment by Students
504.20 Bullying Prevention
504.21 Dating Violence Prevention
505.03 Suspension and Expulsion of Students
612.05 Individualized Education Program
612.10 Procedural Safeguards

Approved: 10/19/2020

Reviewed: 8/29/24

Revised: 8/2/2024

POLICY 504.24-E1
GERING PUBLIC SCHOOLS
GERING, NE

DISTRICT NOTICE OF NONDISCRIMINATION ON THE BASIS OF SEX

The notice forms are as follows, with the current district contact information and website links included at the time of use. In general, use the full statement below:

- [NAME OF DISTRICT] does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment.
- Inquiries about Title IX may be referred to the district's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both.
- The district's Title IX Coordinator is [name or title, office address, email address, and telephone number].
- The district's nondiscrimination policy (Policy 504.24) including its grievance procedures can be located, [include link to location(s) on website or otherwise describe location(s)] or obtained by contacting the Title IX Coordinator.
- To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact the Title IX Coordinator.

If necessary due to the format or size of any publication, use the following statement:

[NAME OF DISTRICT] prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at [insert website address].

Title IX requires the district to provide a notice of nondiscrimination to students; parents, guardians, or other authorized legal representatives of elementary school and secondary school students; employees; applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the district. The district must prominently place this notice of nondiscrimination on its website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to persons entitled to, or which are otherwise used in connection with the recruitment of students or employees.

POLICY 504.24-E2
GERING PUBLIC SCHOOLS
GERING, NE
INITIAL REPORT OF SEX DISCRIMINATION
(Including But Not Limited To Sex-Based Harassment)

IF SEX DISCRIMINATION HAPPENED TO YOU (OR YOUR CHILD):

Anyone who believes they have been a victim of sex-based discrimination may initiate a report using this form; may bypass this form and contact the Title IX coordinator directly for assistance; or may make a report by any other means that will result in the Title IX coordinator receiving the report.

IF YOU ARE REPORTING SEX DISCRIMINATION THAT HAPPENED TO SOMEONE ELSE: It is understood that the basis of an initial report may be either direct or indirect knowledge or reasonable suspicion drawn from the circumstances and warranting further inquiry. District employees are required, and all other persons are strongly encouraged, to assist the district's Title IX coordinator by promptly supplying as much of the following information as possible, using this form, when making a report of sexual-based discrimination including sex-based harassment. If you are not a district employee, you may instead directly contact the Title IX coordinator via any of the contact methods provided, but the Title IX coordinator will want the same information as is requested on this form.

Retaliation Prohibited

The district, its employees and other people are prohibited from intimidating, threatening, coercing or discriminating against you for filing this report. Please contact the Title IX coordinator immediately if you believe retaliation has occurred.

Confidentiality

The district will keep this report confidential as allowed by law. However, it may be necessary to disclose information contained in this report in order to investigate the alleged conduct and administer appropriate responses and remedies. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

REPORT

To: Title IX Coordinator Date of Report: _____

Person Making Report

Name:

—

Address:

Phone(s):

Email:

Relationship with District (circle at least one): Student Employee Volunteer Visitor

Other (Explain):

Relationship to Incident (circle at least one): Complainant Complainant's Parent/Guardian

Witness Other Person with Knowledge (explain): _____

—

Alleged Victim(s) (if someone other than an alleged victim is making the report)

Name:

—

Address:

Phone(s): _____

Email: _____

Relationship with District (circle at least one): Student Employee Volunteer Visitor
Other (Explain):

Relationship with the Alleged Perpetrator (Respondent):*

*If the District itself allegedly engaged sex-based discrimination, use "District" when identifying the respondent on this form, and include (if applicable) the specific school, program, or activity in which the alleged sex discrimination occurred or is occurring.

Please provide the contact information requested above for each additional alleged victim of the sex discrimination (attach additional sheets if necessary):

Respondent(s) (Alleged Perpetrators)

Name: _____

Address: _____

Phone(s): _____

Email:

—

Relationship with District (circle at least one): Student Employee Volunteer Visitor

Other (Explain):

Relationship with the Victim:

Please provide the contact information requested above for each additional respondent (attach additional sheets if necessary):

—

Conduct – Please describe the conduct and/or circumstances prompting this report (attach additional sheets with all of the information if necessary):

—

Information Regarding Respondent – Please provide as much information as you can about

the person(s) involved:

Witnesses – If other persons observed some or all of the conduct that may constitutes sexual harassment discrimination or can otherwise provide information useful for an investigation,

please provide their names, descriptions and/or contact information:

Any Other Persons with Information – Please provide the names, descriptions and/or contact information of any person not listed above but likely to have information

regarding or verifying these claims, including other persons you have discussed this report with: _____

–

–

–

Other Reports – To your knowledge, has this conduct been reported to the police, the Children's Division of the Missouri Department of Social Services or to any other agency? If so, please provide the name of any police agency contacted and provide to the Title IX coordinator a copy of the report or complaint filed, if any:

–

–

–

Other Evidence – If you have documents, pictures, texts, e-mails, video or other types of evidence that support your allegations, please provide copies of them with this report or describe them below and provide them to the Title IX coordinator:

–

–

–

–

Safety – Do you have concerns regarding the safety of the alleged victim, perpetrator or any other person? If so, please explain:

Acknowledgment of Reporter

I have read this report form thoroughly and have answered all questions in good faith. I understand that I may contact the Title IX coordinator if I have any questions about the reporting process or policy ACA in general.

Reporter's Signature Date

Reporter's Printed Name:

District Receipt of Report

This report form was received by the Title IX coordinator on _____
[date].

Title IX Coordinator's Signature Date

Title IX Coordinator's Printed Name:

**GERING PUBLIC SCHOOLS
GERING, NE**

TITLE IX COORDINATOR’S SEX DISCRIMINATION COMPLAINT INTAKE FORM

The purpose of this form is to assist the Title IX coordinator in determining, in cooperation with the person making the report, whether the behavior constitutes sex discrimination under Title IX or a violation of other laws or the district's code of conduct.

Retaliation Prohibited

The district, its employees and other people are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX coordinator immediately if you believe retaliation has occurred.

Confidentiality

The district will keep this report confidential as allowed by law. However, it may be necessary to disclose information contained in this report in order to investigate the conduct and administer an appropriate response and remedies. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX coordinator.

_____ Title IX coordinator to initial here after discussing with the reporter during intake.

Date of Report: _____

Person Making the Report

Name:

—

Address:

Phone(s):

Email:

—

Relationship with District (circle at least one): Student Employee Volunteer
Visitor

Other (Explain):

Relationship to Incident (circle at least one): Complainant Complainant's
Parent/Guardian

Witness Other Person with Knowledge (explain):

—

—

—

Person(s) subjected to sex discrimination (if different than Person Making Report)

Name:

—

Address:

Phone(s):

Email:

—

Relationship with District (circle at least one): Student Employee Volunteer
Visitor

Other (Explain):

Relationship with the Alleged Perpetrator (Respondent):

—

Please provide the contact information requested above for each additional person subjected to discrimination (attach additional sheets if necessary):

—

—

Respondent(s) (Person / Entity Alleged to have discriminated on the basis of sex)

Name:

—

Address:

Phone(s):

Email:

—

Relationship with District (circle at least one): District Student Employee

Volunteer

Visitor

Other (Explain):

Relationship with the Complainant:

—

Any Information Regarding Respondent – Provide other relevant information about the person(s) involved in the alleged sexual harassment and their relationship with the complainant: _____

Witnesses – Provide names, descriptions and/or contact information of persons believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or the circumstances:

Other Persons with Information – Provide names, descriptions and/or contact information of any other person with information regarding or verifying these claims, including other persons with whom the conduct has been discussed:

Other Evidence – Description of documents, pictures, texts, emails, video, physical objects or other types of evidence relevant to the allegations, as provided to the Title IX coordinator:

Resolution – In your opinion as the complainant, what actions should the district take to address or resolve the conduct? Please note that the district is not obligated to follow your recommendations but is interested in your opinion. _____

Safety – List any concerns regarding the safety of the complainant, respondent or any other person:

–

–

–

Supportive Measures – List supportive measures discussed or offered:

–

Other Reports – If the conduct has been reported to the police, social service agencies, or any other agency, provide the name of any agency contacted:

–

–

–

Title IX Coordinator's Designation of Report
(To be Completed by Title IX Coordinator)

After consultation, this report is designated as:

- A report giving the district knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity sex discrimination under Title IX (or associated retaliation) prohibited in policy 504.24 (check all that apply):
- A “quid pro quo harassment” because it alleges conditioning the provision of an aid, benefit or service of the district on an individual's participation in unwelcome sexual conduct;
 - Subjected to a hostile environment on the basis of sex;
 - One of the “Specific Offenses” listed in the Title IX regulations;

- Other exclusion, on the basis of sex, from participation in, or being denied the benefits of, or being otherwise subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.

OR

- NOT a report giving the district knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity sex discrimination under Title IX (or associated retaliation) prohibited in policy 504.24. If applicable, indicate that the allegations instead reported a concern of:
- A complaint of illegal discrimination and/or harassment or associated retaliation prohibited in policy 504.18, but not sex discrimination.

A report of potential misconduct in the district's program or activity, but not misconduct on the basis of sex. (explain):

-

-

-

And, therefore:

- The reported conduct will be referred for district response in accordance with the provisions of the applicable policy; or
- No further action is being taken on the reported conduct at this time.

I made the foregoing determinations on _____ [date] and in accordance with policy 504.24.

Title IX Coordinator's Signature

Date

Title IX Coordinator's Printed Name:

Upon making the foregoing disposition, a copy of this completed form is being provided to the reporter.

504.24E4

**GERING PUBLIC SCHOOLS
GERING, NE
INFORMAL RESOLUTION PROCEDURES**

The Title IX Coordinator or designee may offer the parties an informal resolution process as an alternative to the more formal Title IX grievance procedure at any time prior to the

completion of the formal grievance procedure, but is not required to do so. However, the informal resolution process cannot be used when the complaint includes allegations that an employee engaged in sex-based harassment of a student or the process would conflict with the requirements of law. Further, the Title IX Coordinator or designee will not offer this process if the alleged conduct would present a future risk of harm to others. Even if the information resolution process is used, the Title IX Coordinator is responsible for taking appropriate, prompt and effective steps to ensure that sex discrimination does not occur in the district' programs and activities.

Consent

The district must obtain the parties' voluntary consent to the informal resolution process from both parties, and must not require waiver of the right to an investigation and determination of a complaint as a condition of enrollment, employment or any other right. The district and its staff will not require or pressure the parties to participate In an Informal resolution process. or continuing enrollment, or employment or continuing employment, or exercise of any other right. The consent will be provided in writing. Appropriate supportive measures will continue during the informal resolution process.

Notice

Before initiation of an informal resolution process, the district must provide to the parties notice that explains:

1. The allegations;
2. The requirements of the informal resolution process;
3. That, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the recipient's grievance procedures;
4. That the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations;
5. The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
6. What information the recipient will maintain and whether and how the district could
7. disclose such information for use in grievance procedures, if grievance procedures are initiated or resumed.

Facilitator

The informal process will be led by a facilitator appointed by the Title IX Coordinator or designee. The facilitator cannot be the same person as the investigator or the decisionmaker in the Title IX grievance procedures. Any person designated by the district to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Any person facilitating informal resolution must receive the training required by Title IX for that role.

Internal Resolution Process Requirements

When a party agrees to the Informal Resolution process, they are required to:

- Withdraw from the Title IX grievance procedure.
- Not file an additional complaint under the Title IX grievance procedure based on the same facts while the informal resolution process is pending.
- Participate in the process in good faith.
- Meet with the facilitator when requested to do so.
- Meet with the facilitator and the other party when requested by the facilitator.
- Respond to all questions asked by the facilitator.
- Provide evidence to the facilitator when requested.
- Submit written requests that provide details regarding the remedies they are seeking. These requests are shared with the other party.
- When agreement is reached, signing a written document stating the content of the agreement.
- Abide by the agreement reached.
- Retaliation, threats, and foul language are prohibited.

Failure of a party to comply with these requirements will result in the facilitator ending the informal resolution process and returning the complaint to the formal Title IX grievance process.

The Title IX Coordinator or either party may terminate the informal resolution process prior to reaching an agreement. In those situations, the complaint will again be processed under the Title IX grievance procedure.

Agreements

Agreements reached as part of the informal resolution process will be in writing, signed by both parties, and approved by the Title IX Coordinator. When necessary, either party may request an amendment or supplemental agreement and the Title IX Coordinator or designee will determine if that is appropriate.

An agreement closes the complaint.

Failure to abide by the agreement will result in disciplinary sanctions and the possibility that a complaint will again be filed under the Title IX grievance procedure.

Potential Terms

The potential terms that may be requested or offered to parties by the facilitator in an informal resolution include but are not limited to:

1. Restrictions on contact between the parties.
2. Administrative accommodations such as adjusting class schedules, changing sections, etc.
3. Education, professional development, mentoring, or coaching.
4. Collaborative agreements on behavior modifications.
5. Other non-disciplinary interventions.
6. Exclusions or restrictions on the respondent's participation in one or more of the district's programs or activities or attendance at specific events.
7. Any remedies or discipline that the district could have imposed if the district's Title IX grievance process had been used.
8. Any supportive measure the district has offered or could have offered to the parties.

Information Retention and Use

The district will retain the complaint, written responses, and any final agreement in a file separate from the employment file or student file, though the matter may be referenced in the employment file or student file. If an agreement is not reached, any evidence disclosed or records created during the informal resolution process may be used in the Title IX grievance procedure. The records will be retained at least seven years, or until a respondent student graduates or a respondent employee is no longer employed, whichever is longer.

Explanation

The new Title IX regulations allow for districts to offer parties the opportunity for a more informal process for resolving complaints of sex discrimination. This process cannot be used if the allegation is sexually harassment of a student by an employee, but may be considered a good option in other situations. This would be, for example, a good

opportunity to exercise restorative justice practices if you have staff members trained in that process.

The regulations do not give much guidance on this process, so much of this sample procedure is optional and may be amended by the district. And the district is not required to offer an informal resolution process at all.

504.24E5

GERING PUBLIC SCHOOLS
GERING, NE
SEX-BASED HARASSMENT UNDER TITLE IX
(Determination)

Other Remedies:

Effective Date

_____ [Insert date immediately after deadline to appeal.]

Appeal Rights

The parties may request an appeal of this decision by submitting written notice to the Title IX coordinator within business days after the date of the decision. Appeals are limited to one or more of the following bases:

1. There was a procedural irregularity that affected the outcome;
2. There is new evidence that was not reasonably available at the time of the determination that could affect the outcome of the matter; or
3. The Title IX coordinator, investigator(s) or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent that affected the outcome.

For more information on the appeal process, contact the Title IX coordinator and review policy 504.24.

Decision-Maker's Signature

Decision-Maker's Printed Name

504.24E6

GERING PUBLIC SCHOOLS
GERING, NE
NONDISCRIMINATION ON THE BASIS OF SEX
(Notice of Dismissal of Complaint)

Name(s) of Complainant(s):

Name(s) of Respondent(s):

From: _____, Title IX Coordinator

Date: _____

The district has dismissed the complaint of sex discrimination under Title IX
initiated on _____ [date of formal complaint].

The complaint was dismissed because (please check all that apply):

- The district is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the district's education program or activity and is not employed by the district;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the district determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- The Title IX Coordinator or designee determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX.

Appeal

You may appeal the dismissal of this complaint by submitting written notification of appeal to the Title IX coordinator listed above within 3 business days of receiving this notice.

Appeals are limited to one or more of the following bases:

1. There was a procedural irregularity that affected the outcome;

2. There is new evidence that was not reasonably available at the time the decision to dismiss was made that could affect the outcome; or
3. The Title IX coordinator, investigator or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent that affected the outcome.

If the dismissal is appealed, the Title IX Coordinator or designee will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties of the result of the appeal and the rationale for the result.

Other Options

Even if the allegations are not appropriate for a complaint of sex discrimination under Title IX, if the Title IX coordinator determines that the allegations should be investigated under a different complaint process, the Title IX coordinator will forward the formal complaint to the appropriate person within the district to address the concerns using a different complaint process.

If you have any questions, please contact the Title IX coordinator and consult policy 504.24.

Title IX Coordinator's Signature

Title IX Coordinator's Printed Name

504.24E7

GERING PUBLIC SCHOOLS
GERING, NE
NONDISCRIMINATION ON THE BASIS OF SEX

(Notice of Dismissal of Complaint)

Name(s) of Complainant(s):

Name(s) of Respondent(s):

—

From: _____, Title IX Coordinator

Date: _____

The district has dismissed the complaint of sex discrimination under Title IX initiated on _____ [date of formal complaint].

The complaint was dismissed because (please check all that apply):

- The district is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the district's education program or activity and is not employed by the district;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the district determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- The Title IX Coordinator or designee determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX.

Appeal

You may appeal the dismissal of this complaint by submitting written notification of appeal to the Title IX coordinator listed above within 3 business days of receiving this notice.

Appeals are limited to one or more of the following bases:

1. There was a procedural irregularity that affected the outcome;

2. There is new evidence that was not reasonably available at the time the decision to dismiss was made that could affect the outcome; or
3. The Title IX coordinator, investigator or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent that affected the outcome.

If the dismissal is appealed, the Title IX Coordinator or designee will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties of the result of the appeal and the rationale for the result.

Other Options

Even if the allegations are not appropriate for a complaint of sex discrimination under Title IX, if the Title IX coordinator determines that the allegations should be investigated under a different complaint process, the Title IX coordinator will forward the formal complaint to the appropriate person within the district to address the concerns using a different complaint process.

If you have any questions, please contact the Title IX coordinator and consult policy 504.24.

Title IX Coordinator's Signature

Title IX Coordinator's Printed Name

File: 504.24E8

SEX DISCRIMINATION
(Notice of Initiation of Grievance Procedures)

Attach additional sheets if more space is needed for answering any question.

Name(s) and Title(s) of Complainant(s):

—

Name(s) and Title(s) of Respondent(s):

—
Title IX Coordinator's Name and Other Title (if any):

Office Address:

Phone/Fax and Telecomm Device for the Deaf, if available:

—
Email Address:

On _____ [date the complaint occurred], the district received a complaint from the above-listed complainant(s) alleging acts that if proven may constitute sex discrimination under district policy 504.24. The parties were notified of that complaint on _____ [date of notice of complaint] and were given:

- a copy of Policy 504.24 including grievance procedures.
- a copy of the district's Policy 504.24 informal resolution procedures.

The district has determined that the complaint constitutes a request for the district to investigate and make a determination about alleged discrimination under Title IX and its regulations.

The district will provide for adequate, reliable, and impartial investigation of complaints. The burden is on the district — not on the parties — to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred. Please review the grievance procedure for additional information on the process.

Please take notice that:

- Retaliation is prohibited; and
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the district provides a description of the evidence, the parties are entitled to an equal

opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

The alleged conduct the district is investigating is summarized below:

1. Identities of the parties involved in the incident(s):

2. The conduct alleged to constitute sex discrimination:

3. The date(s) and location(s) of the alleged incident(s):

Supportive Measures: As more fully explained in the grievance procedures, as part of promptly and effectively ending any sex discrimination in the district's program or activity, preventing its recurrence, and remedying its effect, the district offers and coordinates supportive measures through its Title IX Coordinator, to complainants as appropriate and, if a grievance has commenced, to the respondent as appropriate.

Date of Issuance of this Notice: _____

Title IX Coordinator's Signature

Title IX Coordinator's Printed Name

**GERING PUBLIC SCHOOLS
GERING, NE**

SEX DISCRIMINATION UNDER TITLE IX

(Decision on Appeal of Dismissal of Complaint)

Name(s) _____ of _____ Complainant(s):

Name(s) _____ of _____ Respondent(s):

Date: _____

On _____ [date], an appeal was filed to the dismissal of the complaint.

Decisionmaker's Checklist for Appeal of Dismissal of a Complaint

PRIOR to Completing the Title IX Grievance Procedure

1. Did a procedural irregularity affect the outcome?

YES.

NO.

2. Is there new evidence that was not reasonably available at the time of the determination that

could affect the outcome?

YES.

NO.

3. Did the Title IX coordinator, investigator or decision-maker have a conflict of interest or bias

GERING PUBLIC SCHOOLS
GERING, NE
SEX DISCRIMINATION UNDER TITLE IX
(Decision on Appeal of Grievance Procedure Outcome)

Name(s) of Complainant(s):

—

Name(s) of Respondent(s):

—

Date: _____

On _____ [date], an appeal was filed to the Grievance Process outcome in this matter.

Decisionmaker's Checklist for Appeal of a Completed Title IX Grievance Outcome

1. Was the Title IX complainant, on the basis of sex, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district?

YES.

NO.

2. If so, did the conduct of the Title IX Respondent cause the sex discrimination to occur?

YES.

NO.

3. Did a procedural irregularity affect the outcome?

YES.

NO.

4. Is there new evidence that was not reasonably available at the time of the determination that could affect the outcome?

YES.

NO.

5. Did the Title IX coordinator, investigator or decision-maker have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent that affected the outcome?

YES.

NO.

6. Are the remedies provided adequate and properly imposed?

YES.

NO.

7. Are the disciplinary sanctions provided adequate and properly imposed?

YES.

NO.

Proceed to Decision.

.

Decision

After reviewing the relevant record and applying the decision checklists above, I/we have made the following decision related to this appeal under Policy 504.24.

[Explain the result of the appeal and the rationale for the decision or, if necessary, write out the full decision separately and attach it to the form and incorporate by reference.]

POLICY 404.3
GERING PUBLIC SCHOOLS
GERING, NE

EMPLOYEES' PERSONAL SECURITY AND SAFETY

The Board authorizes the superintendent to take appropriate means to provide for the health and safety of all employees while engaged in the performance of their duties.

The superintendent, in consultation with district and building safety committees, will implement training and/or procedures as necessary to accomplish this goal and to meet the requirements of the law.

All employees shall conduct their work in compliance with the safety rules of the district.

Cross Reference: 905 Safety Program

POLICY 404.5
GERING PUBLIC SCHOOLS
GERING, NE

HAZARDOUS CHEMICAL DISCLOSURE

The board authorizes the development of a comprehensive hazardous chemical communication program for the school district to disseminate information about hazardous chemicals in the workplace.

Each employee shall annually review information about hazardous substances in the workplace. When a new employee is hired or transferred to a new position or work site, the information and training, if necessary, shall be included in the employee's orientation. When an additional hazardous substance enters the workplace, information about it shall be distributed to all employees, and training shall be conducted for the appropriate employees. The central administration office shall maintain a file indicating which hazardous substances are present in the workplace and when training and information sessions take place.

Employees who will be instructing or otherwise working with students shall disseminate information about the hazardous chemicals with which they will be working as part of the instructional program.

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

Legal Reference: 29 C.F.R. Pt. 1910; 1200 et seq. (1996).
Laws 1993, L.B. 757

Cross Reference: 404 Employee Health and Well-Being
905 Safety Program

POLICY 413.1
GERING PUBLIC SCHOOLS
GERING, NE

CLASSIFIED STAFF COMPENSATION

The board shall determine the compensation to be paid for the classified staff positions, keeping in mind the education and experience of the classified staff member, the educational philosophy of the school district, the financial restrictions of the school district and any other considerations as deemed relevant by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board annually regarding the compensation of classified staff.

Cross Reference: 412.03 Classified Staff Contracts
 413.02 Classified Staff Wage and Overtime Compensation

POLICY 413.3
GERING PUBLIC SCHOOLS
GERING, NE

CLASSIFIED STAFF GROUP INSURANCE BENEFITS

Classified staff may be eligible for group insurance benefits as determined by the board and required by law. The board shall select the group insurance program and the insurance company which will provide the program.

Classified staff who work full time, a minimum of 40 hours per week and 12 months per year, shall be eligible to participate in the health group insurance plan. Regular, full time classified staff who wish to purchase insurance coverage for their spouse or dependents may do so by meeting the requirements of the insurer.

This policy statement does not guarantee a certain level of benefits. The board shall have the authority and right to change or eliminate group insurance programs for its classified staff.

Cross Reference: 412.01 Classified Staff Defined

POLICY 413.4
GERING PUBLIC SCHOOLS
GERING, NE

CLASSIFIED STAFF WORKERS' COMPENSATION

The district will participate in workers' compensation as required by statute. All employees of the district will be covered by workers' compensation regardless of type of assignment, length of assignment or hours worked per day.

The selected workers' compensation plan will provide coverage for medical expenses and wages to the extent required by statute to qualifying employees. The amount of workers' compensation wage-replacement and sick leave benefits shall not exceed a regular daily rate of pay.

Legal Reference: Neb. Statute 48-101 et seq.

Cross Reference 404 Employee Health and Well-Being
 905 Safety Program

POLICY 413.5
GERING PUBLIC SCHOOLS
GERING, NE

CLASSIFIED STAFF TAX SHELTER PROGRAMS

The board authorizes the administration to make a payroll deduction for classified staff tax sheltered annuity premiums from district approved companies.

Classified staff wishing to have payroll deductions for tax sheltered annuities shall make a written request to the Business Manager.

Cross Reference: 707.01 Payroll Procedures

POLICY 415.7
GERING PUBLIC SCHOOLS
GERING, NE

CLASSIFIED STAFF MILITARY SERVICE LEAVE

Classified staff members who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve and State Guard are entitled to a leave of absence, without loss of pay, on all days during which they are employed under the orders or authorization of competent authority in the active service of the State or United States. Such leave of absence will be without loss of pay for a period not to exceed fifteen (15) work days in any one calendar year. Such leave of absence will be in addition to any leave provided by the District through policy or negotiated agreement. Any such leave which extends beyond fifteen (15) work days in any one calendar year shall be without pay from the remaining contract payments.

If the Governor of the State of Nebraska declares a state of emergency any of the above support staff who are ordered to active service shall receive an additional leave of absence that will be granted until such member is released from the active service by competent authority. During this additional leave of absence, the employee shall receive such portion of his or her salary or compensation as will equal the loss he or she may suffer while in the active service of the state. The loss he or she may suffer while in the active service of the state is defined as the differential between military salary and district salary.

Employees who are required to leave a position other than temporary for training with the armed forces of the United States or to undertake military duty in the active service of the state are entitled to a leave of absence for such period, not to exceed five years, plus any additional period as provided by law, without loss of status and without loss of pay during the first fifteen work days, which pay for the first fifteen work days is not in addition to that described above.

Upon an honorable discharge from active service, such employee shall be entitled to a return to a comparable position as provided by law as long as she has:

1. has given advance notice of the need for military leave (unless notice is precluded by military necessity or is otherwise unreasonable);
2. has not been absent from his or her job for more than five years; and
3. returns to work as outlined below.

The following periods and conditions of return to work apply to the employee who was absent:

1. If absent less than 31 days, the employee must report back to work by the beginning of the next regularly scheduled work period after a reasonable amount of time to arrive home, rest and report to work;
2. If absent more than 30 days but less than 181 days, the employee must submit an application for reemployment within 14 days after the completion of service;

POLICY 414.1
GERING PUBLIC SCHOOLS
GERING, NE

CLASSIFIED STAFF RESIGNATION

Classified staff who wish to resign during the school year shall give the district notice of their intent to resign and to cancel their employment fourteen (14) calendar days prior to their last working day.

Notice of the intent to resign and intended final date of employment shall be in writing to the superintendent or designee.

Cross Reference: 412.03 Classified Staff Contracts
 414 Classified Staff Termination of Employment

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

MEMORANDUM OF UNDERSTANDING

This Agreement is made on this date (the Effective Date), between JAG Nebraska in affiliation with United Way of the Midlands, a 501(c)3 non-profit organization, and Gering Public Schools ("District").

Jobs for America's Graduates (JAG) is an evidence-based, data-driven, national organization that is dedicated to empowering students with the skills and support to achieve success in education, employment, and life. The JAG Advantage integrates project-based learning, employer engagement, and trauma-informed care through competency-based, for-credit, elective classes. The JAG model allows students to participate in hands-on, realistic learning experiences, mastering 37 to 87 competencies, with the support to help our young adults navigate high school graduation and post-graduation success.

Term of Agreement

The term of this Agreement shall be for school year 2025-2026, to include 12-months of follow-up services for students who received JAG Nebraska programming for this school year.

This Agreement may be amended, extended, or renewed upon mutual written agreement of the parties except as otherwise expressly authorized by a provision of this Agreement.

This Agreement shall terminate upon the occurrence of any or all the following:

1. Mutual, written agreement of the parties;
2. Upon thirty days written notice by JAG Nebraska to the District;
3. Should this Agreement be declared void or unenforceable by final order of a court of law;
4. In the event of violation of the terms of this Agreement by the District or failure to make sufficient progress to endanger program performance, JAG Nebraska may:
 - a. Suspend the Agreement after ten (10) days' notice to the District, pending corrective action by the District, or JAG Nebraska's decision to terminate; or
 - b. Terminate the Agreement in whole or in part at any time before the date of completion whenever it is determined that the District has failed to comply with the terms and conditions of this Agreement. JAG Nebraska shall promptly notify the District in writing of the determination and the reasons for the termination.

If this Agreement is terminated, in whole or in part, the District shall comply with all close-out and post-termination requirements of this Agreement.

District Financial Contributions

This Agreement shall be funded from multiple funding sources to include federal, state, philanthropic and corporate grants and funding contributions otherwise. The District shall contribute \$10,000 toward each JAG Nebraska program budget beginning the third school year of JAG Nebraska programming.

Program Funding Requests



JAG | NE

JOBS for AMERICA'S GRADUATES NEBRASKA

Powered by  UNITED WAY
of the Midlands

All requests for financial or in-kind contributions where JAG Nebraska is the beneficiary, written notice must be provided to the JAG Nebraska Director in a timely manner. All letters of intent, requests for proposals, or grant writing for or on behalf of JAG Nebraska must be conducted by United Way of the Midlands.

Student Enrollment

Both parties mutually agree to work toward student enrollment requirements of JAG to include a minimum of 45 students and up to 55 students thereafter. Class cohorts are not to exceed 16 students per class period/block and may not be less than 8 students per class period/block.

Personnel: JAG Nebraska Career Specialist

JAG Nebraska agrees to employ two (2), full-time, year-round, mutually acceptable JAG Nebraska Career Specialists to fulfill JAG programming at the District, qualified and credentialed according to the Nebraska Department of Education's Career and Technical Education Certification requirements. JAG Nebraska and the District agree to include the applicable JAG national standards, *model component #4*.

The District agrees to conduct at least one (1) annual review of the JAG Nebraska Career Specialist's teaching and classroom management techniques per school year. The District agrees to notify the JAG Nebraska Program Manager of any personnel concerns in a timely manner.

JAG Nebraska agrees to conduct at least one (1) mid-year review and one (1) annual review of the JAG Nebraska Career Specialist's performance per school year. *See attached JAG Nebraska Career Specialist Job Description.*

The District and JAG Nebraska will meet at least once (1) annually to review the prior school year's performance and review the subsequent school year's goals and plans. At a minimum, meeting attendees must include the assigned JAG Nebraska Career Specialist, the JAG Nebraska Program Manager, and the school Principal. JAG Nebraska and the District agree to include the applicable JAG national standards, *model component #3*, into the agenda of this meeting.

Staff Training

JAG Nebraska agrees to provide JAG program training prior to the JAG Nebraska Career Specialist's integration into the District.

The District agrees to include and provide the JAG Nebraska Career Specialist with all state required, District, and school specific teacher training's and meetings, to include, but not limited to: new teacher orientations, mandatory reporting, safety protocols, student transportation and travel policies, student and parent communication policies and procedures, and other trainings or professional development opportunities provided to District faculty.

Equipment and Property

The District agrees to provide the assigned JAG Nebraska Career Specialist with one laptop computer, internet access, printer and copier access, classroom, designated office space, and a landline telephone. The District will include the JAG Nebraska Career Specialist on school communications and mailing lists.

Program Performance and Outcomes

JAGNEBRASKA.ORG



JAG Nebraska and the District agree to meeting or exceeding JAG national standards and required performance outcomes associated with JAG National's *model component #2*, see attachment.

Advisory Committee

The District agrees to support the JAG Nebraska Career Specialist in implementing and facilitating one (1) meeting with the school's JAG Nebraska Advisory Committee per school semester. The Advisory Committee is responsible for identifying eligible students according to JAG standards and serving as support to the JAG Nebraska Career Specialist in approving final JAG rosters and fulfilling student data requirements of JAG, *model component #10*, and requests otherwise as required by program funding agreements or reports. JAG Nebraska and the District agree to include the applicable JAG national standards, *model component #5*, see attachment.

Career Association Chapter

The District agrees to support the JAG Nebraska Career Specialist in implementing and facilitating the JAG Nebraska Career Association Chapter at the District, fulfilling JAG National standards associated with JAG National's *model component #6*, see attachment.

Substitute Teacher Request and Fulfillment

The District agrees to provide substitute teacher coverage for the JAG Nebraska Career Specialist's personal time off, sick leave, and JAG statewide events, not to exceed the maximum sub day requests of ten (10) days per school year.

Post-Graduation Support and Follow-Up Services

JAG Nebraska agrees to fulfill the JAG National standard *model component #9*, delivering value-added support and advocacy to graduates and non-graduates throughout a minimum of 12-month follow-up service period.

Student Transportation and Travel

The District agrees to provide transportation for students for local and statewide JAG Nebraska activities, to include one (1) local field trip per month per school year and statewide transportation three (3) times per school year.

JAG Nebraska agrees to adhere to the District's field trip and student travel policies. JAG Nebraska agrees to provide transportation and travel accommodations for JAG National events.

Notices

All notices from either party must be provided in a timely manner to the JAG Nebraska Director, District Superintendent and assigned School Principal.

Governing Law

JAG Nebraska and the District agree to fulfill the requirements of provisional grant funding for the JAG program at the District. Both parties agree to comply with applicable law, and any reasonable procedures and requirements that the grantor may prescribe. This agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Nebraska, Code of Federal Regulations (CFR), Federal Funding Accountability and Transparency Act (FFATA), or any other federal or state law or entity for use of applicable program funding.

RESOLUTION

A RESOLUTION CALLING A SPECIAL ELECTION IN SCOTTS BLUFF COUNTY SCHOOL DISTRICT 0016 (GERING PUBLIC SCHOOLS) IN THE STATE OF NEBRASKA; AND RELATED MATTERS

BE IT RESOLVED BY THE BOARD OF EDUCATION OF SCOTTS BLUFF COUNTY SCHOOL DISTRICT 0016 (GERING PUBLIC SCHOOLS) IN THE STATE OF NEBRASKA:

Section 1. The Board of Education (the “**Board**”) of Scotts Bluff County School District 0016 (Gering Public Schools) in the State of Nebraska (the “**District**”) hereby finds and determines as follows:

(a) The District is duly organized as a Class III school district under Sections 79-102 and 79-407, Reissue Revised Statutes of Nebraska, as amended, embracing territory having a population of more than 1,000 and less than 150,000 inhabitants that maintains both elementary and high school grades under the direction of a single board of education.

(b) It is necessary that funds be provided to pay the costs of constructing additions, renovations and improvements to the District’s existing middle school building, grounds and facilities, and providing necessary equipment and apparatus for such buildings, grounds and facilities (collectively, the “**Project**”).

(c) To pay the costs of the Project, it will be necessary for the District to issue general obligation bonds of the District in an aggregate stated principal amount not to exceed Forty-Five Million Dollars (\$45,000,000).

(d) No proposition for the issuance of bonds for any such purposes has been submitted to the electors of the District within six months preceding the date of the special election called by this Resolution.

Section 2. A special election (the “**Election**”) is hereby called and shall be held in the District on March 11, 2025, (the “**Election Date**”) at which election there shall be submitted to the qualified electors of the District the following proposition:

“Shall Scotts Bluff County School District 0016 (Gering Public Schools) in the State of Nebraska issue its general obligation bonds in an aggregate stated principal amount not to exceed Forty-Five Million Dollars (\$45,000,000), to pay the costs of constructing additions, renovations and improvements to the District’s existing middle school building, grounds and facilities, and providing necessary equipment and apparatus for such buildings, grounds and facilities; with such bonds to be issued in one or more series, at such time or times, to bear interest at such rate or rates, to be sold at such prices and to become due at such time or times as may be fixed by, or determined at the direction of, the Board of Education; and

“Shall the School District cause to be levied and collected annually a special levy of taxes against all the taxable property in the School District sufficient in rate and amount to pay the principal of and interest on such bonds as the same become due?”

The ballots to be voted on and cast at such election shall have printed thereon the foregoing proposition with the words “FOR such Bonds and tax” and “AGAINST such Bonds and tax” following the proposition.

Qualified electors voting in favor of the proposition shall blacken the oval opposite the words “FOR such Bonds and tax” following such proposition, and qualified electors voting against such proposition shall blacken the oval opposite the words “AGAINST such Bonds and tax” following such proposition.

Section 3. Notice of the Election shall be published at least 42 days prior to the Election Date by the Election Commissioner of Scotts Bluff County, Nebraska (the “**Election Commissioner**”). Notice of the Election shall also be given to the qualified electors of the District at least 20 days prior to the Election and a copy of the sample ballot shall be published one time not more than ten days nor less than three days prior to the Election, or as otherwise provided by law, such notice and sample ballot to be published in the *Star Herald*, a newspaper of general circulation in the District, and the Secretary be and hereby is directed to cause such notice and sample ballot to be published.

Section 4. The Secretary is hereby authorized and directed to certify a copy of this Resolution on or before January 17, 2025, which is the eighth Friday prior to the Election Date, to the Election Commissioner, who shall designate the polling places (if the Election Commissioner determines to hold an election at polling places), appoint the election officials and otherwise conduct the Election as provided by law. The District hereby agrees to reimburse the Election Commissioner for the expenses of conducting the Election.

Section 5. The form of ballot and form of notice for such bond election shall be in substantially the form attached to this Resolution as **Attachment I**, utilizing the appropriate provisions for an election held by mail or at polling places, as applicable, and with such other additions and changes determined appropriate by the Election Commissioner. The Secretary of the Board is hereby authorized and directed in conjunction with the Election Commissioner conducting the Election, to arrange for the printing of the necessary ballots for the Election and to do all other things and to take all other appropriate or necessary action in order to cause the Proposition to be submitted to the qualified electors of the District as above provided.

Section 6. Anything to the contrary herein notwithstanding, the President and Secretary of the Board and the Superintendent of the District are each hereby authorized and directed to (a) cause the form of ballot and form of notice approved herein and attached hereto as **Attachment II** to be published in accordance with such laws, with such changes therein as such officials, in consultation with counsel to the District and bond counsel, deem necessary or appropriate to conform to such laws, and (b) take all further actions necessary to comply with all publication and filing deadlines and other election procedures and requirements as may be necessary or proper to submit the proposition described in **Section 2** hereof to the qualified electors of the District on the Election Date.

[The remainder of this page intentionally left blank.]

Section 7. This Resolution shall take effect and be in force from and after its passage as provided by law.

PASSED: _____, 2024.

**SCOTTS BLUFF COUNTY SCHOOL
DISTRICT 0016 (GERING PUBLIC SCHOOLS)
IN THE STATE OF NEBRASKA**

ATTEST:

By: _____
President

By: _____
Secretary

**OFFICIAL BALLOT
SCHOOL BOND ELECTION
SCOTTS BLUFF COUNTY SCHOOL DISTRICT 0016
(GERING PUBLIC SCHOOLS)
IN THE STATE OF NEBRASKA**

Tuesday, March 11, 2025

“Shall Scotts Bluff County School District 0016 (Gering Public Schools) in the State of Nebraska issue its general obligation bonds in an aggregate stated principal amount not to exceed Forty-Five Million Dollars (\$45,000,000), to pay the costs of constructing additions, renovations and improvements to the District’s existing middle school building, grounds and facilities, and providing necessary equipment and apparatus for such buildings, grounds and facilities; with such bonds to be issued in one or more series, at such time or times, to bear interest at such rate or rates, to be sold at such prices and to become due at such time or times as may be fixed by, or determined at the direction of, the Board of Education; and

“Shall the School District cause to be levied and collected annually a special levy of taxes against all the taxable property in the School District sufficient in rate and amount to pay the principal of and interest on such bonds as the same become due?”

- FOR such Bonds and tax
- AGAINST such Bonds and tax

Electors voting in favor of the proposition shall blacken the oval opposite the words “FOR such Bonds and tax” following such proposition, and electors voting against such proposition shall blacken the oval opposite the words “AGAINST such Bonds and tax” following the proposition.

NOTE: PUBLISH 1 TIME before election on or after February 24, but before March 9, 2025

**NOTICE OF SCHOOL BOND ELECTION
SCOTTS BLUFF COUNTY SCHOOL DISTRICT 0016
(GERING PUBLIC SCHOOLS)
IN THE STATE OF NEBRASKA**

Tuesday, March 11, 2025

PUBLIC NOTICE is hereby given to the qualified electors of Scotts Bluff County School District 0016 (Gering Public Schools) in the State of Nebraska (the “**District**”) that a special election has been called and will be held in the District on Tuesday, March 11, 2025, at which time there shall be submitted to the qualified electors of the District the following proposition:

“Shall Scotts Bluff County School District 0016 (Gering Public Schools) in the State of Nebraska issue its general obligation bonds in an aggregate stated principal amount not to exceed Forty-Five Million Dollars (\$45,000,000), to pay the costs of constructing additions, renovations and improvements to the District’s existing middle school building, grounds and facilities, and providing necessary equipment and apparatus for such buildings, grounds and facilities; with such bonds to be issued in one or more series, at such time or times, to bear interest at such rate or rates, to be sold at such prices and to become due at such time or times as may be fixed by, or determined at the direction of, the Board of Education; and

“Shall the School District cause to be levied and collected annually a special levy of taxes against all the taxable property in the School District sufficient in rate and amount to pay the principal of and interest on such bonds as the same become due?”

- FOR such Bonds and tax
- AGAINST such Bonds and tax

Electors voting in favor of the proposition shall blacken the oval opposite the words “FOR such Bonds and tax” following such proposition, and electors voting against such proposition shall blacken the oval opposite the words “AGAINST such Bonds and tax” following the proposition.

Ballots for early voting may be obtained from the Election Commissioner of Scotts Bluff County, Nebraska in Gering, Nebraska.

By Mail Election

This election will be an election by mail. All registered voters residing within Scotts Bluff County School District 0016 (Gering Public Schools) will receive their ballot by mail and therefore no polling places will be open for voting. Ballots will be mailed by the Election Commissioner of Scotts Bluff County between February 17, 2025, and March 1, 2025. Upon receipt of the official ballot, the registered voter shall mark it, seal the ballot in the identification envelope supplied with the ballot, sign the identification envelope, and comply with the instructions provided with the ballot.

Voter Registration Deadlines

The deadline to register to vote at an agency, online, with a deputy registrar, by mail or delivered by an agent is February 21, 2025. The deadline for in-person registration is February 27, 2025, by 6:00 p.m. at the Scotts Bluff County Election Commissioner's Office located at 1825 10th Street, Gering, Nebraska. Any voter who changes information on a current registration or registers to vote after the ballots have been mailed but before the in-person registration deadline of February 27, 2025, by 6:00 p.m., will be given a ballot at the time of registration or change.

Ballot Return Deadline

Voted ballots, sealed in the completed identification envelope and completed in accordance with the instructions provided with the ballot, must be delivered by mail, in person, or by an agent to the Scotts Bluff County Election Commissioner's Office located at 1825 10th Street, Gering, Nebraska, or placed in an official ballot drop box, and must be received no later than 5:00 p.m. on Tuesday, March 11, 2025.

BY ORDER OF THE BOARD OF EDUCATION
OF SCOTTS BLUFF COUNTY SCHOOL
DISTRICT 0016 (GERING PUBLIC SCHOOLS)
IN THE STATE OF NEBRASKA

NOTE TO ELECTION COMMISSIONER: PUBLISH no less than 42 days prior to election (on or before January 28, 2025)

NOTE TO SCHOOL DISTRICT: PUBLISH weekly for 4 consecutive weeks immediately preceding the election, with final publication within 7 days of March 11, 2025.

2024 Addendum to Superintendent's Employee Contract

The Board of Education of Gering Public Schools ("Board") and Dr. Nicole Regan ("Superintendent") have entered into an agreement for the employment of Superintendent and now desire to supplement the provisions contained in the contract and agree to the Addendum as follows:

Term and Renewal Extension. Unless the Board takes action to nonrenew or amend the contract consistent with "Section 2. Renewal of Contract," on the eighth day after the December 2024 Board meeting, the contract will contain an additional two-year term with an expiration date June 30, 2028.

Salary. For the 2025-2026 contract year, the Board shall pay the Superintendent a salary of \$210,000.00.

All other terms and conditions of the Superintendent's employment contract shall remain in full force and effect, unless modified by the parties in the contract or previous addendum which is not consistent with this Addendum. This includes the terms of the addendum signed by the parties on December 18, 2023.

Executed December 9, 2024

Executed December 9, 2024

Dr. Nicole Regan
Superintendent

President, Board of Education
Gering Public Schools

Superintendent Pay Transparency Notice—Proposed Contract Dr. Nicole Regan

Notice is hereby given that Gering Public Schools has approval of a proposed superintendent employment contract/contract amendment on its agenda for the board meeting to be held on December 9, 2024 at 6 pm at the Freshmen Academy in Gering, Nebraska.

After the 2025/26 school year, how many years remain on the contract:
(Column F must be completed if additional years remain on contract.)

2

The estimated costs to the district for the 2025/26 year and future years are listed below:

2025-26, 2026-27, 2027-28

	2025/26 Base Pay, Additional Compensation & Benefits	Future Base Pay, Additional Compensation & Benefits per Contract	TOTAL CONTRACT COST
Base Pay for the Total FTE	\$ 210,000.00	\$ 420,000.00	\$ 630,000.00
Compensation for activities outside of the regular salary:			
• <i>Extended contracts / Activities outside of regular salary</i>			\$ -
• <i>Bonus/Incentive/Performance Pay</i>			\$ -
• <i>Stipends</i>			\$ -
• <i>All other costs not mentioned above</i>			\$ -
Benefits and Payroll Costs Paid by district:			
• <i>Insurances (Health, Dental, Life, Long Term Disability)</i>	\$ 13,200.00	\$ 26,400.00	\$ 39,600.00
• <i>Cafeteria Plan Stipend</i>			\$ -
• <i>Cash in lieu of insurance</i>			\$ -
• <i>Employee's share of retirement, deferred compensation, FICA and Medicare if paid by the district</i>			\$ -
• <i>District's share of retirement, FICA and Medicare</i>	\$ 37,800.00	\$ 75,600.00	\$ 113,400.00
• <i>IRS value of housing allowance</i>			\$ -
• <i>IRS value of vehicle allowance</i>			\$ -
• <i>Additional leave days</i>			\$ -
• <i>Annuities</i>			\$ -
• <i>Service credit purchase</i>			\$ -
• <i>Association / Membership dues</i>	\$ 385.00	\$ 770.00	\$ 1,155.00
• <i>Cell Phone/Internet reimbursement</i>	\$ 1,200.00	\$ 2,400.00	\$ 3,600.00
• <i>Relocation reimbursement</i>			\$ -
• <i>Travel allowance/reimbursement</i>			\$ -
• <i>Mileage Allowance</i>			\$ -
• <i>Educational tuition assistance</i>			\$ -
• <i>All other benefit costs not mentioned above</i>			\$ -
Totals:	\$ 262,585.00	\$ 525,170.00	\$ 787,755.00