

601.1 Type of Organization

The Pleasanton Public Schools shall be organized as a K-12 basis.

601.2 School Calendar

A school calendar shall be made up each year.

The Principal shall make up the calendar with input from the Superintendent, staff and others that may have information for the next school year.

601.3 School Year - School Day - Instructional Time

A. The minimal school year for the Pleasanton Public School shall consist of 1080 instructional hours for high school (grades 9-12) and 1032 instructional hours for junior high (grades 7-8) and elementary grades (K-6).

The instructional program shall include the time when school is scheduled to begin until the time when school is scheduled to end each day. The time scheduled for lunch period shall be excluded from instructional program time. Passing time between periods may be counted as instructional time.

Time when school is not in session shall not count toward the 1080, 1032 or 400 instructional hour requirements. Time when school is not in session shall include, but not be limited to school dismissed for inclement weather, in-service activities or special dismissals.

Hours scheduled for inter-scholastic sports, and some other activity contests shall be excluded from the 1080 and 1032 instructional hours except for the Nebraska School Activities Association sponsored district and state contests and state play-off participation. Nebraska State Department of Education scheduled district and state sponsored contests and events may be included in instructional hours.

Sufficient hours shall be scheduled and added to the instructional program hours in the school year so that interruptions to instructing hours, due to interscholastic activities and other identified interruptions, do not infringe upon the 1080 and 1032 instructional hours. Time scheduled for student participation in and faculty sponsorship of interscholastic sports, clubs, and contests shall be regulated to meet the intent of LB994 and the regulations of Rule 10 (004.02A2)

Interscholastic sports, clubs and contests shall be defined as school activities and events that involve student participation and faculty sponsorship. The activities and events are identified as all athletic events, (Football, Basketball, Golf, Volleyball, and Track). Music, Drama, Speech, Debate, and certain field trips or special class instruction may be included in the instructional hours.

B. The instructional hour shall consist of sixty minutes of time scheduled for teachers and students for academic instructional purposes.

C. Students scheduled to be absent from instructional hours for interscholastic sports, clubs and contests shall be required to make up all assigned school academic work in an acceptable manner before leaving and being excused for the activity. Failure to comply with this procedure shall be cause for the student not to attend the scheduled activity as part of the school sponsored team or group.

D. Seniors students scheduled for graduation may be excused from some instructional hours at the end of the second semester providing they have met the academic requirements of their present individual scheduled courses, and have met the academic and attendance requirements for graduation. All students shall be expected and required to be in attendance during the scheduled instructional program hours unless properly excused congruent with attendance policies.

E. A yearly record shall be provided by the administration of all interruptions to the instructional program to provide evidence of meeting the intent of this policy.

Administrative Guidelines for School Year, School Day Instructional Time

A. The school year for the high school shall consist of around 175 days of at least 400 minutes each day of instructional time exclusive of 30 minutes allowed for lunch.

B. The school day will begin before 8:30 a.m. and conclude before 4:00 p.m. The Friday school day will conclude before 3:00 p.m. Due to heat school may be dismissed before 2:00 p.m.

C. The school year for the high school will provide for more than 1080 instructional hours which will allow for at least 50 hours of interruptions for interscholastic sports, clubs and contests, as well as early Friday dismissal, inclement weather cancellations and other school interruptions.

D. Interruptions to instructional time shall not exceed 72 hours so as to guarantee 1080 academic instructional hours for teachers and students.

E. Interruptions for assemblies, picture days and field trips may be counted as instructional time, but efforts shall be made to keep these on a limited basis.

F. Junior high grades (7&8) shall be in session the same hours as the high school although not required by statute.

G. The elementary school shall consist of the same times as the high school, exclusive of 30 minutes allowed for lunch. This will provide for more than 100 hours of interruptions for inclement weather, grade parties, parent-teacher conferences and other interruptions to the instructional day. Recess time shall be included in the instructional day.

H. Kindergarten will be in session at least 1032 instructional hours free of interruptions.

601.4 Ceremonies and Observances

Commemoration of special days and events shall be arranged.

Appropriate exercises may be held for the following: Veterans' Day, Martin Luther King Day, Presidents' Day, Flag Day, Memorial Day, and State Fire Day (the Friday before the Fire Recognition Day, which is the second Saturday in May). An educational program on the United States Constitution shall be held on September 17 every year, or in the preceding or following week if September 17 falls on a weekend or a holiday.

The flags of the United States of America and the State of Nebraska shall be prominently displayed on the school grounds on each day such school is in session. All flag displays shall be in accordance with the standards prescribed for the display of the flag of the United States of America.

601.5 Student Assistance Team Process

Pursuant to the Rules of the Nebraska Department of Education, the school district uses general education student assistance teams (SATs). SATs consider and create problem-solving and intervention strategies to assist classroom teachers to meet the needs of students who may be struggling in the general curriculum or who are struggling to comply with the student code of conduct or to meet acceptable behavioral and social norms.

All teaching staff must:

- 1) Support the SAT process by appropriately referring students who may benefit from the SAT process; and
- 2) Faithfully and consistently implementing the intervention strategies recommended by the SAT.

The failure to support the SAT process is a serious matter and may constitute just cause for terminating or canceling a teacher's employment.

Adopted on: 11/14/2016

Revised on: _____

Reviewed on: _____

602.1 Elementary Curriculum

The guidelines for the elementary curriculum are found in Rule 10 of the State of Nebraska Standards for Schools.

The elementary school shall provide instruction in: Reading and Language Arts, Mathematics, Social Studies, Science, Health, Physical Education, Art and Music.

All children shall receive instruction in the use of the library-media cataloging system before entering the sixth grade. 1032 instructional hours will be provided for grades kindergarten-six.

602.2 Junior High School

The Junior High curriculum includes: Social Studies, Math, English, Science, Physical Education, Chorus, PEER, Career Ed., Shop, Home Economics and Art.

1080 instructional hours will be provided for junior high students.

602.3 Senior High School

The instructional program in high school (grades 9-12) shall include as a minimum the following subject fields for the number of instructional units shown in each:

Language Arts: 60
Social Science: 40
Mathematics: 40
Science: 40
Foreign Language: 20
Vocational Education and/or Practical Arts: 80
Visual and Performing Arts: 40
Personal Health and Physical Fitness: 10
Computer Education: Included in the curriculum

1080 instructional hours will be provided for high school students.

602.4 Summer School

A decision to have summer school shall be at the discretion of the Pleasanton Board of Education.

602.5 Curriculum - Assessments

1. State Assessments.

The Pleasanton Public School District has adopted an assessment plan and has aligned the curriculum with the state approved content standards. The assessment plan includes a schedule and procedures for assessing success in achieving state standards.

Teachers are to clearly articulate the learning targets and align instruction to the learning targets within each of the content standards. Teachers are to give students instruction on the content prior to students being assessed on each content standard in order to provide learning opportunities for all students.

The assessments are to be conducted in accordance with the assessment plan schedule. Teachers are to conduct the assessments in a manner that assures it accurately assesses whether or not students are meeting the targets outlined by the content standards.

Assessment results are to be reported by the teachers in the manner and within the time directed by the administration or designee. The assessment data is to be used to meet state standards, to provide students and parents with information about student progress, to enhance school improvement planning, and to improve instruction. The assessment data is to be evaluated by teachers to monitor student learning and to improve instruction or terminate ineffective teaching practices to ensure students are being given the opportunity to meet the standards.

2. Achieving Valid Assessments.

Educators are responsible for maintaining the integrity of the assessments to ensure that assessments provide a valid measure of student progress and accomplishments. Educators are not to engage in any practice that may result in assessment results that do not reflect student learning, knowledge, skills or abilities in the area assessed.

For purposes of this policy, student assessments include both “standardized assessments” (including state assessments, norm referenced tests, and evaluations conducted for special education eligibility) and “coursework assessments” (e.g., classroom tests, quizzes, and other evaluative tools used to assign grades).

The following specific assessment expectations and rules apply:

- a. Integrity of the Assessment Instrument. The integrity of the assessment instrument is to be maintained.
 - i. Standardized Assessments. Standardized assessment instruments are not to be made available to students at any time before the student takes the assessment. The assessment instrument is to be maintained in a secure manner.

- ii. Coursework Assessments. Coursework assessment instruments are to be periodically modified to keep the assessments current and prevent students from effectively using “test banks.” For coursework assessments that are given on a repeat basis to students at different times (e.g., a test that is given to students throughout the school day), the educator is to remind students to not share the content of the assessment with students who will be taking the assessment later.

b. Teaching for Success on Assessments.

It is appropriate for educators to prepare students to do well on assessments. This is to be accomplished in a manner that assures the assessment accurately reflects the student’s knowledge, and not simply test preparation.

- i. Teach the Content. Educators are to prepare students to do well on assessments by teaching the subject content. Educators are not to “teach to the test” by teaching based solely on the content of the assessment. The content is to be taught to the students over an appropriate amount of time prior to the assessment. “Cramming” assessment content just before the assessment is to be taken is not appropriate. Review of content previously taught is appropriate.
- ii. Practice Tests. Educators are to prepare students by teaching test taking skills independent of the subject matter being assessed. Educators are not to conduct reviews (drills) using earlier (no longer published) versions of the same test, using alternate (parallel) forms of the same published test, or using actual items from the current form of a standardized test that will be administered to students. Educators are not to conduct reviews (drills) using items of identical format (for example, multiple choice) to the exclusion of other formats.

c. Conditions for Successful Assessments.

- i. Communications. Educators are to communicate to students and parents when assessments will be administered, the purpose of the assessment and how the assessment results will be used. Educators are to motivate students to do their best on assessments. Educators are to read and be familiar with assessment administration directions in advance and communicate the rules to students accurately and clearly.
- ii. Climate. Educators are to have sufficient assessment materials available (e.g., No. 2 pencils, if needed). The classroom is to be arranged to allow comfortable seating. Distractions are to be eliminated. Educators in nearby classrooms are to be informed that the assessment is to be administered so noises from neighboring classrooms are kept at a minimum. Activities or

arrangements are to be made for students who finish early so such students do not cause a distraction to other students still taking the assessment.

- iii. Security. Educators are to monitor students while administering assessments to ensure students are complying with standards of academic integrity. Students who violate standards of academic integrity are to be reported to the administration.
- d. Full Participation. Educators are to make efforts to have all eligible students take the assessments. The educator should develop a list of students who will be exempted from assessment and the reason for the exemption and submit the list for review and approval by the Principal.
- e. Assistance During Assessments.
 - i. Standardized Assessments. Educators are not to provide assistance to students while a standardized assessment is being administered except as provided for in a student's 504 Plan or IEP. This includes giving "hints," giving extra time, reading the tests to students or defining or pronouncing words for students, allowing students access to instructional material related to the content of the assessment (e.g., displaying a map during a social studies assessment) or allowing students access to mechanical aids (e.g., calculators).
 - ii. Coursework Assessments. For coursework assessments, students may be allowed access to instructional materials or mechanical aids only when all students being given the assessment are given the aids and use of the aids does not hinder the students from learning the content of the lesson.
- f. Student Answers. Assessments are to reflect the students' work as submitted by the students. During the assessments, educators are to monitor students to make sure directions are being followed (e.g., students are using a No. 2 pencil on all "bubble" sheet assessments and completely erase mistaken answers and extra marks on "bubble" sheet assessments). Educators are not to change answers on a student's assessment sheet or otherwise participate in the submission of false or misleading assessment results.

All employees are to adhere to Nebraska's NeSA Security Procedures and report breaches in security to Superintendent or the Superintendent's assessment designee for report to the Nebraska Department of Education. Professionalism, common sense, and practical procedures provide the framework for testing ethics.

Violations of the rules and expectations set forth in this policy will be considered to be a breach of the District's standard of ethics and may result in disciplinary consequences. Educators are to report suspected violations of the expectation to the administration. The administration is to investigate and appropriately respond to violations of the expectations.

Legal Reference: NDE Rule 10.05; NDE Rule 27.004.02H and 004.03D

Date of Adoption: July, 2011

602.5a Assessments—Academic Content Standards

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

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

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

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

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

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

Date of Adoption: August 2015

Special Education Policies

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

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

1. **Free Appropriate Public Education**

A free appropriate public education shall be made available to all children with disabilities residing in the District from date of diagnosis through the school year in which the student reaches 21 years of age, including children with disabilities who have been suspended or expelled.

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

2. **Full Educational Opportunity Goal**

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

Legal Reference: 92 NAC 51-004.11A

3. **Child Find**

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

Legal Reference: 92 NAC 51-006.01 through 006.01A2

4. Individualized Education Program (IEP)

An individualized education program, or an individualized family service plan, is to be developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007.

Legal Reference: 92 NAC 51-007

5. Least Restrictive Environment

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

Legal Reference: 92 NAC 51-008.01 through 008.011

6. Procedural Safeguards

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

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

7. Evaluation and Identification Procedures

Children with disabilities shall be evaluated and identified in accordance with 92 NAC 51-006. The District will respond to a request for an Independent Educational Evaluation without unnecessary delay. Locations of any evaluator shall be within a reasonable distance of the District. A reasonable distance means within 100 miles of the school building the child attends and within Nebraska. In the event this geographic area restriction would prevent a parent from obtaining an Independent Educational Evaluation, the location of the evaluator may be outside the specified geographic area but must be within Nebraska. The District will provide the parent(s) with a list of qualified agencies/evaluators within the geographic area. The evaluators are to have their rates approved by the Nebraska Department of Education to be authorized to conduct the evaluation.

Legal Reference: 92 NAC 51-006

8. Confidentiality of Personally Identifiable Information

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

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

9. Transition of Children from Part C to Preschool Programs

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

Legal Reference: 92 NAC 52-008

10. Children in Nonpublic Schools

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

Legal Reference: 92 NAC 51-012.08 and 015

11. Personnel Standards and Personnel Development

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

Legal Reference: 92 NAC 51-010

12. Participation in and Reporting of State and District Wide Assessments

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

Legal Reference: 92 NAC 51-004.05

13. Suspension and Expulsion Rates

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

Legal Reference: 92 NAC 51-004.06E

14. Access to Instructional Materials

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

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

Legal Reference: 92 NAC 51-004.15

15. Over-Identification and Disproportionality

PROCEDURES SHALL BE IN PLACE TO ENSURE THAT TESTING AND EVALUATION MATERIALS AND PROCEDURES UTILIZED FOR THE EVALUATION AND PLACEMENT OF CHILDREN WITH DISABILITIES WILL BE SELECTED AND ADMINISTERED SO AS NOT TO BE RACIALLY OR CULTURALLY DISCRIMINATORY. SUCH MATERIALS OR PROCEDURES SHALL BE PROVIDED AND

ADMINISTERED IN THE CHILD’S NATIVE LANGUAGE OR MODE OF COMMUNICATION, UNLESS IT IS CLEARLY NOT FEASIBLE TO DO SO, AND NO SINGLE PROCEDURE SHALL BE THE SOLE CRITERION FOR DETERMINING AN APPROPRIATE EDUCATIONAL PROGRAM FOR A CHILD.

Legal Reference: 92 NAC 51-003.10; 006.02C

16. Prohibition on Mandatory Medication

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

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

17. Transportation

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

Legal Reference: 92 NAC 51-014.01 through 014.02

18. Surrogates

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

Legal Reference: 92 NAC 51-009.10

19. Early Intervention Services – Consent

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

Legal Reference: 92 NAC 52

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

Date of Adoption: August 2015

Free Appropriate Public Education:

Pleasanton Public Schools ensures that a free appropriate public education is available to all children, who live in the school district, with disabilities from birth through the school year in which the student reaches 21 years of age, including children who have been suspended or expelled from school.

The requirement to a free appropriate public education does not apply with respect to children aged 8-21 to the extent that State law does not require that special education and related services be provided to children with disabilities who, in the education placement prior to their incarceration in an adult correctional facility, were not actually identified as being a child with a disability under IDEA, or did not have an IEP under Part B of the IDEA.

Childfind:

All children with disabilities residing in Pleasanton Public Schools, including children with disabilities attending non-public schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

Identification, evaluation and verification:

Pleasanton Public Schools ensures that children with disabilities are evaluated in accordance with 92 NAC 51-006.

Individualized education program:

Pleasanton Public Schools ensures that an individualized education program (IEP), or an individualized family service plan (IFSP) is developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007.

Least Restrictive Environment:

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

POLICIES AND PROCEDURES
FOR SPECIAL EDUCATION

POLICY - FREE APPROPRIATE PUBLIC EDUCATION

PLEASANTON PUBLIC SCHOOLS ENSURES THAT A FREE APPROPRIATE PUBLIC EDUCATION IS AVAILABLE TO ALL CHILDREN WITH DISABILITIES FROM BIRTH THROUGH THE SCHOOL YEAR IN WHICH THE STUDENT REACHES 21 YEARS OF AGE, INCLUDING CHILDREN WHO HAVE BEEN SUSPENDED OR EXPELLED FROM SCHOOL.

PROCEDURE

004 Responsibility for Special Education Programs

004.01 All providers of special education services shall be under the general supervision of the Department of Education for the purpose of meeting the standards of this Chapter. School districts shall insure that all children with verified disabilities, from birth through the school year in which the student reaches age twenty-one, including children who have been suspended or expelled from school, have available to them a free appropriate public education (FAPE) which includes special education and related services to meet their unique needs. School districts' responsibility to ensure the availability of FAPE includes ensuring the availability of FAPE for resident students in detention facilities, correctional facilities, jails and prisons.

004.02 The school district shall ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child is advancing from grade to grade.

004.02A The determination that a child described in 92 NAC 51-004.02 is eligible under this part, must be made on an individual basis by the multidisciplinary evaluation team.

004.03 Exceptions to the Requirement to Provide a Free Appropriate Public Education

004.03A Students with disabilities who have graduated from high school with a regular high school diploma are not eligible to receive a FAPE.

004.03A1 The exception in 92 NAC 51-004.03A does not apply to students who have graduated but have not been awarded a regular high school diploma.

004.03A2 Graduation from high school with a regular diploma constitutes a change in placement, requiring written prior notice in accordance with 92 NAC 51-009.03.

004.04 Participation in or attendance at programs by children with verified disabilities from date of diagnosis to age five shall be voluntary as specified by the parent.

PERSON(S) RESPONSIBLE: Board of Education, Superintendent, Special Education Director, Principal, Teachers

TIMELINE: Ongoing

MATERIALS: District policies and procedures, special education forms, Parent Rights Pamphlets, Parent training information

METHODS: Through the implementation of the district's special education policies and procedures, the district provides a free appropriate public education to all children with disabilities including children who have been suspended or expelled from school. It is anticipated that all student with disabilities will receive a regular high school diploma upon completion of their educational program. In those limited cases where it is determined that a student will receive other than a regular diploma the IEP Team, including the parents, will meet to discuss the student's educational programming until age 21.

POLICY- CHILD FIND

ALL CHILDREN WITH DISABILITIES RESIDING IN PLEASANTON PUBLIC SCHOOLS, INCLUDING CHILDREN WITH DISABILITIES WHO ARE HOMELESS CHILDREN OR WARDS OF THE STATE AND CHILDREN WITH DISABILITIES ATTENDING NON-PUBLIC SCHOOLS, REGARDLESS OF THE SEVERITY OF THEIR DISABILITIES, AND WHO ARE IN NEED OF SPECIAL EDUCATION AND RELATED SERVICES, ARE IDENTIFIED, LOCATED, AND EVALUATED AND A PRACTICAL METHOD IS DEVELOPED AND IMPLEMENTED TO DETERMINE WHICH CHILDREN WITH DISABILITIES ARE CURRENTLY RECEIVING NEEDED SPECIAL EDUCATION AND RELATED SERVICES.

PROCEDURE

006 Identification of Children with Disabilities, Multidisciplinary Teams and Reporting of Diagnostic Data

006.01 Child Find

006.01A All children with disabilities, including children with disabilities who are homeless children or wards of the State and children with disabilities attending nonpublic schools, regardless of the severity of their disabilities, and who are in need of special education and related services, shall be identified, located, and evaluated and a practical method shall be developed and implemented to determine which children with disabilities are currently receiving needed special education and related services. For infants and toddlers, districts shall demonstrate targeted efforts to meet the needs of children from historically underserved populations, particularly minority, low-income, inner-city and rural populations, and children with disabilities who are wards of the state.

006.01A1 The child find requirements apply to highly mobile children with disabilities (such as migrant and homeless children); and to children under the age of 3 who are involved in a substantiated case of child abuse or neglect; who are identified as affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure.

006.01A2 A child who is suspected of being a child with a disability under 92 NAC 51-003.08 and in need of special education, even though they are advancing from grade to grade.

PERSON (S) RESPONSIBLE: Superintendent, Director of Special Education, School District Administrators

TIMELINE: Print publications will occur each August, with ongoing activities occurring throughout the school year.

MATERIALS: Print publications will occur in local newspaper, school calendar and student handbook. Ongoing activities include distribution of pamphlets to doctors' offices, articles in school newspapers, etc.

METHODS: Efforts to locate and evaluate resident children and students with disabilities who will benefit from special education and related services will be conducted on an ongoing basis in the following ways:

1. Health and general education screening will be conducted by the district as required by Nebraska state statutes and Nebraska Department of Education and Nebraska Department of Health and Human Services regulations.
2. Child find plans will be developed and records maintained to document all such activities of the district and to evaluate their effectiveness. Such records will include a copy of all public announcements. Persons making referrals will be asked where they acquired the information that led them to the school district.
3. The district will accept referrals for evaluation directly from parents, other agencies or school personnel for children below age five who may benefit from the provision of special education services. The district will conduct periodic screening activities to locate children with disabilities.

POLICY -IDENTIFICATION, EVALUATION AND VERIFICATION

PLEASANTON PUBLIC SCHOOLS ENSURES THAT CHILDREN WITH DISABILITIES ARE EVALUATED IN ACCORDANCE WITH 92 NAC 51-006.

Procedures to ensure that testing and evaluation materials and procedures utilized for the purposes of evaluation and placement of children with disabilities will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child’s native language or mode of communication, unless it is clearly not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

PROCEDURE

<u>006.01C</u>	Student Assistance Team (SAT) or Comparable Problem Solving Team
<u>006.01C1</u>	For a school age student, a general education student assistance team or a comparable problem solving team shall be used prior to referral for multidisciplinary team evaluation.
<u>006.01C2</u>	The SAT or comparable problem solving team shall utilize and document problem solving and intervention strategies to assist the teacher in the provision of general education.
<u>006.01C3</u>	If the student assistance team or comparable problem solving team feels that all viable alternatives have been explored, a referral for multidisciplinary evaluation shall be completed. A referral shall include information from the SAT or comparable problem solving team, meeting the requirements of 92 NAC 51-006.01C and a listing of the members of the SAT or comparable problem solving team.

STUDENT ASSISTANCE TEAM

PERSON(S) RESPONSIBLE: Director of Special Education, Principals, SAT Chairperson, SAT members

TIMELINE: Strategies designed, implemented, and evaluated for approximately 20 school days. Specific number of days may vary depending on individual student needs, availability of data, and number of strategies implemented and the success of the strategies.

MATERIALS: Student Assistance Team Referral, Student Assistance Team Report, Referral for Initial Evaluation, Notice and Consent for Initial Evaluation

METHODS:

1. The SAT shall coordinate and review the information from all staff members working with the referred student and the student’s parent(s) and guardian(s);
2. A building level SAT chairperson will be designed and shall be responsible for all communication with parents and school personnel regarding the operation of the team and

- information generated. The SAT chairperson shall insure that all information is properly documented.
3. When appropriate, the SAT will plan, implement and assess the effectiveness of alternative intervention strategies developed to assist the teacher in the provision of general education including:
 - a. Reviewing relevant background information;
 - b. Observing/presenting educational problems/behavior;
 - c. Conferring with teacher(s), parent(s), and guardian(s);
 - d. Planning alternative intervention strategies;
 - e. Assisting teachers in implementing interventions;
 - f. Monitoring and evaluating the effectiveness of the intervention;
 - g. Providing written documentation of the above activities; and
 - h. Making recommendations regarding referral distribution, which may include referral for a MDT assessment, continuation of classroom interventions and/or utilization of school or community resources.
 4. If the SAT determines that appropriate options available in general education have been exhausted and there is a possible need of special education services, the student shall be referred to the multidisciplinary team for evaluation;
 5. The SAT report shall be completed within a reasonable time of accepting the referral;
 6. Referral information and written documentation of all SAT activities shall be incorporated into the student's records; and
 7. All referrals for a MDT evaluation shall be submitted on the appropriate district referral forms and must include information from the SAT including strategies/interventions attempted and a listing of team members.

PROCEDURE (IDENTIFICATION, EVALUATION AND VERIFICATION {continued})

006.02 Consistent with 92 NAC 51-009.05, 009.06 and 009.07, a parent of a child, the Nebraska Department of Education, another State agency or a local school district or approved cooperative may initiate a request for an initial evaluation to determine if the child is a child with a disability.

006.02A Except for infants and toddlers, the resident school district or approved cooperative shall conduct a full and individual initial evaluation for each child being considered for special education and related services before the initial provision of special education and related services to a child with a disability. The initial evaluation shall determine whether a child is a child with a disability, and the educational needs of the child. For infants and toddlers, early intervention services in accordance with 92 NAC 51-007.13, may begin prior to completion of a full and individual initial evaluation.

006.02A1 In implementing the requirements of 92 NAC 51-006.02A the school district or approved cooperative shall insure that:

006.02A1a The evaluation is conducted in accordance with the procedures described in Section 006 of this Chapter.

006.02A1b The results of the evaluation are used by the child's IEP team in meeting the requirements of Section 007 of this Chapter.

006.02B School districts or approved cooperatives shall insure, at a minimum, that the following requirements are met:

006.02B1 Assessments and other evaluation materials used to assess a child under this Chapter;

006.02B1a Are selected and administered so as not to be discriminatory on a racial or cultural basis; and

006.02B1b Are provided and administered in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally, unless it is not feasible to, provide or administer;

006.02B1b(i) For infants and toddlers, tests and other evaluation materials and procedures are administered in the native language of the parent or other mode of communication, unless it is clearly not feasible to do so.

006.02B1c Are used for purposes for which the assessments or measures are valid and reliable.

006.02B2 Assessments of children with disabilities who transfer from one school district or approved cooperative to another school district or approved cooperative in the same academic year are coordinated with such children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of full evaluations.

006.02B3 Materials and procedures used to assess a child with limited English proficiency are selected and administered to insure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.

006.02B4 A variety of assessment tools and strategies are used to gather relevant functional, developmental and academic information about the child, including information provided by the parent, and information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities), that may assist in determining:

006.02B4a Whether the child is a child with a disability under 92 NAC 51-003.08; and

006.02B4b The content of the child's IEP.

006.02B5 Any standardized tests that are given to a child:

006.02B5a Have been validated for the specific purpose for which they are used; and

006.02B5b Are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the assessments.

006.02B5b(i) If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of the test administration) must be included in the evaluation report.

006.02B6 Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

006.02B7 Tests are selected and administered so as best to insure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

006.02B8 No single measure or assessment is used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.

006.02B9 The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

006.02B10 In evaluating each child with a disability under Section 006, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

006.02B11 The school district or approved cooperative uses technically sound instruments that may assess the relative contribution of

cognitive and behavioral factors, in addition to physical or developmental factors.

006.02B12 The school district or approved cooperative uses assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child.

006.02C In interpreting evaluation data for the purpose of determining if a child is a child with a disability and the educational needs of the child, each school district or approved cooperative shall:

006.02C1 Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and

006.02C2 Insure that information obtained from all of these sources is documented and carefully considered.

006.02D Evaluation and assessment for infants and toddlers

006.02D1 An evaluation is conducted in accordance with Section 006 of this Chapter to determine eligibility for services including determining the status of the child in each of the developmental domains.

006.02D2 After a child has been verified the district must conduct an assessment of the unique needs of the child in terms of each of the developmental areas to identify services appropriate to meet the needs of the child.

006.03 Multidisciplinary Evaluation Team (MDT) Requirements

006.03A The multidisciplinary evaluation team (including the child's parents) shall be responsible for the analysis, assessment and documentation of educational and developmental abilities and needs of each child referred for the purpose of individual evaluation. Using the documentation collected and the verification criteria found in Section 006 of this Chapter and the definition found in 92 NAC 51-003.08, the MDT shall make all verification decisions. Documented information shall be collected to facilitate the development of a statement of present level of development and educational performance on the IFSP or IEP.

006.03B For students attending nonpublic schools, an administrator of the nonpublic school or a designated representative of the nonpublic school shall be a member of the MDT.

006.03C In making a determination of eligibility, a child shall not be determined to be a child with a disability if the determining factor is lack of appropriate instruction in reading, including in the essential components of reading instruction as defined in Section 614(a)(5)(A) of the Individuals with Disabilities Education Act of 2004 (See Appendix A), lack of instruction in math, or limited English proficiency.

006.03D If a determination is made that a child has a disability and needs special education and related services, an IEP must be developed for the child in accordance with Section 007 of this Chapter.

006.03E Multidisciplinary Evaluation Team Written Report (for all suspected disabilities except specific learning disabilities)

006.03E1 The team shall prepare a written report of the results of the evaluation.

006.03E2 The report shall include a statement of:

006.03E2a Whether the child qualifies as a child with a disability based on the criteria contained in 92 NAC 51-006.04 and definition contained in 92 NAC 51-003.08 with reference to the specific disability;

006.03E2b The child's educational needs;

006.03E2c The basis for making the determination; and

006.03E2d A listing of the team members.

006.03E3 Each team member shall certify in writing if the report reflects his or her conclusion. If it does not reflect his or her conclusions, the team member shall submit a separate statement presenting his or her conclusion.

006.03E4 A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent.

006.03F Multidisciplinary Evaluation Team Written Report for a Child with a Suspected Specific Learning Disability

006.03F1 The MDT shall prepare a written report of the results of the evaluation.

006.03F2 The report shall include a statement of:

child;

006.03F2a Whether the child has a specific learning disability based on the criteria contained in 92 NAC 51-006.04K and the definition found in 92 NAC 51-003.08J.

006.03F2b The child's educational needs;

006.03F2c The basis for making the determination;

006.03F2d The relevant behavior noted during the observation of the

006.03F2e The relationship of that behavior to the child's academic functioning;

006.03F2f The educationally relevant medical findings, if any;

006.03F2g The determination of the team concerning the effects of environmental, cultural, or economic disadvantage; and

006.03F2h A listing of the team members.

006.03F3 Each team member shall certify in writing if the report reflects his or her conclusion. If the report does not reflect his or her conclusions, the team member shall submit a separate statement presenting his or her conclusion.

006.03F4 A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent.

006.03G For a school age student who after initial MDT evaluation does not qualify for special education services or for a student with a verified disability who upon reevaluation no longer qualifies for special education services, a problem solving team shall document a plan to assist the teacher(s) in the provision of regular education.

006.04 Eligibility for Special Education

006.04A School districts or approved cooperatives shall provide special education services only to children with verified disabilities.

006.04B Autism

006.04B1 The MDT shall include at least:

006.04B1a A school psychologist or licensed psychologist;

006.04B1b The child's teacher(s) or a teacher qualified to teach a child that age;

<u>006.04B1c</u>	A speech-language pathologist;
<u>006.04B1d</u>	A school district or approved cooperative administrator or a designated representative; and
<u>006.04B1e</u>	The child's parent(s).
<u>006.04B2</u>	In order for a child to be verified as having autism, the evaluation shall include the analysis and documentation of the manifestation of severe developmental and educational problems exhibited in varying degrees of atypical behavior in each of the following areas:
<u>006.05</u>	Reevaluations
<u>006.05A</u>	A school district or approved cooperative shall ensure that a reevaluation of each child with a disability is conducted in accordance with the verification procedures in Section 006 of this Chapter:
<u>006.05A1</u>	if the school district or approved cooperative determines that the educational or related services needs, including improved academic achievement and functional performance, or the child warrant a reevaluation; or
<u>006.05A2</u>	if the child's parents or teacher requests a reevaluation.
<u>006.05B</u>	A reevaluation shall occur:
<u>006.05B1</u>	not more than once a year, unless the parent and the school district or approved cooperative agree otherwise; and
<u>006.05B2</u>	at least once every three years, unless the parent and the school district or approved cooperative agree that a reevaluation is unnecessary.

EVALUATION

PERSON(S) RESPONSIBLE: Director of Special Education, MDT Coordinator, MDT members

TIMELINE:

1. Notice and Consent for Evaluation will be completed in a reasonable period of time from the date of referral;
2. MDT Initial Evaluation will be completed within 60 days of receiving Parental Consent;
3. The MDT Report will be completed within 30 days of completion of the evaluation; and
4. Consent for Reevaluation will be obtained within 5 days prior to the MDT three-year expiration date.

MATERIALS: Notice and Consent for Initial Evaluation or Reevaluation, Parent Rights Pamphlets, Complaint Procedures and Rule 55 (for Initial Evaluation), MDT Written Report Form

METHODS: The district will identify children in the following disability categories:

- Autism
- Behavioral Disorder
- Deaf-Blindness
- Developmental Delay
- Hearing Impairment
- Mental Handicap
- Multiple Impairments
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech/Language Impairment
- Traumatic Brain Injury
- Visual Impairment

PROCEDURE (IDENTIFICATION, EVALUATION AND VERIFICATION {continued})

<u>006.06</u>	Review of Existing Evaluation Data
<u>006.06A</u>	As part of an initial evaluation (if appropriate) and as part of any reevaluation, the IEP team and other qualified professionals as appropriate, shall:
<u>006.06A1</u>	review existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based local or State assessments and classroom-based observations, and observations by teachers and related services providers; and
<u>006.06A2</u>	on the basis of that review, and input from the child's parents, identify what additional data, if any, are needed to determine:
<u>006.06A2a</u>	whether the child is a child with a disability, as described in 92 NAC 51-003.08, and the educational needs of the child, or, in case of a reevaluation of a child, whether the child continues to have such a disability and such educational needs;
<u>006.06A2b</u>	the present levels of academic achievement and related developmental needs of the child;
<u>006.06A2c</u>	whether the child needs special education and related services, or in the case of a reevaluation of a child, whether

the child continues to need special education and related services; and

006.06A2d whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the individualized education program of the child and to participate, as appropriate, in the general education curriculum.

006.06B The school district or approved cooperative shall administer such assessments and other evaluation measures as may be needed to produce the data identified by the IEP team under 92 NAC 51-006.06A2.

006.06C The IEP team and other qualified professionals may conduct its review without a meeting.

006.06D If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs the school district or approved cooperative:

006.06D1 shall notify the child's parents of:

006.06D1a that determination and the reasons for the determination; and

006.06D1b the right of such parents to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs for the purpose of services under this Chapter.

006.06D2 The school district or approved cooperative shall not be required to conduct such an assessment unless requested to by the child's parents.

006.06E A school district or approved cooperative shall evaluate a child with a disability in accordance with this section before determining that the child is no longer a child with a disability.

006.06E1 The evaluation described in 92 NAC 51-006.06E shall not be required before the termination of a student's eligibility under this Chapter due to graduation from secondary school with a regular high school diploma, or to exceeding the age eligibility for a free appropriate public education under Neb. Rev. Stat. 79-1126. For a child whose eligibility terminates under these

circumstances, a school district or approved cooperative shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

RE-EVALUATION

PERSON(S) RESPONSIBLE: IEP members and other qualified professionals

TIMELINE: This process should begin will before the three-year reevaluation date and be timed so that the review of existing evaluation data can be accomplished during the IEP meeting.

MATERIALS: Parent Notice and Consent for Reevaluation Form, Parent Rights Pamphlet, existing evaluation data, "Notice That No Additional Information Is Needed to Determine Continued Eligibility for Special Education" Form

METHODS:

1. IEP Team meets to review information available and decides on the nature of the reevaluation. Parents are a part of the IEP Team, and therefore are part of the meeting.
2. If the IEP Team determines that no additional information is required to determined continued eligibility for special education, the IEP Team documents the decision on the "Notice That No Additional Information is Needed to Determine Continued Eligibility for Special Education Services Form". Parents should receive a copy of the form within 5 school days of the meeting. Parents may request that a comprehensive reevaluation be conducted even if the members of the IEP Team disagree.
3. If the IEP Team decides that additional information is needed to determine continued eligibility in special education, a Referral for Individual Evaluation Form is completed at the IEP meeting. The parents will receive a Parents Rights Pamphlet, a request for Consent to Reevaluate 5 days prior to the reevaluation date. After the reevaluation is conducted, parents will be contacted to attend the MDT meeting to determine continued eligibility for special education and related services. After the reevaluation the MDT report is written by participating team members. Parents will receive a copy of the written report within 30 school days.

If reevaluation results in removing a disability verification, a MDT report is completed indicating that the child no longer qualifies. When the removal of a disability verification results in a dismissal from a special education program, the MDT report shall indicate the same. A copy of the report shall be placed in the student's record and parents shall be afforded all rights under Rule 51 and the Student Assistance Team references should be completed to assist the student the student in transitioning back to general education.

PROCEDURE (IDENTIFICATION, EVALUATION AND VERIFICATION {continued})

006.07A The parents of a child with a disability have the right to obtain an independent educational evaluation of the child, subject to the provisions of 92 NAC 51- 006.07.

006.07B Each school district or approved cooperative shall provide to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the school district's or approved cooperative's criteria applicable for independent educational evaluations.

006.07C A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the school district or approved cooperative.

006.07C1 Public expense means that the school district or approved cooperative either pays for the full cost of the evaluation or insures that the evaluation is otherwise provided at no cost to the parent.

006.07D If a parent requests an independent educational evaluation at public expense, the school district or approved cooperative must, without unnecessary delay, either:

006.07D1 Initiate a hearing under 92 NAC 55 to show that its evaluation is appropriate; or

006.07D2 Insure that an independent educational evaluation is provided at public expense, unless the school district or approved cooperative demonstrates at a hearing under 92 NAC 55 that the evaluation obtained by the parent did not meet school district or approved cooperative criteria.

006.07E If the school district or approved cooperative initiates a hearing and the final decision is that the school district's or approved cooperative's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.

006.07F If a parent requests an independent educational evaluation, the school district or approved cooperative may ask for the parent's reason why he or she objects to the public evaluation. However, the explanation by the parent may not be required and the school district or approved cooperative may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation.

<u>006.07G</u>	If the parent obtains an independent educational evaluation at private expense, the results of the evaluation:
<u>006.07G1</u>	Must be considered by the school district or approved cooperative, if it meets school district or approved cooperative criteria, in any decision made with respect to the provision of a free appropriate public education to the child; and
<u>006.07G2</u>	May be presented as evidence at a hearing under 92 NAC 55 regarding that child.
<u>006.07H</u>	If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.
<u>006.07I</u>	If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the school district or approved cooperative uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation.
<u>006.07J</u>	Except for the criteria described in 92 NAC 51-006.07I, a school district or approved cooperative may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.

INDEPENDENT EDUCATION EVALUATION

PERSON(S) RESPONSIBLE: Special Education Director, Special Education Teachers, Superintendent, and Principal

TIMELINE: The district will respond to a request for an Independent Educational Evaluation within 30 days. In the case where the district approves the request for an Independent Educational Evaluation, they will provide parents with the list of the district's criteria for selecting an evaluator and a list of independent evaluators within 30 days.

MATERIALS: District criteria for selecting evaluator, list of independent evaluators, notice of approving request for an Independent Educational Evaluation or notice that district is not approving and filing for a hearing under 92 NAC 55.

METHODS: The parent will be requested to document the request through a written statement to the Director of Special Education.

The written request should contain:

1. Parental objections to the results of the district's educational evaluation;
2. Reference to the specific type(s) of evaluation requested; and

3. Consent of the parent(s)/guardian to release the personally identifiable confidential results of the evaluation to the school district.

If the decision is that an independent educational evaluation is appropriate, the parent(s)/guardian will receive written authorization from the Director of Special Education within ___30__ days of the written request. The parent's failure to provide a written request does not eliminate their right to an Independent Educational Evaluation.

If the district refuses to provide an Independent Educational Evaluation, the district will provide the parents with a notice of their decision. The district must file a hearing under 92 NAC 55 to prove the appropriateness of their evaluation.

The qualifications of examiners will be in accordance with 92 NAC 51. Locations of any evaluator shall be within a reasonable distance of the school district. The district will provide the parent(s) with a list of qualified agencies/evaluators within the geographic area. The evaluators will be encouraged to have their rates approved by the Nebraska Department of Education to be authorized to conduct the evaluation(s).

The district will establish maximum allowable charges for each educational assessment. Maximum allowable charges for the assessment allows the parent(s) to select from among qualified and approved professionals which will eliminate unreasonable and/or excessive fees for services. The district will provide for the parent(s) the opportunity to demonstrate that unusual circumstances justify the need for an independent evaluation, which is not designated by this procedure.

If the parent(s) obtains an independent evaluation without notifying the district, the district will not assume the financial responsibility for the evaluation if the district's evaluation is determined to be appropriate by the hearing officer appointed under 92 NAC 55.

POLICY - INDIVIDUALIZED EDUCATION PROGRAM

PLEASANTON PUBLIC SCHOOLS ENSURES THAT AN INDIVIDUALIZED EDUCATION PROGRAM (IEP), OR AN INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP) IS DEVELOPED, REVIEWED, AND REVISED FOR EACH CHILD WITH A DISABILITY IN ACCORDANCE WITH 92 NAC 51-007.

PROCEDURE

007 Individual Education Program (IEP) and Individualized Family Service Plan (IFSP)

007.01 If a determination is made that a child needs special education and related services, an individualized education program or individualized family service plan must be developed for the child. In order to fulfill the requirements of 92 NAC 51-007.01 for infants and toddlers, school districts or approved cooperative shall meet the requirements of 92 NAC 51-007.13. FAPE is provided to infants and toddlers with a disability in accordance with an IFSP, rather than an IEP. The requirements for contents of the IFSP apply rather than the requirements for the contents of an IEP. All other substantive rights and protections established under special education apply to infants and toddlers with disabilities receiving FAPE in accordance with an IFSP.

007.02 An IEP shall be developed and implemented for each resident public and nonpublic school child that receives special education and related services.

007.02A At the beginning of each school year, each school district or approved cooperative shall have an IEP in effect for each child with a verified disability within its jurisdiction.

007.02A1 In the case of a child with a disability aged 3 through 5 (or a 2-year-old child with a disability who will turn age 3 during the school year), the IEP Team shall consider the individualized family service plan that is developed in accordance with 92 NAC 51-007.13, and the individualized family service plan may serve as the IEP of the child if using that plan as the IEP is agreed to by the school district or approved cooperative and the child's parents.

007.02B Each school district or approved cooperative shall insure that an IEP is in effect before special education and related services are provided to a child with a verified disability under this Chapter and is implemented as soon as possible following the IEP meetings.

007.02C The child's IEP is accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for its implementation; and

007.02D Each teacher and provider described in 92 NAC 51-007.02C must be informed of his or her specific responsibilities related to implementing the child's IEP; and the specific accommodations, modifications, and

supports that must be provided for the child in accordance with the IEP.

007.03 IEP Team Participants

007.03A The school district or approved cooperative shall insure and document that each IEP team includes the following participants:

007.03A1 the parents of a child with a disability or documentation of 92 NAC 51-007.06D;

007.03A2 not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);

007.03A2a The regular education teacher of the child, as a member of the IEP team, shall, to the extent appropriate, participate in the development, review and revision of the IEP of the child, including assisting in the determination of appropriate positive behavioral interventions and supports, and other strategies, and the determination of supplementary aids and services, program modifications, and support for school personnel consistent with 92 NAC 51-007.07B4.

007.03A3 not less than one special education teacher, or where appropriate, not less than one special education provider of the child;

007.03A4 a representative of the school district or approved cooperative who:

007.03A4a is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;

007.03A4b is knowledgeable about the general education curriculum; and

007.03A4c is knowledgeable about the availability of resources of the school district or approved cooperative;

007.03A4c(i) A school district or approved cooperative may designate another member of the IEP team to also serve as the school district or approved cooperative representative, if the criteria in 92 NAC 51-007.03A4 are satisfied.

007.03A5 an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in 92 NAC 51-007.03A2 through 007.03A6;

007.03A6 at the discretion of the parent or the school district or approved cooperative, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;

007.03A6a The determination of the knowledge or special expertise of any individual described in 92 NAC 51-007.03A6 shall be made by the party (parents or school district or approved cooperative) who invited the individual to be a member of the IEP.

007.03A7 whenever appropriate, the child with a disability;

007.03A8 for students attending nonpublic schools, a representative of the nonpublic schools. If the representative cannot attend, other methods shall be used to insure participation by the nonpublic school, including individual or conference telephone calls;

007.03A9 for children receiving services from an approved service agency, a representative of the service agency. If the representative is not in attendance, other methods shall be used to insure participation by the approved service agency, including written communication, or individual or conference telephone calls;

007.03A10 for students with disabilities of any age, if the purpose of the meeting is consideration of transition services:

007.03A10a The student;

007.03A10a(i) If the student does not attend, the school district or approved cooperative shall take other steps to insure that the student's preferences and interests are considered.

007.03A10b A representative of any other agency that is likely to be responsible for providing or paying for the transition services included in the student's individualized education program.

007.03A10b(i) If an agency invited to send a representative to the meeting does not do so, the school district or approved cooperative shall take other steps to obtain

the participation of the other agency in the planning of any transition services.

007.03A11 For a student verified in the category of hearing impaired, an educator endorsed to teach a child with hearing impairments.

007.03A12 For a student verified in the category of visual impairment, an educator endorsed to teach a child with visual impairments.

007.04 IEP Team Attendance

007.04A A member of the IEP Team shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the school district or approved cooperative agree that the attendance of such member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.

007.04B A member of the IEP Team may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if:

007.04B1 the parent and the school district or approved cooperative consent to the excusal; and

007.04B2 the member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting.

007.04C A parent's agreement under 92 NAC 51-007.04A and consent under 92 NAC 51-007.04B1 shall be in writing.

007.05 In the case of a child who was previously served as an infant or toddler under Part C of the Individuals with Disabilities Education Act, an invitation to the initial IEP meeting shall, at the request of the parent, be sent to the Part C service coordinator or other representative of the Part C system to assist with the smooth transition of services.

007.06 Parent Participation

007.06A The school district or approved cooperative shall take steps to insure that one or both of the parents of the child with a disability are present at the IEP conference or are afforded the opportunity to participate, including:

007.06A1 Notifying parents of the IEP conference early enough to insure that they will have an opportunity to attend; and

place. 007.06A2 Scheduling the meeting at a mutually agreed on time and

007.06B The notification under 92 NAC 51-007.06A1 must indicate the purpose, time and location of the meeting and who will be in attendance and inform the parents of the provisions of 92 NAC 51-007.03A6 and 007.03A6a.

007.06B1 If the purpose of the meeting is the consideration of transition services for a student (as required by 92 NAC 51-007.07B8) the notification must also:

007.06B1a Indicate that the purpose of the meeting is:

007.06B1a(i) For a student with a disability, beginning not later than the first IEP to be in effect when the student reaches age 16, consideration of the needed transition services required in 92 NAC 51-007.07B8.

007.06B1b Indicate that the school district or approved cooperative will invite the student to the meeting; and

007.06B1c Identify any other agency that will be invited to send a representative.

007.06C If neither parent can attend, the school district or approved cooperative shall use other methods to insure parent participation, including individual or conference telephone calls.

007.06D A meeting may be conducted without a parent in attendance if the school district or approved cooperative is unable to convince the parents they should attend. In this case, the district must have a record of its attempts to arrange a mutually agreed on time and place such as:

007.06D1 Detailed records of telephone calls made or attempted and the results of the calls;

007.06D2 Copies of correspondence sent to the parents and any responses received; and

007.06D3 Detailed records of visits made to the parent's home or place of employment and the results of those visits.

007.06E The school district or approved cooperative shall take whatever action is necessary to insure that the parent understands the proceedings of an

IEP conference, including arranging for an interpreter for parents who are deaf or whose native language is other than English.

007.06F The school district or approved cooperative shall provide a copy of the IEP to parents at no cost.

007.06G The school district or approved cooperative shall insure that the parents of a child with a disability are members of any group that makes decisions on the educational placement of their child.

007.06G1 In implementing the requirements of 92 NAC 51-007.06G, the school district or approved cooperative shall use procedures consistent with the procedures described in 92 NAC 51-007.06A, 007.06B, and 009.01A1.

007.06G2 If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the school district or approved cooperative shall use other methods to insure their participation, including individual or conference telephone calls, or video conferencing.

007.06G3 A placement decision may be made by a group without the involvement of the parents, if the school district or approved cooperative is unable to obtain the parents' participation in the decision. In this case, the school district or approved cooperative must have a record of its attempt to insure their involvement, including information that is consistent with the requirements of 92 NAC 51-007.06D.

007.06G4 The school district or approved cooperative shall make reasonable efforts to insure that the parents understand, and are able to participate in, any group discussions relating to the educational placement of their child, including arranging for an interpreter for parents with deafness, or whose native language is other than English.

IEP MEETING

PERSON(S) RESPONSIBLE: Director of Special Education, IEP Case Manager, and Special Education Staff

TIMELINE: A reasonable time prior to the IEP meeting, the district will provide notice of the IEP meeting. The notification of IEP meeting should be made early enough to assure attendance by all participants.

MATERIALS: "IEP Meeting Notification" form, documentation of phone contacts or e-mails.

METHODS: Parents will be notified of IEP meeting by one of the following methods:

1. Written notification will be sent by U.S. mail.
 2. Notification will be made by telephone contact, documented on the phone log.
 3. Notification provided via e-mail with a copy placed in the student file.
- School district IEP Team members will be notified by the IEP Case Manager.
Other IEP Team members will be sent a written notification by U.S. mail, e-mail, or by phone, documented on the phone log.

PROCEDURE (INDIVIDUALIZED EDUCATION PROGRAM {continued})

007.07 IEP Development

007.07A The Individual Education Program (IEP) is a written statement for a child with a verified disability, which specifies the special education and related services necessary to assure that child a free, appropriate public education.

007.07A1 Nothing in this section shall be construed to require that additional information be included in a child's IEP beyond what is explicitly required in this section, or to require the IEP team to include information under one component of a child's IEP that is already contained in another component of such IEP.

007.07B The IEP shall include:

007.07B1 a statement of the child's present levels of academic achievement and functional performance, including:

007.07B1a how the child's disability affects the child's involvement in and progress in the general curriculum (i.e., the same curriculum as for nondisabled children); or

007.07B1b for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities; and

007.07B1c for children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;

007.07B2 a statement of measurable annual goals, including academic and functional goals, designed to:

007.07B2a Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; (i.e., the same curriculum as for nondisabled children), or for preschool children, as appropriate, to participate in appropriate activities, and

007.07B2b Meet each of the child's other educational needs that result from the child's disability;

007.07B3 a description of how the child's progress toward meeting the annual goals will be measured and when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;

007.07B4 a statement of the special education and related services and supplementary aids and services based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child:

007.07B4a to advance appropriately toward attaining the annual goals;

007.07B4b to be involved in and progress in the general curriculum and to participate in extracurricular and other nonacademic activities; and

007.07B4c to be educated and participate with other children with disabilities and nondisabled children in the activities described in 92 NAC 51-007.07B;

007.07B5 an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in 92 NAC 51-007.07B4;

007.07B6 a statement of any individual appropriate accommodations or modifications that are necessary to measure the academic achievement and functional performance of the child on state and district-wide assessments; and if the IEP team determines that the child shall take an alternate assessment on a particular district-wide assessment of student achievement, a statement of why:

007.07B6a the child cannot participate in the regular assessment; and

007.07B6b the particular alternate assessment selected is appropriate for the child;

007.07B7 the projected date for the beginning of the services and modifications described in 92 NAC 51-007.05B4 and the anticipated frequency, location, and duration of those services and modifications;

007.07B8 beginning not later than the first IEP to be in effect when the child is 16, and updated annually thereafter:

007.07B8a appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills;

007.07B8b the transition services (including courses of study) needed to assist the child in reaching those goals; and

007.07B8c if a participating agency, other than the school district or approved cooperative fails to provide the transition services described in the IEP, the school district or approved cooperative shall reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.

007.07B9 The plan of transportation and any special conditions necessary for safe transport of the child with a verified disability shall be part of the IEP, when applicable.

007.07C In developing, reviewing or revising each child's IEP:

007.07C1 The IEP team shall consider the strengths of the child and the concerns of the parents for enhancing the education of their child.

007.07C2 The IEP team shall consider the results of the initial evaluation or most recent evaluation of the child, and the academic, developmental, and functional needs of the child.

007.07C3 As appropriate, the IEP team shall consider the results of the child's performance on any general state and district-wide assessment programs.

007.07C4 In the case of a child whose behavior impedes his or her learning or that of others, the IEP team shall consider the use of positive behavioral interventions, and supports and other strategies to address that behavior.

007.07C5 In the case of a child with limited English proficiency, the IEP team shall consider the language needs of the child as these needs relate to the child's IEP.

007.07C6 In the case of a child who is blind or visually impaired, the IEP team shall provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child.

007.07C7 The IEP team shall consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, shall consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.

007.07C8 The IEP team shall consider whether the child needs assistive technology devices and services.

007.07D If, in considering the special factors described in 92 NAC 51-007.07C, the IEP team determines that a child needs a particular device or service (including an intervention, accommodation, or other program modification) in order for the child to receive a free appropriate public education (FAPE), the IEP team must include a statement to that effect in the child's IEP.

007.07E Services

007.07E1 Each school district or approved cooperative shall insure that the hearing aids worn in school by children who are deaf or have hearing impairments are functioning properly.

007.07E2 Physical education services, specially designed if necessary, must be available to every child with a verified disability receiving a free, appropriate public education.

007.07E2a Each child with a verified disability must be afforded the opportunity to participate in the regular physical education program available to children with disabilities unless:

007.07E2a(i) The child is enrolled full time in a separate facility; or

007.07E2a(ii) The child needs specially designed physical education as prescribed in the child's individualized education program.

007.07E2b If specially designed physical education is prescribed in a child's individualized education program, the school district or approved cooperative responsible for the education of that child shall provide the services directly, or make arrangements for it to be provided through other public or nonpublic programs.

007.07E2c The school district or approved cooperative responsible for the education of a child with a verified disability who is enrolled in a separate facility shall insure that the child receives appropriate physical education services.

007.07E3 Each school district or approved cooperative shall insure assistive technology devices or assistive technology services, or both, as defined in 92 NAC 51-003.04 and 003.05 are made available to any child with a disability if required, as part of the child's:

007.07E3a Special education under 92 NAC 51-003.59;

007.07E3b Related services under 92 NAC 51-003.50; or

007.07E3c Supplementary aids and services under 92 NAC 51-003.61 and 008.01A.

007.07E3d On a case by case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP team determines that the child needs access to those devices in order to receive a free appropriate public education.

007.07E4 Extended School Year Services (ESY)

007.07E4a Each school district or approved cooperative shall insure that extended school year services are available as necessary to provide a free appropriate public education consistent with 92 NAC 51-007.07E4b.

007.07E4b Extended school year services must be provided only if a child's IEP team determines, on an individual basis, in accordance with Section 007, that the services are necessary for the provision of a free appropriate public education.

007.07E4c In implementing the requirements of this section, a school district or approved cooperative may not: limit extended school year services to particular categories of disability; or unilaterally limit the type, amount, or duration of those services.

007.07E5 The need for related services of an instructional nature shall be documented on the IEP or IFSP present level of performance, goals, and objectives, and shall be based on documented diagnostic evidence. Determination of the need for a related service for a child with a verified disability does not require the additional verification of a secondary disability.

007.08 Programs for Children who Transfer School Districts or Approved Cooperatives

007.08A Transfer within the same state – In the case of a child with a disability who transfers school districts or approved cooperatives within the same academic year, who enrolls in a new school, and who had an IEP that was in effect in Nebraska, the school district or approved cooperative shall provide such child with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents until such time as the school district or approved cooperative adopts the previously held IEP or develops, adopts, and implements a new IEP that is consistent with Federal and State law.

007.08B Transfer from outside the state – In the case of a child with a disability who transfers school districts or approved cooperatives within the same academic year, who enrolls in a new school, and who had an IEP that was in effect in another State, the school district or approved cooperative shall provide such child with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents until such time as the school district or approved cooperative conducts an evaluation, if determined to be necessary by such school district or approved cooperative and develops a new IEP, if appropriate, that is consistent with Federal and State law.

007.08C Transmittal of records – To facilitate the transition for a child who transfers schools:

007.08C1 the new school in which the child enrolls shall take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous school in which the child was enrolled,

pursuant to Section 99.31(a)(2) of Title 34, Code of Federal Regulations; and

007.08C2 the previous school in which the child was enrolled shall take reasonable steps to promptly respond to such request from the new school.

007.08C3 Neb. Rev. Stat. 79-2,105 requires that a copy of a public or private school's files or records concerning a student shall be provided at no charge, upon request, to any public or private school to which the student transfers.

007.09 IEP Meeting

007.09A The school district or approved cooperative is responsible for initiating and conducting meetings for the purpose of developing, reviewing and revising an IEP for a child with a verified disability.

007.09A1 Before a school district or approved cooperative places a child with a disability in, or refers a child to, a nonpublic school or facility, the school district or approved cooperative shall initiate and conduct a meeting to develop an IEP for the child in accordance with Section 007.

007.09A2 After a child with a disability enters a nonpublic school or facility, any meetings to review and revise the child's IEP may be initiated and conducted by the nonpublic school or facility at the discretion of the school district or approved cooperative.

007.09A3 If the nonpublic school or facility initiates and conducts these meetings, the school district or approved cooperative shall insure that the parents and nonpublic representative:

007.09A3a Are involved in any decision about the child's IEP; and

007.09A3b Agree to any proposed changes in the IEP before those changes are implemented.

007.09B An IEP meeting must be held within thirty (30) calendar days of the initial verification of the child's disability.

007.09C After the initial IEP meeting, IEPs must be in effect at the beginning of each school year.

007.09D The IEP team shall review the child's IEP periodically, but not less frequently than annually, to determine whether the annual goals for the child are being achieved.

007.09E In making changes to a child's IEP after the annual IEP meeting for a school year, the parent of a child with a disability and the school district or approved cooperative may agree not to convene an IEP meeting for the purposes of making such changes, and instead may develop a written document to amend or modify the child's current IEP.

007.09F To the extent possible, the school district or approved cooperative shall encourage the consolidation of reevaluation meetings for the child and other IEP Team meetings for the child.

007.09G When conducting IEP team meetings and placement meetings and carrying out administrative matters (such as scheduling, exchange of witness lists, and status conferences), the parent of a child with a disability and a school district or approved cooperative may agree to use alternative means of meeting participation, such as video conferences and conference calls.

007.10 The IEP team shall revise the IEP as appropriate to address:

007.10A any lack of expected progress toward the annual goals described in 92 NAC 51-007.07 and in the general education curriculum, where appropriate

007.10B the results of any reevaluation conducted under 92 NAC 51-006.05A;

007.10C the information about the child provided to, or by, the parents, as described in 92 NAC 51-006.06A1;

007.10D the child's anticipated needs; or

007.10E other matters.

007.11 IEP Accountability

007.11A School districts or approved cooperatives must provide special education and related services to a child with a disability in accordance with the child's IEP and make a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.

007.11B This Chapter does not require that any school district or approved cooperative, teacher, or other person be held accountable if a child does not achieve the growth projected in the annual goals and benchmarks or objectives. However, this Chapter does not prohibit a school district or approved cooperative from establishing its own accountability systems regarding teacher, school or school district or approved cooperative performance.

007.11C Nothing in 92 NAC 51-007.11 limits a parent's right to ask for revisions of the child's IEP or to invoke due process procedures if the

parent feels that the efforts required in 92 NAC 51-007.11A are not being made.

IEP

PERSON(S) RESPONSIBLE:

1. Director of Special Education is responsible for all IEP procedures and forms.
2. IEP Case Manager is responsible for facilitating the IEP meeting, recording decisions made by the IEP Team on the IEP form and maintaining notes of the IEP meeting.
3. IEP Team is responsible for the development of IEP.

TIMELINE: The IEP must be in effect at the beginning of each school year. The IEP meeting will be conducted within 30 calendar days of the MDT verification decision. A copy of the IEP will be provided to parents within 7 days of the IEP meeting.

MATERIALS: IEP Form

METHODS: The district will follow the procedures described in 92 NAC 51-007 for the development of the IEPs and the conduct of the IEP meetings.

POLICY

PLEASANTON PUBLIC SCHOOLS ENSURES THAT CHILDREN PARTICIPATING IN EARLY INTERVENTION SERVICES EXPERIENCE A SMOOTH AND EFFECTIVE TRANSITION TO SERVICES PROVIDED UNDER PART B OF THE IDEA.

PROCEDURE (INDIVIDUALIZED EDUCATION PROGRAM {continued})

007.13B9 The steps to be taken to support the transition of the child to preschool services to the extent that those services are considered appropriate, or other services that may be available, if appropriate.

007.13B9a The steps include:

007.13B9a(i) discussions with, and training of, parents regarding future placements and other matters related to the child's transition;

007.13B9a(ii) procedures to prepare the child for changes in the service delivery, including steps to help the child adjust to, and function in, a new setting; and

007.13B9a(iii) with parental consent, the transmission of information about the child to ensure continuity of

services, including evaluation and copies of IFSPs that have been developed and implemented.

007.13B10 A statement of the necessary assistive technology devices and services needed by the infant or toddler.

007.17 Early Intervention Transition

007.17A The agency contracting for services coordination is responsible for convening, with the approval of the child's family, a conference including the family, school district or approved cooperative and other agencies as needed at least 90 days (and at the discretion of all such parties, up to nine months) before the child's third birthday or at least 90 days before completion of the early intervention program. The purpose of the meeting is to:

007.17A1 Insure a smooth and effective transition to preschool programs assisted under Part B of the IDEA to the extent those services are appropriate, or other services that may be available, if appropriate;

007.17A2 Review the child's program options for the period from the child's third birthday through the remainder of the school year;

007.17A3 Describe how the family will be included in the transition plans; and

007.17A4 Establish a transition plan.

007.17B In the case of a child who has reached his or her third birthday, an IFSP that contains the material described in 92 NAC 51-007.13 and that is developed in accordance with 92 NAC 51-007.02, 007.03, 007.06, 007.07C, 007.09, 007.10 and 007.11 may serve as the IEP of the child if using that plan is agreed to by the school district or approved cooperative and the child's parents.

007.17B1 In implementing the requirements of 92 NAC 51-007.17B the school district or approved cooperative shall;

007.17B1a provide the child's parents a detailed explanation of the differences between an IFSP and an IEP; and

007.17B1b if the parents choose an IFSP, obtain written informed consent from the parents.

PERSON(S) RESPONSIBLE: The Service Coordinator in conjunction with the Early Childhood Teacher

TIMELINE: The district will convene a meeting, including the family and district, at least 90 days and at the discretion of all parties, up to six months before the child's third birthday or at least 90 days before completion of the early intervention program.

MATERIALS: IFSP Form and the IEP Form

METHODS: The district will follow the procedures described in 92 NAC 51-007.17 when transitioning children from early intervention to preschool programs.

POLICY - PARTICIPATION IN ASSESSMENTS

PLEASANTON PUBLIC SCHOOLS ENSURES THAT CHILDREN WITH DISABILITIES ARE INCLUDED IN DISTRICT-WIDE ASSESSMENT PROGRAMS, WITH APPROPRIATE ACCOMMODATIONS, WHERE NECESSARY. AS APPROPRIATE, THE SCHOOL DISTRICT DEVELOPS GUIDELINES FOR THE PARTICIPATION OF CHILDREN WITH DISABILITIES IN ALTERNATE ASSESSMENTS FOR THOSE CHILDREN WHO CANNOT PARTICIPATE IN DISTRICT-WIDE ASSESSMENTS AND DEVELOPS AND CONDUCTS THOSE ALTERNATE ASSESSMENTS.

PLEASANTON PUBLIC SCHOOLS WILL MAKE AVAILABLE TO THE NEBRASKA DEPARTMENT OF EDUCATION THE INFORMATION NECESSARY TO CARRY OUT ITS DUTIES RELATING TO THE REPORTING OF CHILDREN WITH DISABILITIES PARTICIPATION IN ASSESSMENTS.

PROCEDURE

004.05 Participation in Assessments

004.05A School districts shall include all students with disabilities in all general state and district-wide assessment programs, including assessments described under section 612(a)(16)(A) of the Individuals with Disabilities Education Act of 2004 (See Appendix A), with appropriate accommodations, modifications and alternate assessments where necessary and as indicated in their respective individualized education programs.

004.05B In the case of a district-wide assessment, the school district shall develop guidelines for the provision of appropriate accommodations and modifications.

004.05C In the case of a district-wide assessment, the school district shall develop and implemented guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in regular assessments under 92 NAC 51-004.05A with accommodations or modifications as indicated in their respective individualized education programs. The guidelines shall provide for alternate assessments that:

004.05C1 are aligned with the Nebraska Department of Education's challenging academic content standards and challenging student academic achievement standards; and

007.07B6 a statement of any individual appropriate accommodations or modifications that are necessary to measure the academic achievement and functional performance of the child on state and district-wide assessments; and if the IEP team determines that the child shall take an alternate assessment on a particular district-wide assessment of student achievement, a statement of why:

007.07B6a the child cannot participate in the regular assessment; and

007.07B6b the particular alternate assessment selected is appropriate for the child;

004.05D School districts shall make available to the public, and report to the public with the same frequency and in the same detail as they report on the assessment of nondisabled children, the following:

004.05D1 The number of children with disabilities participating in regular assessments, and the number of those children who were provided accommodations in order to participate in these assessments.

004.05D2 The number of children with disabilities participating in alternate assessments described in 92 NAC 51-004.05C1.

004.05D3 The number of children with disabilities participating in alternate assessments described in 92 NAC 51-004.05C2.

004.05D4 The performance results of children with disabilities on regular assessments and on alternate assessments (if the number of children with disabilities participating is sufficient to yield statistically reliable information and reporting that information will not reveal personally identifiable information about an individual student), compared with the achievement of all children, including children with disabilities, on those assessments.

004.05D5 Reports to the public under 92 NAC 51-004.05D must include:

004.05D5a aggregated data that include the performance of children with disabilities together with all other children; and

004.05D5b disaggregated data on the performance of children with disabilities.

PERSON(S) RESPONSIBLE: Superintendent, Special Education Director, Principal and IEP Team

TIMELINE: Administration of student assessments will follow the timeline used for the assessment of all students in the district.

MATERIALS: Student's IEP, District-wide Assessment Forms

METHODS: All students will have the opportunity to attempt any or all portions of the district-wide assessments. Students with disabilities will participate in one of the following ways:

1. District-wide and state assessment with no accommodations; or
2. District-wide and state assessment with accommodations.

3. Use of an alternate assessment.

Alternate assessment will be determined by the IEP Team. Alternate assessments will be conducted to correspond with the timeline of state and district-wide assessment for each grade level.

The individual student's IEP Team will determine how the student will participate in district-wide assessment. If necessary, the IEP Team will list the appropriate accommodations necessary for the student to participate.

REPORTING PROCEDURES

PERSON(S) RESPONSIBLE: Superintendent, Principal, and Special Education Director

TIMELINE: Reports will be completed and submitted to NDE on a timeline determined by NDE. Reports to the public will be made available on the same timeline as for reporting general education results.

MATERIALS: Reporting format developed by NDE be made annually. Reports to newspapers and school publications sent to parents.

METHODS: Assessment information for all students will be reported in two ways. First, data on the student with disabilities will be aggregated with all other student data. Second, data for students with disabilities and students without disabilities will be reported separately.

POLICY - LEAST RESTRICTIVE ENVIRONMENT

TO THE MAXIMUM EXTENT APPROPRIATE, CHILDREN WITH DISABILITIES, INCLUDING CHILDREN IN PUBLIC AND NONPUBLIC INSTITUTIONS OR OTHER CARE FACILITIES, ARE EDUCATED WITH CHILDREN WHO ARE NOT DISABLED, AND SPECIAL CLASSES, SEPARATE SCHOOLING, OR OTHER REMOVAL OF CHILDREN WITH DISABILITIES FROM THE REGULAR EDUCATION ENVIRONMENT OCCURS ONLY WHEN THE NATURE OR SEVERITY OF THE DISABILITY OF A CHILD IS SUCH THAT EDUCATION IN REGULAR CLASSES WITH THE USE OF SUPPLEMENTARY AIDS AND SERVICES CANNOT BE ACHIEVED SATISFACTORILY.

IF PLACEMENT IN A PUBLIC OR NON-PUBLIC RESIDENTIAL PROGRAM IS NECESSARY TO PROVIDE SPECIAL EDUCATION AND RELATED SERVICES TO A CHILD WITH A DISABILITY, THE PROGRAM INCLUDING NON-MEDICAL CARE AND ROOM AND BOARD, MUST BE AT NO COST TO THE PARENTS OF THE CHILD.

PLEASANTON PUBLIC SCHOOLS ENSURES THAT CHILDREN WITH DISABILITIES HAVE AVAILABLE TO THEM THE VARIETY OF EDUCATIONAL PROGRAMS AND SERVICES AVAILABLE TO NON-DISABLED CHILDREN, INCLUDING ART, MUSIC, INDUSTRIAL ARTS, CONSUMER AND HOMEMAKING EDUCATION AND VOCATIONAL EDUCATION.

PROCEDURE

008 Placement of Children With Disabilities

008.01 Least Restrictive Environment (LRE) Requirements

008.01A The school district shall establish policies and procedures to assure that, to the maximum extent appropriate, children with disabilities including children in public or nonpublic schools and approved service agencies are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

008.01B Before any action is taken with respect to the initial placement of a child with disabilities, the school district or approved cooperative shall be responsible for the provision of a comprehensive individual multidisciplinary evaluation of the child's development and educational needs. For infants and toddlers, early intervention services may begin prior to completion of a full and individual initial evaluation in accordance with 92 NAC 51-007.18.

008.01C In interpreting the information on the child's individual education plan (IEP) or IFSP to make placement decisions, each school district shall:

008.01C1 Draw upon the information from the child's present level of development or educational performance, physical condition, social or cultural background and adaptive behavior;

008.01C2 Insure that information obtained from all of these sources is documented and carefully considered;

008.01C3 Insure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

008.01C4 Insure that the placement decision is made in conformity with the least restrictive environment requirements in 92 NAC 51-008.01 and based on the child's unique needs and not on the child's disability.

008.01D Each school district or approved cooperative shall assure an array of special education placement options are available. Those options shall include: instruction in regular classes; supplemental services such as resource room; itinerant instruction or consultative services to be provided in conjunction with regular class placement; special classes; special schools; home instruction and instruction in hospitals and institutions.

008.01E The school district shall insure that the educational placement of a child with a verified disability:

008.01E1 Is determined at least annually;

008.01E2 Is based on his or her individual education program (IEP); and

008.01E3 Is as close as possible to the child's home.

008.01F The various array of placement options included under 92 NAC 51-008.01D must be available to the extent necessary to implement the individual education program for each child with a verified disability;

008.01G Unless a child's IEP or IFSP requires some other arrangement, the child must be educated in the school which he or she would attend if not disabled.

008.01H In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the child or on the quality of services, which he or she needs.

008.01H1 A child with a disability must not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

008.01I The school district shall take steps to provide nonacademic and extracurricular services and activities including meals and recess

periods, in the manner necessary to afford each school age student with a verified disability an equal opportunity for participation in those services and activities with students who are not disabled to the maximum extent appropriate to meet the needs of each child.

008.01I1 Nonacademic and extra-curricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school district or approved cooperative, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the school district or approved cooperative and assistance in making outside employment available.

008.02 Placement Requirements

008.02A School districts may place a child with verified disabilities in special education programs provided;

008.02A1 Written consent to initially place the child in the proposed program is obtained from the parent; or

008.02A2 An order to place the child in the proposed program is obtained from a Department of Education appointed hearing officer or court of competent jurisdiction.

008.03 Natural Environments

008.03A To the maximum extent appropriate to the needs of the child, early intervention services must be provided in natural environments including home and community settings in which children without disabilities participate.

008.03B The provision of early intervention services for any infant or toddler may occur in a setting other than a natural environment only if early intervention cannot be achieved satisfactorily for the infant or toddler in a natural environment.

LEAST RESTRICTIVE ENVIRONMENT

PERSON(S) RESPONSIBLE: Director of Special Education and IEP/IFSP Team

TIMELINE: Students will begin receiving special education and related services within five (5) days of receipt of Parental Consent for Placement based upon the IEP/IFSP.

MATERIALS: IEP/IFSP Form, Parental Notice and Consent for Initial Placement Form

METHODS: The IEP/IFSP Team will consider all placement options prior to the placement of a student.

The placements may range from regular classroom instruction for the entire school day with modifications to the regular instructional program to other settings dictated by student needs. The district may also develop additional placement alternatives within the overall school program that are tailored to the needs of the individual student with disabilities. This placement may be developed by adapting or modifying existing placement alternatives based on the needs of the individual student with disabilities. For infants and toddlers, service must be provided in natural environments except for those limited situations in which the child's needs dictate a different environment.

When making the placement decision the team shall:

1. Review and discuss past educational experiences;
2. Review current levels of educational performance;
3. Review current education needs as documented on the IEP/IFSP; and
4. Review and formulate a preliminary configuration of special education and related service options.
5. Review and compare the options identified in (4) above with the need for LRE. To achieve this, the IEP/IFSP Team will select the special education placement that allows for the implementation of the IEP/IFSP while educating the student to the maximum extent appropriate with non-disabled peers. The team shall prepare written justification for the appropriate placement selected and document in writing why other options were not selected.

The district will provide written notice to parents and obtain written consent from parents prior to initial placement. If the district has made available an appropriate special education program in accordance with Rule 51 for a student with a disability, and the student's parents choose to unilaterally place the child in a different setting, the district is not required to pay for the child's education in the alternative setting.

POLICY - CHILDREN IN NONPUBLIC SCHOOLS

TO THE EXTENT CONSISTENT WITH THE NUMBER AND LOCATION OF CHILDREN WITH DISABILITIES WHO ARE ENROLLED BY THEIR PARENTS IN NONPUBLIC ELEMENTARY AND SECONDARY SCHOOLS, PROVISION IS MADE FOR THE PARTICIPATION OF THOSE CHILDREN IN SPECIAL EDUCATION AND RELATED SERVICES IN ACCORDANCE WITH THE REQUIREMENTS CONTAINED IN 92 NAC 51.

PLEASANTON PUBLIC SCHOOL'S POLICY RELATING TO CHILDFIND ACTIVITIES APPLIES WITH RESPECT TO CHILDREN WITH DISABILITIES WHO ARE ENROLLED IN NONPUBLIC, INCLUDING PAROCHIAL, ELEMENTARY AND SECONDARY SCHOOLS.

CHILDREN WITH DISABILITIES IN NONPUBLIC SCHOOLS AND FACILITIES ARE PROVIDED SPECIAL EDUCATION AND RELATED SERVICES IN ACCORDANCE WITH AN INDIVIDUALIZED EDUCATION PROGRAM, AT NO COST TO THEIR PARENTS, IF THE CHILD IS PLACED IN, OR REFERRED TO NONPUBLIC SCHOOLS OR FACILITIES BY PLEASANTON PUBLIC SCHOOLS AS A MEANS OF CARRYING OUT THE REQUIREMENTS OF IDEA OR ANY OTHER APPLICABLE LAW REQUIRING THE PROVISION OF SPECIAL EDUCATION AND RELATED SERVICES TO ALL CHILDREN WITH DISABILITIES. CHILDREN SERVED BY NONPUBLIC SCHOOLS OR FACILITIES AS A RESULT OF A REFERRAL BY THE PLEASANTON PUBLIC SCHOOLS WILL HAVE ALL THE RIGHTS THEY WOULD HAVE IF SERVED BY THE PLEASANTON PUBLIC SCHOOLS.

PLEASANTON PUBLIC SCHOOLS IS NOT REQUIRED TO PAY FOR THE COST OF EDUCATION, INCLUDING SPECIAL EDUCATION AND RELATED SERVICES, OF A CHILD WITH A DISABILITY AT A NONPUBLIC SCHOOL OR FACILITY IF PLEASANTON PUBLIC SCHOOLS MADE A FREE APPROPRIATE PUBLIC EDUCATION AVAILABLE TO THE CHILD AND THE PARENTS ELECTED TO PLACE THE CHILD IN SUCH NONPUBLIC SCHOOL OR FACILITY.

IF THE PARENTS OF A CHILD WITH A CHILD WITH A DISABILITY, WHO PREVIOUSLY RECEIVED SPECIAL EDUCATION AND RELATED SERVICES UNDER THE AUTHORITY OF THE PLEASANTON PUBLIC SCHOOLS, ENROLL THE CHILD IN A NONPUBLIC ELEMENTARY OR SECONDARY SCHOOL WITHOUT THE CONSENT OF OR REFERRAL BY THE PLEASANTON PUBLIC SCHOOLS, OR A COURT OR A HEARING OFFICER MAY REQUIRE THE PLEASANTON PUBLIC SCHOOLS TO REIMBURSE THE PARENTS FOR THE COST OF THE ENROLLMENT IF THE COURT OR HEARING OFFICER FINDS THAT THE PLEASANTON PUBLIC SCHOOLS HAD NOT MADE AVAILABLE A FREE APPROPRIATE PUBLIC EDUCATION TO THE CHILD IN A TIMELY MANNER PRIOR TO THAT ENROLLMENT.

THE COST OF THE REIMBURSEMENT MAY BE REDUCED OR DENIED IF AT THE MOST RECENT IEP MEETING THAT THE PARENTS ATTENDED PRIOR TO THE REMOVAL OF THE CHILD FROM THE PLEASANTON PUBLIC SCHOOLS, THE PARENTS DID NOT INFORM THE IEP TEAM THAT THEY WERE REJECTING THE PLACEMENT PROPOSED BY THE DISTRICT TO PROVIDE A FREE APPROPRIATE PUBLIC EDUCATION TO THEIR CHILD, INCLUDING STATING THEIR CONCERNS AND THEIR INTENT TO ENROLL THEIR CHILD IN A NONPUBLIC SCHOOL AT PUBLIC EXPENSE; OR 10 BUSINESS DAYS (INCLUDING ANY HOLIDAYS THAT OCCUR ON A BUSINESS DAY), PRIOR TO THE REMOVAL OF THE CHILD FROM THE SCHOOL DISTRICT, THE PARENTS DID NOT GIVE WRITTEN NOTICE TO THE PLEASANTON PUBLIC SCHOOLS OF THE INFORMATION REQUIRED ABOVE. THE COST OF REIMBURSEMENT WILL NOT BE REDUCED OR DENIED FOR FAILURE TO PROVIDE THE INFORMATION REQUIRED ABOVE. THE COST OF REIMBURSEMENT WILL NOT BE REDUCED OR DENIED FOR FAILURE TO PROVIDE THE INFORMATION REQUIRED IF THE PARENT IS ILLITERATE AND CANNOT WRITE IN ENGLISH, IF COMPLIANCE WITH THE REQUIREMENT WOULD LIKELY RESULT IN PHYSICAL OR SERIOUS EMOTIONAL HARM TO THE CHILD, IF THE SCHOOL PREVENTED THE PARENT FROM

PROVIDING THE INFORMATION OR IF THE PARENTS HAD NOT RECEIVED NOTICE REQUIRED BY 92 NAC 51-009 OF THE PARENTS RESPONSIBILITY TO PROVIDE NOTICE TO THE PLEASANTON PUBLIC SCHOOLS.

THE REIMBURSEMENT MAY ALSO BE REDUCED OR DENIED IF PRIOR TO THE PARENTS REMOVAL OF THE CHILD FROM PLEASANTON PUBLIC SCHOOLS, THE SCHOOL DISTRICT INFORMED THE PARENTS, THROUGH THE NOTICE REQUIREMENTS DESCRIBED IN 92 NAC 51-009, OF ITS INTENT TO EVALUATE THE CHILD (INCLUDING A STATEMENT OF THE PURPOSE OF THE EVALUATION WAS THAT APPROPRIATE AND REASONABLE), BUT THE PARENTS DID NOT MAKE THE CHILD AVAILABLE FOR THE EVALUATION.

THE REIMBURSEMENT MAY ALSO BE REDUCED OR DENIED UPON A JUDICIAL FINDING OF UNREASONABLENESS WITH RESPECT TO ACTIONS TAKEN BY THE PARENTS.

PROCEDURE

015.01 Children Placed In or Referred To a Nonpublic School or Facility by the School District As a Means of Providing Special Education and Related Services

015.01A School districts shall insure that a child with a disability who is placed in or referred to a nonpublic school or facility by a school district:

015.01A1 is provided special education and related services in conformance with an IEP that meets the requirements of Section 007 at no cost to the parents;

015.01A2 is provided an education that meets the standards including the requirements of this Chapter, that apply to education provided by the school district; and

015.01A3 has all of the rights of a child with a disability who is served by a school district.

015.01B School districts shall disseminate copies of applicable standards to each nonpublic school and facility to which the school district has referred or placed a child with a disability.

013.01 Special education programs and support services may be provided by contracting with another school district, approved cooperative, or with a Department of Education provisionally approved service provider. Responsibility for compliance with state and federal regulations for programs for children with disabilities remains with the school district.

013.02 The school district of residence shall be responsible for the development and maintenance of the IEP, and the participation in all IEP meetings and shall assure that IEP meetings are arranged with the contracted program and the parents. Such arrangements may include meetings with the contracted program, the school district, and the parent. Meetings may occur within the district, at the contracted program site or another site if more appropriate. For infants and toddlers the school district of residence shall be responsible for meeting the requirements of 92 NAC 51-007.13 through 92 NAC 51-007.19.

PERSON(S) RESPONSIBLE: Director of Special Education, IEP Case Manager, and Special Education Teacher

TIMELINE: Ongoing

MATERIALS: Contract with the nonpublic school, district forms

METHODS: The district has adopted the state standards and will provide copies of L.E.A.R.N.S. to contracted agencies. Once a contract has been arranged, a case manager from the district is designated who will arrange meetings with parents, district representative and the contracting agency. All necessary paperwork and proper procedures are completed through the direction of the case manager, the IEP Team, and the contracted school representative.

PROCEDURE (CHILDREN IN NONPUBLIC SCHOOLS {continued})

015.02 Children Placed In a Nonpublic School by Parents As a Means of Obtaining Special Education and Related Services; FAPE is At Issue

015.02A This Chapter does not require a school district to pay for the cost of education, including special education and related services, of a child with a disability at a nonpublic school or facility if that school district made FAPE available to the child and the parents elected to place the child in a nonpublic school or facility as a means of obtaining special education and related services. However, the school district shall include that child in the population whose needs are addressed consistent with 92 NAC 51-015.03.

015.02B Disagreements between a parent and a school district regarding the availability of a program appropriate for the child, and the question of financial responsibility, are subject to the due process procedures of 92 NAC 55.

015.02B1 If the parents of a child with a disability, who previously received special education and related services under the authority of the school district, enroll the child in a nonpublic preschool, elementary or secondary school without the consent or referral by the school district, a court or a hearing officer may require the school district to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that the school district had not made a free appropriate public education available to the child in a timely manner prior to that enrollment and that the private placement is appropriate.

015.02B1a A parental placement may be found to be appropriate by a hearing officer or a court even if it does not meet the State standards that apply to education provided by the school district.

015.02C The cost of reimbursement described in 92 NAC 51-015.02B1 may be reduced or denied if:

015.02C1 at the most recent IEP meeting that the parents attended prior to removal of the child from the public school, the parents did not inform the IEP team that they were rejecting the placement proposed by the school district to provide a free appropriate public education to their child, including stating their concerns and their intent to enroll their child in a nonpublic school at public expense; or

<u>015.02C2</u>	at least 10 business days (including any holidays that occur on a business day), prior to the removal of the child from the public school, the parents did not give written notice to the school district of the information described in 92 NAC 51-015.02C1; or
<u>015.02C3</u>	prior to the parents removal of the child from the public school, the school district informed the parents, through the notice requirements described in 92 NAC 51-009.03, of its intent to evaluate the child (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parents did not make the child available for such evaluation; or
<u>015.02C4</u>	upon a judicial finding of unreasonableness with respect to actions taken by the parents.
<u>015.02D</u>	Notwithstanding the notice requirements of 92 NAC 51-015.02C1 and 015.02C2 the cost of reimbursement shall not be reduced or denied for failure to provide the notice if: the parent is illiterate and cannot write in English; compliance with 92 NAC 51-015.02C1 and 015.02C2 would likely result in physical or serious emotional harm to the child; the school prevented the parent from providing such notice, or the parents had not received prior written notice, of the parents' responsibility to provide such notice to the school districts as required by 92 NAC 51-009.03.

PERSON(S) RESPONSIBLE: Director of Special Education, IEP Case Manager, and Special Education Teacher

TIMELINE: Ongoing

MATERIALS: Appropriate district forms

METHODS: Disagreements between parents and the school district whether or not the school district has a program available, or regarding the question of responsibility, are subject to the appeal procedures established in Rule 55.

PROCEDURE (CHILDREN IN NONPUBLIC SCHOOLS {continued})

<u>015.03</u>	Children Enrolled In a Nonpublic School by Parents If FAPE Is Not At Issue
<u>015.03A</u>	As used in 92 NAC 51-015.03, nonpublic school children with disabilities means children with disabilities enrolled by their parents in

nonpublic school or facilities other than children with disabilities covered under 92 NAC 51-015.01.

015.03B The school district shall locate, identify, evaluate and provide special education and related services for all children with disabilities attending nonpublic schools, including children residing in the jurisdiction of the school district who attend religiously affiliated schools, in accordance with 92 NAC 51-006.01A, 004.01, and 004.08. The activities undertaken to carry out this responsibility for children with disabilities attending nonpublic schools must be comparable to activities undertaken for children with disabilities in public schools.

015.03C The school district shall consult with appropriate representatives of nonpublic school children with disabilities on how to carry out the activities described in 92 NAC 51-015.03B.

015.04 Services provided to nonpublic school children with disabilities may be provided on-site at a child's nonpublic school, including a religious school, to the extent consistent with law.

PERSON(S) RESPONSIBLE: Director of Special Education, IEP Case Manager, and Nonpublic School Representative

TIMELINE: Ongoing

METHODS: A nonpublic school student may participate in the public school's special education programs provided the student has been verified by a MDT and the parent is a resident of the district. The IEP for nonpublic school students shall be developed according to the policies and procedures adopted by the district. Special education and related services to nonpublic school students with disabilities may be provided at the public school, the nonpublic school, or a neutral site.

PROCEDURE (CHILDREN IN NONPUBLIC SCHOOLS {continued})

015.05 Transportation

015.05A If necessary for the child to benefit from or participate in the services provided under this Chapter, a nonpublic school child with a disability must be provided transportation:

015.05A1 from the child's school or the child's home to a site other than the nonpublic school; and

015.05A2 from the service site to the nonpublic school, or to the child's home, depending on the timing of the services.

015.05B School districts are not required to provide transportation from the child's home to the nonpublic school.

PERSON(S) RESPONSIBLE: Director of Special Education, IEP Case Manager

TIMELINE: Ongoing

MATERIALS: IEP Form, Parent Procedures-Reimbursement Claim Form, Rules for Transportation of Students

METHODS: Students who attend nonpublic schools, but receive special education at the public school or a neutral site other than the public school, will be transported by district vehicles. If district vehicle service is not available, the school district will contract with a licensed common carrier for transportation services. If the parents select to transport eligible students, the district will reimburse parents at the rate approved by the Nebraska Department of Education for actual miles traveled from the nonpublic school to the school district site or a neutral site, following the most direct route. The district will not provide transportation to a nonpublic school enrolled child from child's home to the nonpublic school. Transportation eligibility will be determined by the student's IEP Team. The plan for transportation for the student shall be part of the IEP.

PROCEDURE (CHILDREN IN NONPUBLIC SCHOOLS {continued})

015.06 A school district may lease a classroom in a nonpublic school building. If properly drafted, the lease transforms the classroom into a public school classroom during the times covered by the lease. The board of education of a public school district may offer the special education programs enumerated in Neb. Rev. Stat. 79-1127 in a leased classroom in a nonpublic school building. It does not, however, have an unqualified legal duty to do so.

015.07 A school district may not use special education funds for classes that are organized separately on the basis of school enrollment or religion of the children if:

015.07A the classes are at the same site; and

015.07B the classes include children enrolled in public schools and children enrolled in nonpublic schools.

015.08 A school district may not use special education funds to finance the existing level of instruction in a nonpublic school or to otherwise benefit the nonpublic school.

015.08A A school district shall use the special education funds to meet the specific needs of children enrolled in nonpublic schools, rather than:

015.08A1 the needs of a nonpublic school; or

015.08A2 the general needs of the children enrolled in a nonpublic school.

015.09 A school district may use special education funds to make public personnel available in other than public facilities:

015.09A to the extent necessary to provide services designed for students enrolled in a nonpublic school;

015.09B if those benefits are not normally provided by the nonpublic school.

015.10 A school district may use special education funds to pay for the services of an employee of the nonpublic school if:

015.10A the employee performs the services outside of his or her regular hours of duty; and

015.10B the employee performs the services under public supervision and control.

015.11 A school district may place equipment and supplies in a nonpublic school for the period of time needed for the provision of special education and related services.

015.11A The school district shall insure that the equipment or supplies placed in a nonpublic school:

015.11A1 are used only for the purpose of providing special education and related services; and

015.11A2 can be removed from the nonpublic school without remodeling the nonpublic school facilities.

015.11B The school district shall remove equipment or supplies from a nonpublic school if:

015.11B1 the equipment or supplies are no longer needed for the purpose of providing special education and related services; or

015.11B2 removal is necessary to avoid use of the equipment or supplies for other than special education purposes.

015.11C A school district shall insure that special education funds are not used for repairs, minor remodeling or the construction of nonpublic school facilities.

015.11D A school district must keep title to and exercise continuing administrative control of all property, equipment, and supplies that the

school district acquires with special education funds for the benefit of nonpublic school children with disabilities.

PERSON(S) RESPONSIBLE: Superintendent, Director of Special Education

TIMELINE: Ongoing

MATERIALS: Lease Form, list of equipment and supplies provided to nonpublic school

METHODS: The district will follow the procedure described in 92 NAC 51-015 when providing services to children attending nonpublic school.

POLICY - PROCEDURAL SAFEGUARDS

PLEASANTON PUBLIC SCHOOLS ENSURES THAT CHILDREN WITH DISABILITIES AND THEIR PARENTS ARE AFFORDED THE PROCEDURAL SAFEGUARDS REQUIRED IN 92 NAC 51-009.

CONFIDENTIALITY

PLEASANTON PUBLIC SCHOOLS COMPLIES WITH THE REQUIREMENTS CONTAINED IN 92 NAC 51-009 RELATING TO THE CONFIDENTIALITY OF RECORDS AND INFORMATION.

PROCEDURE

009 Procedural Safeguards

009.01 Meeting Notification and Accessibility and Confidentiality of Records

009.01A School districts shall provide notification consistent with 92 NAC 51-007.06 to insure that parents of children with disabilities have the opportunity to participate in meetings for the purposes of identification, evaluation, educational placement and FAPE.

009.01A1 A meeting does not include informal or unscheduled conversations involving school district personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision if those issues are not addressed in the child's IEP. A meeting also does not include preparatory activities that school district personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

009.01B All school districts, approved cooperatives, and provisionally approved service providers with whom the school district shares personally identifiable data shall be bound by the accessibility and confidentiality requirements of this section.

009.01C The parents of a child with a disability or the child with a disability, if the child has attained eighteen years of age, (type and severity of the child's disability shall be taken into consideration) shall be afforded an opportunity to inspect and review all education records with respect to the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education to the child or the provision of early intervention services to infants and toddlers.

009.01D Access Rights

009.01D1 Each participating agency shall permit parents to inspect and review any education records relating to their children which are collected, maintained or used by the participating agency.

The participating agency shall comply with such a request without unnecessary delay and before any meeting regarding an individualized education program or hearing relating to the identification, evaluation, or placement of the child, and in no case more than 45 days after the request has been made.

009.01D1a As used in 92 NAC 51-009.01, participating agency means any agency or institution that collects, maintains or uses personally identifiable information or, from which, information is obtained under this Chapter.

009.01D2 The right to inspect and review education records includes:

009.01D2a The right to a response from the participating agency to reasonable requests for explanations and interpretations of the records; and

009.01D2b The right to request that the participating agency provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and

009.01D2c The right to have a representative of the parent inspect and review the records.

009.01D3 A service agency may presume that the parent has authority to inspect and review records relating to his or her child unless the service agency has been advised that the parent does not have the authority under applicable Nebraska law governing such matters as guardianship, separation and divorce.

009.01E Record of Access

009.01E1 Each participating agency shall keep a record of parties obtaining access to education records collected, maintained, or used (except access by parents and authorized employees of the participating service agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

009.01F Records On More Than One Child

009.01F1 If any education record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

009.01G List of Types and Locations of Information

009.01G1 Each participating agency shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the participating agency.

009.01H Fees

009.01H1 A participating agency may charge a fee for copies of records, which are made for parents if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.

009.01H2 A participating agency may not charge a fee to search for or to retrieve information.

009.01I Amendment of Records at Parent's Request

009.01I1 A parent who believes that information in education records collected, maintained, or used is inaccurate, or misleading, or violates the privacy or other rights of the child, may request the participating agency which maintains the information to amend the information.

009.01I2 The participating agency shall decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.

009.01I3 If the participating agency decides to refuse to amend the information in accordance with the request, it shall inform the parents of the refusal, and advise the parent of the right to a local administrative review to be conducted in accordance with 34 CFR 99.22.

009.01J Opportunity for a Local Administrative Review

009.01J1 The participating agency shall, on request, provide an opportunity for a local administrative review to challenge information in education records to insure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

009.01K Result of Local Administrative Review

009.01K1 If, as a result of the local administrative review, the participating agency decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the

child, it shall amend the information accordingly and so inform the parent in writing.

009.01K2 If, as a result of the local administrative review, the participating agency decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the participating agency shall inform the parent of the right to place in the records the participating agency maintains on the child, a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the participating agency.

009.01K3 Any explanation placed in the records of the child must:

009.01K3a Be maintained by the participating agency as part of the records of the child as long as the record or contested portion is maintained by the participating agency; and

009.01K3b If the records of the child or the contested portion are disclosed by the participating agency to any party, the explanation must also be disclosed to the party.

009.01L Consent for Release of Records

009.01L1 Parental consent must be obtained before personally identifiable information is disclosed to anyone other than officials of the service agency collecting or using the information unless specifically not required in the Family Education Rights and Privacy Act and its implementing regulations, 34 CFR Part 99.

009.01M Safeguards

009.01M1 Each participating agency shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

009.01M2 One official at each participating agency shall assume responsibility for insuring the confidentiality of any personally identifiable information.

009.01M3 All persons collecting or using personally identifiable information must receive training or instruction regarding the state's policies and procedures.

009.01M4 Each participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the participating agency who may have access to personally identifiable information.

009.01N Records Regarding Migratory Children with Disabilities

009.01N1 The school district or approved cooperative shall cooperate in the Federal Secretary of Education's efforts under section 613(a)(9) of the Individuals with Disabilities Education Act of 2004 (See Appendix A) to ensure the linkage of records pertaining to migratory children with a disability for the purpose of electronically exchanging among the States, health and education information regarding such children.

009.01O Retention and Destruction of Information and Records

009.01O1 The participating agency shall retain special education records for five (5) years after the completion of the activities for which special education funds were used.

009.01O2 The participating agency shall inform parents when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child.

009.01O3 The information, which is no longer necessary to provide educational services to the child, must be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

STUDENT RECORDS

PERSON(S) RESPONSIBLE: Director of Special Education, Teaching Staff, and Principal

TIMELINE: Ongoing

MATERIALS: Individuals with Disabilities Education Act (IDEA), Family Educational Rights and Privacy Act (FERPA), School Handbook, List of staff with access to personally identifiable student information

METHODS: The district will maintain all personally identifiable student information in conformance with FERPA and 92 NAC 51. If a parent requests a hearing to challenge the content of a student record, the Superintendent will identify a hearing officer and arrange for a hearing. All

staff will receive annual training regarding the confidentiality requirements contained in FERPA, 92 NAC 51 and the district's policies and procedures.

PROCEDURE (PROCEDURAL SAFEGUARDS {continued})

009.02 Procedural Timelines

009.02A For all students except for infants and toddlers, each of the procedural steps necessary to provide a free appropriate public education shall be carried out within the specified time periods.

009.02A1 Referral, notice to parents (See 92 NAC 51-009.03), and parental consent, shall be completed within a reasonable period of time. The initial multidisciplinary team evaluation shall be completed within 60 days of receiving parental consent for the evaluation.

009.02A1a The 60-day timeline shall not apply to a school district or approved cooperative if:

009.01A1a(i) a child enrolls in a school served by the school district or approved cooperative after the relevant timeline in 92 NAC 51-009.02A1 has begun and prior to a determination by the child's previous school district or approved cooperative as to whether the child is a child with a disability, but only if the subsequent school district or approved cooperative is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent school district or approved cooperative agree to a specific time when the evaluation will be completed; or

009.01A1a(ii) the parent of a child repeatedly fails or refuses to produce the child for the evaluation.

009.02A2 Upon completion of a multidisciplinary team verification decision, school districts or approved cooperative shall provide a reasonable notification and conduct an individual education program conference within 30 calendar days. Parental consent for initial placement shall be requested within five school days of the IEP conference.

009.02A3 Special education placement shall be completed within five (5) school days of receipt of parental consent.

009.02B For infants and toddlers each of the procedural steps necessary to provide early intervention services shall be carried out within the specific time periods.

009.02B1 A referral must be made by the school district to the agency responsible for providing services coordination in the Planning

	Region within two working days of the district becoming aware of an infant or toddler who may be eligible for services.
<u>009.02B2</u>	Notice to parents (See 92 NAC 51-009.03) and parental consent shall be completed within a reasonable period of time.
<u>009.02B3</u>	A multidisciplinary team evaluation must be completed within 45 calendar days from the date of referral. In the event of exceptional circumstances of the family that make it impossible to complete the evaluation within the 45 days, the school district will document those circumstances, inform the parent of the time estimated by the district to complete the evaluation, and develop and implement an interim IFSP as necessary.
<u>009.02B4</u>	Upon completion of a multidisciplinary team verification decision, and within 45 days of the referral, school districts shall participate in an individual family service plan conference.
<u>009.02B5</u>	Special education placement shall be completed within five school days of receipt of parental consent.

TIMELINES

PERSON(S) RESPONSIBLE: Director of Special Education, Principal, IEP Case Manager, and Special Education Teacher

TIMELINE: As specified in 92 NAC 51-009

MATERIALS: District Forms

METHODS: The district will follow the procedures specified in 92 NAC 51-009.02 when determining appropriate timelines.

PROCEDURE (PROCEDURAL SAFEGUARDS {continued})

<u>009.03</u>	Prior Written Notice
<u>009.03A</u>	School districts or approved cooperatives shall provide a copy of the procedures specified in this Chapter for complaints and 92 NAC 55 for hearings to the parent of each child who is evaluated by the multidisciplinary evaluation team for possible initial verification.
<u>009.03B</u>	Prior written notice shall be given to the parents of a child with a disability a reasonable time before a school district:

009.03B1 Proposes to initiate or change the identification, evaluation, or educational placement of a child or the provision of a free appropriate public education; or

009.03B1a If the notice described in 92 NAC 51-009.03B relates to an action proposed by the school district that also requires parental consent under 92 NAC 51-009.05, the school district may give notice at the same time it requests parent consent.

009.03B2 Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child.

009.03C Such prior written notice shall include:

009.03C1 A description of the action proposed or refused by the school district;

009.03C2 An explanation of why the district proposes or refuses to take the action;

009.03C3 A description of any options the district considered and the reasons why those options were rejected;

009.03C4 A description of each evaluation procedure, assessment, record, or report the school district uses as a basis for the proposal or refusal;

009.03C5 A description of any other factors which are relevant to the school district's proposal or refusal;

009.03C6 A statement that the parents of a child with a disability have protection under the procedural safeguards of this Chapter and, if this notice is not an initial referral for evaluation, the means by which a copy or description of the procedural safeguards can be obtained; and

009.03C7 Sources for parents to contact to obtain assistance in understanding the provisions of this part.

009.03D The notice must be written in language understandable to the general public, and provided in the native language of the parents or other mode of communication used by the parents unless it is clearly not feasible to do so.

009.03E If the native language or other mode of communication of the parents is not a written language, the school district shall take steps to insure:

- 009.03E1 That the notice is translated orally or by other means to the parents in his or her native language or other mode of communication;
- 009.03E2 That the parents understand the content of the notice; and
- 009.03E3 That there is written evidence that the requirements of this section have been met.

PRIOR WRITTEN NOTICE

PERSON(S) RESPONSIBLE: Director of Special Education, Principal, IEP Case Manager, and Special Education Teacher

TIMELINE: Notice will be provided ___10___ days prior to taking the proposed action

MATERIALS: Written Notice Forms for Evaluation, Placement, Reevaluation, Termination

METHODS: The IEP Case Manager is responsible for collecting information and drafting the Prior Written Notice to be sent to parents. Prior Written Notice will be sent prior to proposing or refusing any action with regard to special education.

PROCEDURE (PROCEDURAL SAFEGUARDS {continued})

009.04 Procedural Safeguards Notice

009.04A A copy of the procedural safeguards available to the parents of a child with a disability shall be given by the school district or approved cooperative to the parents only once per year, except that a copy shall also be given to the parents:

009.04A1 Upon initial referral or parental request for evaluation;

009.04A2 Upon request by a parent; and

009.04A3 Upon receipt by the school district of the first occurrence of the filing of a petition in a special education due process case under 92 NAC 55.

009.04B The procedural safeguards notice shall include a full explanation of all of the procedural safeguards, relating to:

009.04B1 independent educational evaluation;

- 009.04B2 prior written notice;
 - 009.04B3 parental consent;
 - 009.04B4 access to educational records;
 - 009.04B5 opportunity to file due process hearings;
 - 009.04B6 the child's placement during pendency of due process proceedings;
 - 009.04B7 procedures for students subject to placement in an interim alternative educational setting;
 - 009.04B8 requirements for unilateral placement by parents of children in nonpublic schools at public expense;
 - 009.04B9 mediation;
 - 009.04B10 due process hearings, including requirements for disclosure of evaluation results and recommendations;
 - 009.04B11 civil actions, including the time period in which to file such actions;
 - 009.04B12 attorney's fees; and
 - 009.04B13 the State complaint procedures including a description of how to file a complaint under 92 NAC 51-009.09 and the timelines under those procedures.
- 009.04C The notice of the procedural safeguards provided to the parent must be written in language understandable to the general public and provided in the native language of the parent as required by 92 NAC 51-009.03D and 009.03E.
- 009.04D The school district may place a current copy of the procedural safeguards notice on its Internet website if such website exists.

PROCEDURAL SAFEGUARDS

PERSON(S) RESPONSIBLE: Special Education Director, IEP Case Manager

TIMELINE: A copy of the procedural safeguards will be provided prior to initial referral for evaluation, upon on parental request, or upon filing a due process appeal.

MATERIALS: Parent Rights Pamphlet

METHODS: A copy of the Parent Rights Pamphlet will be provided. A copy of the procedural safeguards is on the district website.

PROCEDURE (PROCEDURAL SAFEGUARDS {continued})

009.05 Informed Parental Consent

009.05A Informed parental consent must be obtained by a school district before:

009.05A1 Conducting an initial multidisciplinary evaluation;

009.05A2 Conducting a reevaluation; and

009.05A3 Initial placement of a child with disabilities in a program providing special education and related services or early intervention services to infants and toddlers.

009.05B Parental consent for evaluation shall not be construed as consent for initial placement described in 92 NAC 51-009.05A3.

009.05C Parental consent is not required before:

009.05C1 Reviewing existing data as part of an evaluation or reevaluation;
or

009.05C2 Administering a test or other evaluation that is administered to all children unless, before administration of that test or evaluation, consent is required of parents of all children.

009.05D Informed parental consent need not be obtained for reevaluation if the school district can demonstrate that it has taken reasonable measures to obtain that consent, and the child's parent has failed to respond.

009.05D1 To meet the reasonable measures requirement in 92 NAC 51-009.05E, the school district must use procedures consistent with those in 92 NAC 51-007.06D.

009.05E A school district may not use a parent's refusal to consent to one service or activity under 92 NAC 51-009.05 to deny the parent or child any other service, benefit, or activity of the school district, except as required by this Chapter.

009.06 Parental Refusal to Consent

009.06A If the parent does not provide consent for an initial evaluation or the parent fails to respond to a request to provide the consent, the school

district or approved cooperative may pursue the initial evaluation of the child by utilizing the procedures described in Section 009.

009.06A1 If the parent refuses to consent to services, the local school district or approved cooperative shall not provide special education and related services to the child by utilizing the procedures described in Section 009.

009.06A2 If the parent refuses to consent to the receipt of special education and related services, or the parent fails to respond to a request to provide such consent:

009.06A2a the school district or approved cooperative shall not be considered to be in violation of the requirement to make available a free appropriate public education to the child for the failure to provide such child with the special education and related services for which the school district or approved cooperative requests such consent; and

009.06A2b the school district or approved cooperative shall not be required to convene an IEP meeting or develop an IEP under this section for the child for the special education and related services for which the school district or approved cooperative requests such consent.

009.06B For infants and toddlers, if consent is not given, the school district or approved cooperative shall make reasonable efforts to ensure that the parents:

009.06B1 are fully aware of the nature of the evaluation or the services that will be available; and

009.06B2 understand that the child will not be able to receive the evaluation or services unless consent is given.

009.06C The parents of an infant or toddler may determine that they, their child, or other family members will accept or decline any early intervention service, and may decline such a service after first accepting it, without jeopardizing other early intervention services.

009.06D If the hearing officer or any court hearing an appeal there from, upholds the school district or approved cooperative and if the time for further appeal has expired, the school district or approved cooperative may evaluate or initially place a child with a disability in a special education program and related services without parental consent and the school district may refuse to provide or pay for any further inappropriate educational program.

009.07 Consent for Wards of the State

009.07A If the child is a ward of the State and is not residing with the child's parent, the school district shall make reasonable efforts to obtain the informed consent from the parent (as defined in Section 003) of the child for an initial evaluation to determine whether the child is a child with a disability.

009.07B The school district shall not be required to obtain informed consent from the parent of a child for an initial evaluation to determine whether the child is a child with a disability if:

009.07B1 despite reasonable efforts to do so, the school district cannot discover the whereabouts of the parent of the child;

009.07B2 the rights of the parents of the child have been terminated in accordance with State law; or

009.07B3 the rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

CONSENT

PERSON(S) RESPONSIBLE: IEP Case Manager, Special Education Director

TIMELINE: Written parental consent will be obtained prior to conducting an evaluation, reevaluation, or placement of a child in special education

MATERIALS: Parent Consent Forms

METHODS: The school district will provide parents with a notice explaining the action to be taken and a request for written parent consent. If the parent does not give consent, the district may pursue mediation and for an initial evaluation, file for a due process hearing.

PROCEDURE (PROCEDURAL SAFEGUARDS {continued})

009.08 Appointment of Surrogates

009.08A Each school district shall insure that the rights of a child with a disability are protected if:

009.08A1 No parent can be identified;

009.08A2 The school district, after reasonable efforts, cannot discover the whereabouts of the parents; or

009.08A3 The child is an unaccompanied homeless youth; or

009.08A4 The child is a ward of the state or court.

009.08A4a If a child who is a ward of the State, such surrogate may alternatively be appointed by the judge overseeing the child's care provided that the surrogate meets the requirements of this paragraph.

009.08B The duty of the school district under 92 NAC 51-009.08A includes the assignment of an individual to act as a surrogate for the parents. This must include a method;

009.08B1 for determining whether a child needs a surrogate parent and,

009.08B2 for assigning a surrogate parent to the child.

009.08C The school district may select a surrogate parent in any way permitted under State law and the district or approved cooperative shall make reasonable efforts to ensure the assignment of a surrogate not more than 30 calendar days after there is a determination that the child needs a surrogate.

009.08D In order to qualify, a surrogate must be a person who:

009.08D1 Has no interest that conflicts with the interest of the child he or she represents;

009.08D2 has knowledge and skills that insure adequate representation of the child; and

009.08D3 Is not an employee of any public agency, which is involved in the education or care of the child. A person who otherwise qualifies to be a surrogate parent is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent.

009.08D3a For infants and toddlers, a person assigned as a surrogate parent may not be an employee of any State agency; or a person, or an employee of a person, providing early intervention services to the child or to a family member of the child. A person who otherwise qualifies to be a surrogate parent under this Subsection is not an employee solely because he or she is paid by a public agency to serve as a surrogate parent.

009.08E The surrogate may represent the child in all matters relating to:

009.08E1 The identification, evaluation, and educational placement of a child; and

009.08E2 The provision of a free appropriate public education to the child.

009.08E3 For infants and toddlers, a surrogate parent may represent a child in all matters related to:

009.08E3a The evaluation and assessment of the child;

009.08E3b Development and implementation of the child's IFSP including annual evaluations and periodic review;

009.08E3c The ongoing provision of early intervention services to the child; and

009.08E3d Any other rights established under this Chapter.

009.08F The services of the surrogate parent shall be terminated when:

009.08F1 The child is no longer eligible for a surrogate parent under 92 NAC 51-009.08A;

009.08F2 A conflict of interest develops between the interest of the child and the interest of the surrogate parent; or

009.08F3 The surrogate parent fails to fulfill his or her duties as a surrogate parent.

009.08G Issues arising from the selection, appointment, or removal of a surrogate parent shall be resolved through hearings established under 92 NAC 55.

009.08H The surrogate parent and the school district or approved cooperative which appointed the surrogate parent shall not be liable in civil

actions for damages for acts of the surrogate parent unless such acts constitute willful and wanton misconduct.

SURROGATE PARENTS

PERSON(S) RESPONSIBLE: Director of Special Education, Principal, IEP Case Manager, Surrogate Parent(s) (NOTE: Personnel from the Department of Health and Human Services may not serve as a surrogate parent(s) under the Special Education Act.) In the case of a state ward, the judge overseeing the child's case may appoint the surrogate parent.

TIMELINE: Within 30 days of identification of need to appoint a surrogate/surrogate parent. Appointments shall last one (1) year. The appointment may be renewed.

MATERIALS: Request to Director of Special Education for the appointment of a Surrogate, Surrogate Agreements and Training Materials, Rule 51 and 55, Policies and Procedures, other materials as required

METHODS: If the district identifies students who may be in need of a surrogate parent, the district will:

1. Attempt to identify and locate the parent;
2. Investigate the legal status of those student(s); and
 3. If after a reasonable effort, the parents cannot be located, the school district shall insure that the rights of students with disabilities are protected by appointing a surrogate.
 4. Surrogates will be provided sufficient training to assure they are knowledgeable as to the legal rights and educational needs of the student they are to represent. Training will be conducted as needed.
 5. Surrogates will be appointed by the director of special education following documentation that no conflict of interest exists and completion of appropriate training or assurance that the surrogate is knowledgeable in order to represent the student.
 6. Surrogates will be monitored on a regular basis to ensure effective performance. Should a surrogate be unable or unwilling to discharge his or her duties, a new surrogate will be appointed by the director.
7. The surrogate parent shall continue to represent the student until one of the following occurs:
 - a. The student is determined to no longer be eligible for, or in need of, special education or related services except when termination from such programs is being contested;
 - b. The parent, who was previously unknown, or whose whereabouts were previously unknown or a guardian or person acting as the student's parents becomes known; and/or,
 - c. It is determined that the appointed surrogate parent no longer adequately represents the student.
 - d. The surrogate parent's term has expired.

PROCEDURE (PROCEDURAL SAFEGUARDS {continued})

009.09 Complaint Procedures

009.09A An organization or individual may file a complaint regarding alleged violation of requirements set forth in Special Education Rules. The complaint shall be submitted to the Department of Education, Special Education Office, in writing. The written, signed complaint must contain a statement that a school district has violated a requirement of this Chapter and the facts on which the statement is based. If the complaint can be determined to be related to a violation of Special Education Rule(s), the following procedures will be carried out:

009.09A1 Within fourteen (14) calendar days of receipt of the written, signed complaint, an assigned Special Education Office official shall notify in writing each complainant and the service agency against which the violation has been alleged, that the complaint has been received. This written notification shall include a copy of the complaint and the substance of the alleged violation. The service agency shall have fourteen (14) calendar days to submit a written response.

009.09A2 Special Education Office officials will investigate each complaint received from an individual or organization (including an individual or organization from another state) to determine whether there has been a failure to comply with these rules and may require further written or oral submission of information by all parties and may conduct an independent on-site investigation if necessary. The complainant will have the opportunity to submit additional information either orally or in writing, about the allegation.

009.09A3 Within sixty (60) calendar days of receipt of a signed written complaint, the Department of Education Special Education Office will review all relevant information and provide written notification of findings of facts and conclusions and the basis for such findings to all parties involved.

009.09A4 If, as a result of extenuating circumstances, the Department of Education Special Education Office is not able to complete the investigation within the sixty (60) calendar days, an extension period of forty-five (45) calendar days will be implemented. The Department of Education Special Education Office will notify the person filing the complaint and the service agency of the 45 days extension.

- 009.09A5 If it is determined there has been a failure to comply, there will be included in the notification of findings the specific steps which must be taken by the service agency to bring the service agency into compliance, including technical assistance, negotiations and corrective actions. The notification shall also set forth a reasonable period of time to voluntarily comply.
- 009.09A6 If the service agency does not demonstrate compliance within the period of time set forth in the notice of findings, the matter will be subject to the procedures outlined in 92 NAC 51-004.09.
- 009.09A7 If a written complaint is received that is also the subject of a due process hearing under 92 NAC 55, or contains multiple issues of which one or more are part of that hearing, the Special Education Office officials shall set aside any part of the complaint that is being addressed in the due process hearing, until the conclusion of the hearing. However, any issue in the complaint that is not a part of the due process action must be resolved using the time limit and procedures described in 92 NAC 51-009.09.
- 009.09A8 If an issue is raised in a complaint filed under this 92 NAC 51-009.09 that has previously been decided in a due process hearing involving the same parties:
- 009.09A8(a) The hearing decision is binding; and
- 009.09A8(b) The Nebraska Department of Education must inform the complainant to that effect.
- 009.09A9 A complaint alleging a school district's failure to implement a due process decision must be resolved by the Nebraska Department of Education.
- 009.09A10 The complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received unless a longer period is reasonable because the violation is continuing, or the complainant is requesting compensatory services for a violation that occurred not more than three years prior to the date the complaint is received.

COMPLAINT INVESTIGATIONS

PERSON(S) RESPONSIBLE: Director of Special Education, Superintendent

TIMELINE: The district will observe all timelines in 92 NAC 51-009.09

MATERIALS: Copy of letter of complaint, support documentation, district policies and procedures and letter of response to NDE

METHODS: The Director of Special Education will serve as the liaison between the school district and the NDE complaint investigator throughout the complaint process. The Special Education Director will facilitate site and file reviews. The Special Education Director will be responsible for the implementation of any corrective action plan designed to bring the district into compliance.

PROCEDURE (PROCEDURAL SAFEGUARDS {continued})

009.10 Mediation

009.10A School districts shall implement the procedures established in Section 009 to allow parties to resolve disputes involving any matter described in 92 NAC 51-009.03B1 and 009.03B2 including matters arising prior to the filing of a due process hearing petition through a mediation process which, at a minimum, shall be available whenever a hearing is requested under 92 NAC 55.

009.10A1 The procedures for seeking mediation initiated by either the parent(s) or school district include:

009.10A1a contacting the Nebraska Office of Dispute Resolution who will

009.10A1b arrange a meeting, invite both parties and conduct the mediation in an attempt to resolve the dispute.

009.10B The procedures shall insure that the mediation process:

009.10B1 is voluntary on the part of the parties;

009.10B2 is not used to deny or delay a parent's right to a due process hearing under 92 NAC 55, or to deny any other rights afforded under this Chapter; and

009.10B3 is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

009.10C The school district may implement the procedures in Section 009 to offer parents and schools that choose not to use the mediation process an opportunity to meet, at a time and location convenient to the parents, with a disinterested party who is under contract with:

009.10C1 a parent training and information center or community parent resource center in this State established under Section 671 or 672 of the IDEA, or

009.10C2 an appropriate alternative dispute resolution entity to encourage the use, and explain the benefits of the mediation process to the parents.

009.10D The Nebraska Department of Education shall maintain a list of individuals who are qualified mediators and knowledgeable in laws and regulations relating to the provision of special education and related services for use by school districts and parents.

009.10D1 If a mediator is not selected on a random basis (e.g., a rotation basis from the list described in 92 NAC 51-009.10D), both parties must be involved in selecting the mediator and agree with the selection of the individual who will mediate.

009.10E The Nebraska Department of Education shall bear the cost of the mediation process, including the costs of meetings described in 92 NAC 51-009.10C.

009.10F Each session in a mediation process shall be scheduled in a timely manner and shall be held in a location that is convenient to the parties to the dispute.

009.10G In the case that a resolution is reached to resolve the complaint through the mediation process, the parties shall execute a legally binding agreement that sets forth such resolution and that:

009.10G1 states that all discussions that occurred during the mediation process shall be confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding;

009.10G2 is signed by both the parent and a representative of the agency who has the authority to bind such agency; and

009.10G3 is enforceable in any State court of competent jurisdiction or in a district court of the United States.

009.09H Discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings.

009.10I An individual who serves as a mediator under 92 NAC 51-009.10:

009.10I1 May not be an employee of:

009.10I1a Any school district or approved cooperative or state agency;
or

009.10I1b An agency that is providing direct services to a child who is the subject of the mediation process; and

009.10I1c Must not have a personal or professional conflict of interest.

009.10I2 A person who otherwise qualifies as a mediator is not an employee of a school district or State agency solely because he or she is paid by the agency to serve as a mediator.

009.10J A school district may not deny or delay a parent's right to a due process hearing under 92 NAC 55 if the parent fails to participate in the meeting described in 92 NAC 51-009.10C.

MEDIATION

PERSON(S) RESPONSIBLE: Special Education Director, Superintendent, and Staff

TIMELINE: Ongoing

MATERIALS: Parent Rights Pamphlet, Mediation Brochure

METHODS: Either the parent or the school district may initiate mediation to resolve special education disputes by making contact with the Nebraska Office of Dispute Resolution. The Office of Dispute Resolution will arrange for all meetings related to the mediation process. Mediation is voluntary on the parts of the parent and the school district.

PROCEDURE (PROCEDURAL SAFEGUARDS {continued})

- 009.11 Whenever a due process complaint has been received under 92 NAC 55 or Section 016 of this Chapter, the parents or the school district or approved cooperative shall have an opportunity for an impartial due process hearing.
- 009.11A Prior to the opportunity for an impartial due process hearing, the school district or approved cooperative shall convene a meeting with the parents and the relevant member or members of the IEP Team who have specific knowledge about the facts identified in the complaint.
- 009.11A1 The meeting must occur within 15 days of receiving notice of the parents' complaint;
- 009.11A2 The meeting shall include a representative of the school district or approved cooperative who has decision-making authority;
- 009.11A3 The meeting may not include an attorney of the school district or approved cooperative unless the parent is accompanied by an attorney;
- 009.11A4 At the meeting the parents of the child shall discuss their complaint, and the facts that form the basis of the complaint, and the school district or approved cooperative is provided the opportunity to resolve the complaint, unless the parents and the school district or approved cooperative agree in writing to waive such meeting, or agree to use the mediation process described in 92 NAC 51-009.10.
- 009.11B If the school district or approved cooperative has not resolved the complaint to the satisfaction of the parents within 30 days of the receipt

of the complaint, the due process hearing may occur, and all of the applicable timelines for a due process hearing under 92 NAC 55 shall commence.

009.11C In the case that a resolution is reached to resolve the complaint at a meeting described in 92 NAC 51-009.11A, the parties shall execute a legally binding agreement that:

009.11C1 is signed by both the parent and a representative of the school district or approved cooperative who has the authority to bind such agency; and

009.11C2 is enforceable in any State court of competent jurisdiction or in a District court of the United States.

009.11D If the parties execute an agreement pursuant to 92 NAC 51-009.11C, a party may void such agreement within three business days of the agreement's execution.

009.12 A parent of a child with a disability may elect to receive notices required under this section by an electronic mail (e-mail) communication, if the school district or approved cooperative makes such option available.

009.13 Special Education Due Process Hearings

009.13A A parent or a school district may initiate a hearing on any of the matters described in 92 NAC 51-009.03B relating to the identification, evaluation or educational placement of the child with a disability, or the provision of FAPE to the child by filing a petition pursuant to 92 NAC 55.

009.13B When a hearing is initiated under 92 NAC 55, the school district shall inform the parents of the availability of mediation described in 92 NAC 51-009.10.

009.13C The school district shall inform the parent of any free or low-cost legal and other relevant services available in the area if the parent requests the information or if the parent or the school district initiates a hearing under 92 NAC 55.

009.13D Any party to a due process hearing has the right to be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities.

DUE PROCESS HEARINGS

PERSON(S) RESPONSIBLE: Director of Special Education, Superintendent, and School District Attorney

TIMELINE: Follow timelines specified in 92 NAC 55

MATERIALS: 92 NAC 55, all documentation regarding dispute and district's action

METHODS: A due process appeal is initiated by filing a petition with the Nebraska Department of Education. The content of the petition and the procedures to be followed are specified in 92 NAC 55.

Before a due process hearing, the district must convene a meeting with the parents and relevant IEP/IFSP team members pursuant to 92 NAC 51-009.11.

POLICY - TRANSPORTATION

PLEASANTON SCHOOL DISTRICT ENSURES THAT TRANSPORTATION WILL BE PROVIDED TO ANY SPECIAL EDUCATION STUDENT WHO QUALIFIES FOR SPECIAL EDUCATION TRANSPORTATION UNDER NEB. REV. STAT. 79-1129.

PROCEDURE

014 Special Education Transportation

014.01 The board of education shall furnish one of the following types of services to children with disabilities who are residents of the school district:

014.01A provide transportation for any child with a disability who is forced to leave the school district temporarily because of lack of educational services; and

014.01B provide transportation within the school district for any child with a disability who is enrolled in a special education program of the district when either:

014.01B1 The child is required to attend a facility other than what would be the normal school of attendance of the child to receive appropriate special education services; or

014.01B2 The nature of the child's disability is such that special education transportation is required.

014.01C The board of education shall provide transportation for all children with disabilities birth to age five including children birth to age five who are wards of the court.

014.01D Transportation for Children Attending a Non-Public School

014.01D1 If necessary for the child to benefit from or participate in the services provided under this Chapter, a nonpublic school child with a disability must be provided transportation:

014.01D1a from the child's school or the child's home to a site other than the nonpublic school; and

014.01D1b from the service site to the nonpublic school, or to the child's home, depending on the timing of the services.

014.01D2 School districts are not required to provide transportation from the child's home to the nonpublic school.

014.02 Responsibility for Transportation

014.02A The board of education shall be responsible to provide for the transportation expenses of children with disabilities who are residents of the school district under Neb. Rev. Stat. 79-1129 by:

014.02A1 paying a parent for transporting his or her child for actual miles traveled and claimed; or

014.02A2 operating vehicles for the purpose of transporting children with disabilities; or

014.02A3 contracting for transportation services for children with disabilities; or

014.02A4 purchasing services from a common carrier; or

014.02A5 arranging for such other transportation as is proper and necessary to transport children with disabilities.

014.02B The board of education shall select an efficient and effective means of transportation for the child with a disability at a reasonable cost.

014.02C The board of education shall not provide for the transportation expenses of children with a disability who are residents of the school districts under Neb. Rev. Stat. 79-1129 if such children are able to use regular transportation services provided by the district unless:

014.02C1 alteration of the routes of such regular transportation is required to transport children with a disability; or

014.02C2 alteration is required of the equipment or vehicles used in such regular transportation in order to accommodate children with a disability.

014.02D The board of education shall provide for expenses equal to the statutory amount for each mile or fraction thereof traveled between the place of residence and the program of attendance when a parent transports his or her child(ren) with a disability. (Refer to Neb. Rev. Stat. 79-1129 and 81-1176.)

014.02E Except when a parent is transporting only his or her child, the board of education shall require that the driver and vehicle meet the standards required by 92 NAC 91, 92, 93, and 94.

014.02F For students with disabilities participating in the Option Enrollment Program under Neb. Rev. Stat. 79-232 to 79-246, the transportation services included on the student's IEP shall be provided by the district from which the student optioned. The Department shall reimburse the district from which the student optioned for the cost of transportation in accordance with Section 014.

014.03 Allowable Expenses

014.03A The school district or approved cooperative shall provide for the transportation expenses of children with a disability transported by the parents of such children, upon receipt of claims submitted to the board of education by such parents. Such claims shall be documented and subject to audit. The claims shall:

014.03A1 state the names of the children transported, the dates they were transported, the mileage incurred in such transportation; and

014.03A2 contain a statement that the claim is a true and correct report of mileage; and

014.03A3 include the signature of the parent.

014.03B The school district or approved cooperative shall not be relieved of the obligation to provide transportation for an eligible child with a disability because of the inability or unwillingness of the child's parents to provide transportation. No eligible child with a disability may be denied or have limitations placed on the child's receipt of special education services required by an IEP or IFSP as a result of the inability or unwillingness of parents to provide transportation.

014.03C The school district or approved cooperative shall provide for the expenses or the equivalent costs for transportation from the child's legal residence (the residence of the parent(s)) or Department of Education approved residential placement, to the child's program.

014.03D A school district or approved cooperative may apply to the Department of Health and Human Services for reimbursement of transportation costs for the school age student who was made a ward of the state or court prior to his or her arrival in that school district.

TRANSPORTATION

PERSON(S) RESPONSIBLE: Director of Special Education, IEP Case Manager, and Transportation Supervisor

TIMELINE: Ongoing

MATERIALS: IEP/IFSP Form, route schedules, Parent Procedures-Reimbursement Claim Forms, Rules for Safe Transportation of Students

METHODS: The student will be transported by district vehicle, or if district vehicle service is not available, the school district will contract with a licensed common carrier for transportation services. If the parent provides transportation as included on the student's IEP/IFSP, the district will reimburse parents at the rate approved by the Nebraska Department of Education for actual miles traveled from place of residence to school of attendance and return by the most direct route. Transportation eligibility will be determined by the student's IEP Team. The plan for transportation for the student shall be part of the IEP/IFSP.

POLICY - PERSONNEL STANDARDS

PLEASANTON PUBLIC SCHOOLS ENSURES THAT ALL PERSONNEL ARE APPROPRIATELY AND ADEQUATELY PREPARED SUBJECT TO IDEA REQUIREMENTS AND PLEASANTON PUBLIC SCHOOLS WILL TAKE MEASURABLE STEPS TO RECRUIT, HIRE, TRAIN AND RETAIN PERSONNEL MEETING THE REQUIREMENTS OF IDEA TO PROVIDE SPECIAL EDUCATION AND RELATED SERVICES TO CHILDREN WITH DISABILITIES.

PROCEDURE

010 Qualifications of Special Education Personnel for Program Approval and Reimbursement

010.01 School districts and approved cooperatives shall ensure that all personnel necessary to carry out this Chapter are appropriately and adequately prepared and trained including that those personnel have the content knowledge and skills to serve children with disabilities, subject to the requirements of Section 2122 of the Elementary and Secondary Education Act of 1965.

010.01A Instructional personnel shall hold valid Nebraska Department of Education certification, be endorsed in the assigned area. Instructional personnel may serve children with visual impairments and children with hearing impairments in a multi-categorical program if the instructional personnel have attended training approved by the Department of Education or have received consultation from an individual endorsed in the area of visual hearing impairments. This section does not apply to individuals providing in-service.

010.01B Each person employed as a special education teacher who teaches elementary school, middle school, or secondary school shall be a teacher meeting IDEA 2004 criteria as defined in 003.64.

010.01C School districts or approved cooperatives shall take measurable steps to recruit, hire, train and retain teachers meeting IDEA 2004 criteria to provide special education and related services.

010.03 Related Services Personnel and Paraprofessionals

010.03A Related services personnel and paraprofessionals shall hold any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services.

010.03B Related services personnel who deliver services in their discipline or profession shall not have had certification or licensure requirements waived on an emergency, temporary, or provisional basis.

010.03C Paraprofessionals shall be appropriately trained and supervised by qualified special education personnel to be used to assist in the provision of special education and related services under this Chapter.

010.03D A paraprofessional shall not teach, as defined in Neb. Rev. Stat. 79-101.12.

010.04 Personnel providing special education services who do not hold Department of Education certification and endorsement shall be licensed by the appropriate State of Nebraska Board of Examiners.

010.05 Personnel employed by approved service agencies shall be certified by the Department of Education or shall hold the credential or training required by the licensing standard under which the service providers operate.

602(10)

HIGHLY QUALIFIED. –

- (A) In GENERAL – For any special education teacher, has the meaning given the term “high qualified” in Section 9101 of the Elementary and Secondary Education Act of 1965, except that such term also
- (i) includes the requirements described in Subparagraph (B);
- and
- (ii) includes the option for teachers to meet the requirements of Section 9101 of such Act by meeting the requirements of Subparagraph (C) and (D).

(B) **REQUIREMENTS FOR SPECIAL EDUCATION TEACHERS –**

When used with respect to any public elementary school or secondary school special education teacher teaching in the State, such term means that –

- (i) the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher; except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State’s public charter school law;
- (ii) the teacher has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and
- (iii) the teacher holds at least a bachelor’s degree.

(C) **SPECIAL EDUCATION TEACHERS TEACHING TO ALTERNATE ACHIEVEMENT STANDARDS.** – When used with respect to a special education teacher who teaches core academic subjects exclusively to children who are assessed against alternate achievement standards established under the regulations promulgated under Section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, such term means the teacher, whether new or not new to the profession, may either –

- (iii) meet the applicable requirements of Section 9101 of such Act for any elementary, middle, or secondary school teacher who is new or not new to the profession; or
- (iv) meet the requirements of Subparagraph (B) or (C) of Section 9101(23) of such Act as applied to an elementary school teacher, or, in the case of instruction above the elementary level, has subject matter knowledge appropriate to the level of instruction being provided, as determined by the State, needed to effectively teach to those standards.

(D) **SPECIAL EDUCATION TEACHERS TEACHING MULTIPLE SUBJECTS** – When used with respect to a special education teacher who teaches two or more core academic subjects exclusively to children with disabilities, such term means that the teacher may either –

- (i) meet the applicable requirements of Section 9101 of the Elementary and Secondary Education Act of 1965 for any elementary, middle, or secondary school teacher who is new or not new to the profession;
- (ii) in the case of a teacher who is not new to the profession, demonstrate competence in all the core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher who is not new to the profession under Section 9101(23)(c)(ii) of such Act, which may include a single, high objective uniform State standard of evaluation covering multiple subjects; or
- (iii) in the case of a new special education teacher who teaches multiple subjects and who is highly qualified in multiple subjects and who is highly qualified in mathematics, language arts, or science, demonstrate competence in the other core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher under Section 9101(23)(c)(ii) of such Act, which may include a single, high objective uniform State standard of evaluation covering multiple subjects, not later than two years after the date of employment.

- (E) **RULE OF CONSTRUCTION** – Notwithstanding any other individual right of action that a parent or student may maintain under this part, nothing in this section or part shall be construed to create a right of action on behalf of an individual student or class of students for the failure of a school district or approved cooperative employee to be highly qualified.
- (F) **DEFINITION FOR PURPOSES OF THE ESEA** – A teacher who is highly qualified under this paragraph shall be considered highly qualified for purposes of the Elementary and Secondary Education Act of 1965.

PERSONNEL STANDARDS

PERSON(S) RESPONSIBLE: The Superintendent, Principal, or Designee will advertise, interview, hire and retain appropriate professional staff.

TIMELINE: As soon as a position requiring special education and/or related services endorsement is approved by the Board of Education, advertisements in local and regional papers, college publications and other avenues will be completed and documented.

MATERIALS: Ads listing the positions and requirements, applicant files requiring completed application form, transcripts, and credentials, required state background checks

METHODS: After a position is posted and advertised, candidates for interviews are selected by the Superintendent, Principal or Designee. Candidates are selected on the basis of having a completed applicant file, appropriate qualifications and credentials for the position.

POLICY - PERFORMANCE GOALS AND INDICATORS

PLEASANTON PUBLIC SCHOOLS WILL USE PERFORMANCE GOALS AND INDICATORS ESTABLISHED BY THE STATE TO ASSESS PROGRESS TOWARD ACHIEVING THOSE GOALS THAT ARE CONSISTENT TO THE EXTENT APPROPRIATE WITH ANY OTHER GOALS AND ACADEMIC STANDARDS FOR CHILDREN.

PLEASANTON PUBLIC SCHOOLS WILL PROVIDE THE NEBRASKA DEPARTMENT OF EDUCATION WITH INFORMATION NECESSARY TO ENABLE THE STATE TO ASSESS PROGRESS TOWARD ACHIEVING THE GOALS ESTABLISHED BY THE STATE.

PROCEDURE

The school district will use performance indicators established by the state:

1. to assess progress of children with disabilities in Nebraska in achieving goals;
2. that ensure free appropriate public education (FAPE) designed to meet their unique needs and prepare them for employment and adult living;
3. that ensure that the rights of children with disabilities and their parents are protected; and
4. that ensure educators and parents have the necessary tools to improve educational results for children with disabilities and to ensure the effectiveness of efforts to educate children with disabilities.

The district ensures that the goals are consistent, to the maximum extent appropriate, with other goals and standards for children established by the state.

The state assesses progress toward achieving those goals that address the performance of children with disabilities on assessment, and on dropout rates and graduation rates. The district will report to the Nebraska Department of Education on the progress of children with disabilities toward these goals, and on assessment, dropout rates and graduation rates.

PERSON(S) RESPONSIBLE: Superintendent, Principal, or Designee

TIMELINE: Annually as requested by NDE

MATERIALS: Performance Goals and Indicators, Measurement Data

METHODS: The district will follow the procedures outlined above in carrying out the provisions of Performance Goals and Indicators.

POLICY - SUSPENSION AND EXPULSION REPORTING

PLEASANTON PUBLIC SCHOOLS WILL REPORT DATA TO THE NEBRASKA DEPARTMENT OF EDUCATION TO DETERMINE IF SIGNIFICANT DISCREPANCIES ARE OCCURRING IN THE RATE OF LONG-TERM SUSPENSION AND EXPULSIONS OF CHILDREN WITH DISABILITIES.

PROCEDURE

004.06A10 The incidence and duration of disciplinary actions by race, ethnicity, limited English proficiency status, gender, and disability category, of children with disabilities, including suspensions of one day or more.

004.06A11 The number and percentage of children with disabilities who are removed to alternative educational settings or expelled as compared to children without disabilities who are removed to alternative educational settings or expelled.

PERSON(S) RESPONSIBLE: Superintendent, Principal, or Designee

TIMELINE: Annually as requested by NDE

MATERIALS: NDE Suspension and Expulsion Rate Forms

METHODS: The district will submit to the state the number of suspensions and expulsions of children with disabilities. If significant discrepancies are occurring, the district will review and revise its policies, procedures and practices relating to the development and implementation of IEPs, the use of behavioral interventions, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA.

The district will maintain the data regarding suspensions and expulsions of children with disabilities as required by the state report. Data will include number of children listed by disability and race/ethnicity, subject to unilateral removal by school personnel following a drug or weapon offense, number of children subject to removal based on a hearing officer determination regarding likely injury, number of children subject to suspension/expulsion greater than 10 days or multiple short-term suspensions adding up to greater than 10 days.

602.7 Adult Education

Adult education classes offered by the Pleasanton Schools shall be at the discretion of the board of education.

602.8 Co-Curricular Activities

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance."

The Board of Education of the Pleasanton School formally adopted this statement at the regular meeting on November 8, 1976: "The board policies of the Pleasanton School shall include the regulations of Title IX of the Education Amendments of 1972. Specifically, no person in the Pleasanton School shall, on the basis of sex, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any educational program or activity of the Pleasanton School."

Course Offerings: Course offerings or other educational activities may not be provided separately on the basis of sex; nor can participation be refused on such basis.

This policy does not prohibit:

- A. Grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex;
- B. Separation of students by sex within physical education classes or activities during participation in football, basketball, and other body contact sports;
- C. Separation of students by sex in classes dealing exclusively with human sexuality;
and
- D. Separation of persons biased on vocal range or quality even though such separation may result in chorus or choruses of one or predominately one sex.

Athletics:

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be treated differently from another person in any interscholastic club, or intramural athletics offered by the school.

Equal athletic opportunity shall be provided for members of both sexes, including equal provision for equipment, supplies, coaching, facilities, services, and publicity, except that unequal aggregate expenditure of funds for members of each sex or male and female teams will not in itself constitute a violation of this policy.

The school may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport. However, where the school operates or sponsors a team in a particular sport for members of one sex but operates or sponsors no such team for members of the other sex, and athletic opportunities for members of that sex have been previously limited, members of the excluded sex must be allowed to try out for the team offered unless the sport involved is a contact sport.

Counseling: The school shall not discriminate against any person on the basis of sex in the counseling or guidance of the students. The school shall not use different materials that permit or require differential treatment of students unless the material covers the same occupations and interest areas and their use is essential to eliminate sex bias.

Other School Activities: The general rules and regulations provided in previous sections shall also apply to other school activities now in existence or initiated in the future as part of the Pleasanton School program or supplementary activities or organizations sponsored by the school.

Pregnancy or Family Status: The school shall not apply any rule concerning a student's actual or potential parental, family or marital status which treats students differently on the basis of sex. No student may be discriminated against or excluded from an educational program or activity on the basis of pregnancy or related conditions unless the student requests voluntarily to participate in a separate portion of the program or activity.

Title IX: Title IX of the Education Amendments of 1972 prohibits sex discrimination in federally assisted educational programs. Specifically, Title IX states:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

The following actions by the Board of Education are recommended as minimum steps to insure that the Pleasanton Public Schools are in compliance with the new regulations:

Policy Statement:

It is the policy of the School District 10-0105 (Pleasanton Public Schools) that no person shall be subject to discrimination on the basis of sex in violation of the federal or Nebraska constitutions or any applicable federal or state law.

The Board of Education shall delegate to the Superintendent of Schools the administration of the Title IX guidelines in the areas of treatment of students and employment of staff.

Regular grievance procedures shall be followed for any complaints resulting from alleged acts of discrimination.

Required Action:

1. That Ron Wymore of the Pleasanton Public Schools be designated as the responsible employee to coordinate compliance efforts.
2. That any complaints relative to Title IX be referred to Ron Wymore who in turn will see that they are processed through the regular grievance procedures already established for employee groups of the district through grievance procedures specifically adopted for implementation of Title IX.
3. That the required public notices concerning Title IX be published in local news media and distributed to students, parents and employees.
4. That a task force composed of four employees, four lay citizens of the district and four students be activated and charged with the responsibility for making a self-evaluation of current policies and practices of the district relative to compliance with Title IX.
5. That the Self-Evaluation Task Force reports its findings and recommendations to the Board of Education.
6. That all printed forms used in the district be reviewed as to compliance at the time of reprinting, separate from the timing of the report of the Self-Evaluation Task Force.

602.8a MULTI-CULTURAL EDUCATION POLICY

It shall be the policy of Pleasanton School District No. 10-0105, in compliance with 79-4230 R.R.S. 1943, 92 NAC 16, and 79-213 R.R.S., to comply with such legal authority by way of the following policy:

- (1) Statement of the philosophy or mission of the district Multi-Cultural Education Program.

It is the philosophy of the district as well as the mission of the district to provide learning experiences for students to obtain knowledge about and respect for the diversity and contributions of African Americans, Hispanic Americans, Native Americans, and Asian Americans and to adequately stress the contributions of all ethnic groups. It is important to overcome prejudicial attitudes, to understand the social, and historical backgrounds of other people, and to help students be aware of the world outside the Pleasanton community.

- (2) Development of district program goals.

It shall be the duty of the Superintendent of Schools or his or her designee to develop program goals reflecting multi-cultural education at the local level. Generally such goals shall include, but not be limited to, infusing into all subject areas of the core curriculum in grades K-12, appropriate informational items and activities which will provide learning experiences for students in accordance with the statement of philosophy and mission of the district's Multi-Education Program Policy.

It shall further be the policy of the district to include informational items in the core curriculum when educationally appropriate and when such inclusion would not cause an inappropriate deviation

from the particular discipline being taught, studies relative to the culture, history, and contributions of African Americans, Hispanic Americans, Native Americans, Asian Americans, and all ethnic groups. Such inclusion shall place special emphasis on human relations and sensitivity toward all races as it relates to language arts, social science, science, mathematics, vocational education, foreign language, visual and performing arts, and personal health and physical fitness.

It shall further be the policy of the Board to direct the administrator to use such methodologies and personnel as the administrator or his designee deems appropriate to develop a district program at the local level with due regard for the need to present knowledge about cultures, histories, and contributions of African Americans, Hispanic Americans, Native Americans, Asian Americans, and all ethnic groups to the local district as well as to the State of Nebraska and the various disciplines of the core curriculum.

The Superintendent of Schools shall annually, beginning on November 1, 1995, present evidence to the Board of Education that the district is teaching multi-cultural education as provided by this policy. On or before November 1, 1995 and annually thereafter, the Superintendent of Schools shall further present evidence in a form prescribed by the Nebraska Department of Education that multi-cultural education is being taught to students in accordance with this policy. The Superintendent shall receive staff reports of multi-cultural occurrences from the certified teaching staff on a form as adopted by this policy.

The Superintendent of Schools shall periodically, as deemed appropriate by the Superintendent of Schools, provide staff development for the administrative staff, the teaching staff and the support staff of the district. Such staff development shall be consistent and congruent with this policy and shall have as its objective enabling such staff to develop an effective multi-cultural education program in the district.

The Superintendent of Schools shall designate a staff committee on terms as the Superintendent may determine for selecting appropriate materials for meeting the purpose of this policy. The process for selecting appropriate materials shall be as deemed appropriate by the staff committee, which shall be charged by the Superintendent of Schools with rendering to the Superintendent of School's periodic reports as to the selection of such materials as well as a periodic assessment of the district's Multi Cultural Education Program as defined by this policy.

It shall be the policy of the district to further designate local community members to work in concert with the staff committee and the administration in the development, implementation, and assessment phases of the multi-cultural education plan of the district as described in this policy.

Staff and community representatives in this process shall include such cultural diversity of the district as may exist, if any. It shall not be the policy of the district concerning the local development, implementation, and assessment of the multi-cultural education plan to be obliged to rely on any representatives from outside of the district. However, nothing in this policy shall prohibit the Superintendent of Schools from seeking out such representatives, if in his sole discretion, such representatives would be of benefit to the district in the development, implementation, and periodic assessment of the multi-cultural education plan of the district.

The incorporation of multi-cultural education into the core curriculum of the district in grades K-12 shall have taken place on or before the last day of the 1994-1995 school year and shall continue thereafter.

MULTICULTURAL EDUCATIONAL GOALS OF THE PLEASANTON PUBLIC SCHOOL DISTRICT #10-0105

GOAL 1. All students, regardless of background, will experience an equal opportunity to learn.

GOAL 2. To help all students develop more positive attitudes toward different cultural, racial, ethnic, and religious groups.

GOAL 3. To confront prejudicial attitudes by teaching decision making and social action skills.

GOAL 4. To promote in the student an awareness of a global society.

STAFF DEVELOPMENT

The District will seek opportunities for all certificated staff to develop the necessary skills and knowledge to provide the multicultural curriculum and carry out the implementation, monitoring and evaluation of the Multicultural Program.

The administrators and the Multicultural Education Committee will plan and present an in-service program for all staff during the school year to assist staff members to gain the knowledge, skill levels, and sensitivity necessary to instruct the curriculum areas with a high degree of multicultural competence.

SELECTION AND PROCUREMENT OF APPROPRIATE MATERIALS

Criteria for selection of multicultural instructional/library/media materials should:

1. Be selected according to the general educational goals of the district and the goals and objectives of the individual schools and specific courses.
2. Be appropriate for the age, interests, abilities, learning styles, social development and maturity level of the students.
3. Represent the diversity of religious, ethnic, political, and cultural values held in a pluralistic society.
4. Illustrate the contributions made by various groups to our national heritage and the world.

ASSESSMENT OF PROGRAM

The Multicultural Advisory committee will provide for the periodic assessment of the district's multicultural education program. The classroom activity summary and student survey summary will serve as a source for the assessment. Other instruments may be used to assist in the assessment process.

TEACHERS

LB. 922 requires all schools to have in place a Multicultural Education Curriculum by 1995. It will be necessary for the school to provide evidence that multicultural studies are being infused across the curriculum areas. The school has adopted four goals as part of our Multicultural Education Plan. To provide the above evidence, it will be required of each teacher to record monthly the activities they have used to infuse multicultural education into their curriculum.

MISSION STATEMENT AND PHILOSOPHY MULTICULTURAL EDUCATION

Individuals acquire knowledge about racial, ethnic, gender, cultural, and exceptional groups through education. It is our belief that in order to understand others, one must first understand and value their ethnic ancestry and cultural heritage.

It is the philosophy as well as the mission of the district to provide learning experiences for students to obtain knowledge about and respect for the diversity and contributions of African Americans, Hispanic Americans, Native Americans, and Asian Americans and to adequately stress the contributions of all ethnic groups. It is important to overcome prejudicial attitudes, to understand the social, and historical backgrounds of other people, and to help students be aware of the world outside the Pleasanton community.

602.9 Curriculum Revisions

The Superintendent shall be responsible for the development and effective operation of the school curriculum, special courses and activities that will provide for adequate instruction, and for the well-being of all students who attend the school. He is responsible for keeping this program abreast with the times and with the needs of the community, in accord with the best development in education.

Each year the superintendent with the aid of his principal/staff shall assess the courses taught and the content of each class.

Mission Statement:

Through cooperation of students, staff, family, and community, our mission is to offer everyone educational opportunities to excel and become responsible citizens in an ever-changing world.

Philosophy and Strategies

1. High ability learners will be identified.
2. High ability learners will be challenged in academic and extra curricular activities.
3. High ability learners will experience alternative learning opportunities, based upon their strengths and interest areas.
4. High ability learners will develop and demonstrate self-motivation and self-management skills.
5. High ability learners will utilize school, family, and community resources.

Definition of High Ability Learner

We define high ability learner youth as young people who consistently exhibit one or more of the following:

1. Elements of creativity
2. A measured high mental ability, utilizing his/her levels of abstract thinking
3. A measured high achievement in all or specific areas
4. Special talents
5. Skills in leadership of people and management of resources toward a specific goal.

Goals, Objectives, & Strategies

High ability learners will:

1. Explore educational alternatives to learning;
2. Be challenged in academic and extra curricular activities, helping them to set and meet personal goals;
3. Have the opportunity to receive dual college and high school credit;
4. Develop career/college-planning skills;
5. Develop job shadowing/mentoring experiences;
6. Develop communication and technology skills as related to their regular educational experiences at Pleasanton Public Schools; and
7. Have the opportunity to develop service/learning projects in the school and community.

Identification Process

The identification process for high ability education at Pleasanton Public Schools will require the following identifying criteria:

1. The student exhibits high levels of self-responsibility, has a desire to achieve and is task motivated.
2. The student meets three out of the following four requirements:
 - A. Achievement test scores of 95% and above percentiles in specific sub test scores or on the total battery.
 - B. Teacher or parent recommendation based on observable, high ability learner characterizes.
 - C. Consistent, past and present high-level classroom performance.

D. High quality products in class.

High Ability Programs, Services and Options

1. Whole Class Enrichment. All students will be included in such programs.
2. Enrichment Centers.
 - A. Students will participate in interest/ability group projects.
 - B. A mini enrichment center/learning center will be available for student use in the classroom.
 - C. Students will participate in formal academic and or extra curricular competitions with other schools. These activities could include: ESU 10 Academic Quiz Bowl, Science Olympia, Math Fun Day, Future Problem Solvers, Geography Bee, Inter High Day, U.S. Academic Decathlon, Knowledge Master, Leadership Workshops, and Conferences, or Advanced Curriculum Classes.
3. Individualized student centered projects.
 - A. Teacher and student will collaborate to determine appropriate and challenging curriculum. Possibilities include:
 - a. Enrichment activities based on student interest
 - b. Research in or expansion of current areas of study
 - c. Acceleration in a specific subject material
 - d. Optional activities to fit student needs and interests
 - e. Written or oral reports: demonstrations: art, music, or computer projects; field trip; communications project; community service learning project; futuristic planning project.
 - B. Time will be created for projects by compacting the curriculum.
 - C. Student will write a plan/contract for the project.
 - D. Student will continue to demonstrate mastery and knowledge of regular curriculum and complete assignments with a predetermined % of accuracy to remain in the high ability program. This may not apply if a student is working on a totally differentiated curriculum.
 - E. Student will receive a certificate for completion of a predetermined number of projects.
 - F. Student will utilize family, school, and community resources.
 - G. Student will experience career exploration through job shadowing.
 - H. Student will receive specialized counseling based on student need and interest.

Evaluation and Assessment of High Ability Education

The High Ability Education Committee will evaluate the effectiveness of its program through a summative report based on data gathered through several of the following means:

1. Survey of faculty, parents, students.
2. Input of parents, faculty, students, school board and community members.
3. Graduate follow-up survey.
4. Research of effective high ability education programs.
5. Review of identified strengths and weaknesses of the program.
6. Review of assessment scores through cognitive, achievement, and career related tests.
7. School Improvement Process.

Definition of terms:

Acceleration: A practice that enables students to progress through basic content at a more rapid rate than is normally planned. It includes honor classes or college level classes.

Cluster Groups: Placing students in small groups according to abilities, talents, or needs. This can be done for certain projects or subjects.

Compacting: A procedure designed to streamline the regular curriculum. The major purposes of compacting are; 1) to relieve high ability students of the boredom that often results from unchallenging work in the basic skill areas; 2) to buy students time to pursue accelerated or enriched activities. Compacting entails assessing students' levels of academic performance and reducing or eliminating required lessons, seatwork, and assignments that are repetitious or that can be mastered in less time that is normally required.

Enrichment: Experiences or activities that are above or beyond the "regular curriculum". Falling under the general term enrichment are such practices and offerings as special assignments, independent study, mini courses, etc.

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INSTRUCTIONAL ARRANGEMENTS

603.1 Class Size

A class size of 25 to 1 (or less) will be maintained whenever possible.

Class size may be larger when the need arises, especially in self-contained elementary classrooms.

603.2 Instructional Purposes

Every effort shall be maintained to fit the school building with the educational goals and curriculum of the Pleasanton Schools.

603.3 Field Trips and Excursions

Pupils taken on excursions or field trips in the interest of class activities must have the approval of the Principal or Superintendent in advance, and whenever transportation is involved in such trips, the consent of the parent or guardian is necessary.

If enough students are involved in the excursion and transportation is needed, every effort shall be made to go by school bus. If a bus is not available parents, or other drivers may be used.

603.4 Homework

Homework is encouraged in all classes except the lower elementary.

603.5 Textbook Selection

Textbook selection shall be done under the supervision of the superintendent and/or principal with the input from the faculty.

Textbook samples from different companies should be examined by the teachers in the area where book selection is to be made. After careful evaluation the principal and teacher should make a selection of a textbook and submit the selection to the superintendent for purchase.

603.6 Outside Resource People

The faculty is encouraged to use resource people available to them. Many people in the district have talents and special knowledge that is useful and interesting to the students.

An outside resource person should be approved by the principal or superintendent before a presentation is scheduled.

603.7 Controversial Issues

In this day and age there are many controversial issues that may be presented to students whether in the classroom, through reading material, video, film or other media. Media or other presentation methods should be chosen for values of interest and enlightenment of all the students of the community. Materials shall not be excluded because of race, nationality, or the political or religious views of the writer or presenter.

There should be the fullest practical provision of materials presenting all points of view concerning the problems and issues of our times, international, national, and local; and materials of sound factual authority shall not be proscribed or removed from the school because of partisan or doctrinal disapproval.

The legal responsibility for materials in the school media center rests with the Pleasanton Board of Education. Responsibility for the final selection of materials shall be delegated to the professionally trained personnel who know the course of study, the methods of teaching, and the individual differences of the pupils at the levels for which the materials are provided, such selection to be in accordance with the selection policy approved by the board.

603.7 Controversial Issues

Selection Policy for Instructional Materials

I. Introduction

The Pleasanton School Board hereby declares it is the policy of the Pleasanton District to provide a wide range of instructional materials on all levels of difficulty, with diversity of appeal, and the presentation of different points of view and to allow the review of allegedly inappropriate instructional materials through established procedures.

This Board fully believes in the principles of intellectual freedom as stated in the First Amendment of the United States Constitution and the Freedom to Read Statement as endorsed by the American Library Association. The following points are especially important:

1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox or unpopular with the majority.
2. Publishers and librarians do not need to endorse every idea or presentation contained in the books they make available. It would conflict with the public interest for them to establish their own political, moral or anesthetic views as the sole standard for determining what books should be published or circulated.
3. The present laws dealing with obscenity should be vigorously enforced. Beyond that, there is no place in our society for extra-legal efforts to coerce the tastes of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.
4. It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tests upon the community at large.

5. It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality of thought and expression. By the exercise of this affirmative responsibility, bookmen can demonstrate that the answer to a bad book is a good one, the answer to a bad idea is a good one.

In addition, this Board endorses the Library Bill of Rights as adopted by the Council of the American Library Association, which follows:

1. As a responsibility of library service, books and other library materials selected should be chosen for values of interest, information, and enlightenment of all the people of the community. In no case should library materials be excluded because of the race or nationality or social, political or religious views of the authors.
2. Libraries should provide books and other materials presenting all points of view concerning the problems and issues of our times; no library materials should be proscribed or removed from libraries because of partisan or doctrinal disapproval.
3. Censorship should be challenged by libraries in the maintenance of their responsibility to provide public information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. The rights of an individual to the use of a library should not be denied or abridged because of his/her age, race, religion, national origins or social or political views.
6. As an institution of education for democratic living, the library should welcome the use of its meeting rooms for socially useful and cultural activities and discussion of current public questions. Such meeting places should be available on equal terms to all groups in the community regardless of the beliefs and affiliations of their members, provided that the meetings are open to the public.

II. Objectives of selection

The primary objective of the school's educational media center is to implement, enrich and support the educational program of the school. It is the duty of the center to provide a wide range of materials on all levels of difficulty, with diversity of appeal, and the presentation of different points of view. Therefore, the Board reaffirms the objectives of the Standards for School Media Programs, and asserts that the responsibility of the library media center is:

1. To provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the pupils served.
2. To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
3. To provide a background of information which will enable pupils to make intelligent judgments in their daily life.
4. To provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical analysis of all media.
5. To provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
6. To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library media center.

III. Responsibility for Selection of Material

The Pleasanton Board of Education is legally responsible for the operation of the school, the responsibility for the selection of instructional material is delegated to the professionally trained media personnel. The people involved with material selection will include media personnel, teachers, students, administrators, and community persons, with the responsibility for coordinating and recommending the selection and purchase of instructional materials resting with the media personnel.

The responsibility for coordinating the selection and purchase of textbooks lies with the appropriate department chairpersons or with the textbook evaluation committee. Textbooks are to be purchased from the budget of the appropriate department and not from the media budget.

IV. Criteria for Selection

The educational goals of the individual school, curriculum needs, faculty and student needs, and existing materials in the collection are to be considered in developing the media collection.

Materials to be purchased are to be considered on the basis of their:

- a. Verball purpose
- b. Importance of subject matter
- c. Recency of material
- d. Authoritativeness and accuracy
- e. Readability and popular appeal
- f. Freedom from bias
- g. Quality of writing/production
- h. Format and price
- i. Reputation of publisher/producer
- j. Reputation of author/artist/composer, etc
- k. Stimulus to creativity
- l. Usefulness to instructional program

V. Procedures for Selection

In selecting materials for purchase, the media specialist evaluates the existing collection and consults:

- a. Reputable, unbiased, professionally prepared selection aids
- b. Specialists from all departments and/or grade levels
- c. The selection committee appointed by the principal to serve in an advisory capacity in the selection of materials.

In regard to certain specific areas the following procedures are to be followed:

1. All gift materials are to be accepted with the understanding the media specialist is to decide if the materials meet the basic selection standards and are to be accepted or rejected for the collection.
2. Multiple items of outstanding educational value and much in demand media are to be purchased as needed.
3. Worn or lost standard items are to be replaced periodically.
4. Out-of-date or no longer useful materials are to be withdrawn from the collection.
5. Sets of materials and materials acquired by subscription are to be examined carefully, and are to be purchased only to fill a definite need.

6. Salesmen must have permission from the superintendent's office before going into any of the schools.

VI. Challenged Materials

Despite the care in selection of materials, objections to a certain selection can arise. When this occurs, the principles of intellectual freedom, the right to access of materials, and the integrity of the media personnel must be defended rather than the materials.

If a complaint is made, the following procedures should be followed:

1. Be courteous, inform the complainant of the selection procedures, but make no commitments.
2. Request the complainant to submit a formal reconsideration form. (Form A)
3. Inform the superintendent and other appropriate personnel.
4. Keep challenged materials on the shelves during the reconsideration process.
5. Upon receipt of the completed form, the superintendent is to ask for a review of the challenged material, and is to appoint a review committee. The review committee is to consist of media representatives, classroom teachers, one or more parents, and one or more students.
6. The review committee is to:
 - a. Read and examine challenged material in its entirety,
 - b. Check general acceptance of the material by reading reviews and consulting recommended lists,
 - c. Meet to discuss the material, weighing values and faults against each other, and then form an opinion based on the material as a whole and not on passages pulled out of context.
 - d. Prepare a written recommendation to be presented to the superintendent and the school board.
7. Retain or withdraw challenged material as mandated by the decision of the school board.

603.8 PARENT INVOLVEMENT POLICY

Pleasanton Public School District No. 10-0105, after having conducted a public hearing concerning parental involvement and participation in the school district herewith declares that it shall be the policy of the District to provide access to parents to all textbooks, standardized tests, curriculum materials, and any other instructional materials used by the school.

It shall further be the policy of the District in the event any parent has a complaint or objection to any such materials to make such provision for personal conferences with the parent and appropriate school personnel to discuss such concerns as the superintendent or his/her designee may deem appropriate. The superintendent or his/her designee shall cause to be prepared a complaint form that may be used by a parent to express objections to any such instructional material. Such complaint forms shall seek information including, but need not be limited to, the specific instructional material complained of, the reason for the complaint, and a proposed solution for resolution of the complaint by the parent.

It shall further be the policy of the District to, upon any reasonable advance request by a parent to attend and monitor courses, assemblies, or counseling sessions, to permit such parent to be in attendance at such activities unless such attendance would substantially interfere with a legitimate school interest.

It shall further be the policy of the District to encourage communications from parents concerning when a parent believes it to be appropriate for his/her student to be excused from standardized testing, classroom instruction, and other school experiences that the parent finds objectionable. The superintendent or his/her designee shall make a provision on the complaint form herein above referred to for receiving information from a parent concerning what specific testing, classroom instruction, or other school experience the parent finds objectionable, the basis for the parent's objection and a proposed solution for dealing with the objection that would be satisfactory to the parent.

It shall further be the policy of the District to provide full access to the records of the students to a parent or guardian all as set forth in 79-4,157, the Federal Education Right To Privacy Act, and other applicable law during regular business hours of the school at the school headquarters or wherever the student's records may regularly be maintained by the District.

It is further the policy of the District to notify a parent or parents of any student who may be subjected to a standard-norm referenced or criterion-referenced test or standard tests such as but not limited to the Iowa Test of Basic Skills, California Achievement Test, PSAT, and ACT, to notify the parent when reasonable to do so, where a sample of such tests might be observed and the date upon which such test will be administered. As to all testing by the District, experimental evaluation methodologies, experimental testing instruments and any testing instrument which would tend to inquire into the values, beliefs, or privacy rights of any student, or parent or guardian of such student shall be prohibited unless a parent requests in writing that such tests be administered to his/her resident student.

Prior to any school sponsored survey being administered to the students of the District, it shall be the duty of the superintendent or his/her designee to notify the parent or parents of each student involved in the survey of the nature of the survey, the date and time when such survey shall be administered, and the purpose for which and the uses of which survey exist from the school's perspective. Any parent who, after observing the survey instrument, requests in writing that his/her student be exempt from such survey shall have such request honored.

In order to ascertain that such rights as the parents of the District may have to make judgments believed by the parent to be in the best interest of the student it shall be the policy of the District whenever a parental objection is raised concerning textbooks, standardized tests, and other curriculum materials, the subject matter of course, assemblies, counseling sessions, or other instructional activities, and when such objections are asserted by the parent to be made in good faith for reasons of conscience or based upon religious grounds, and when such objection causes the parent to request that his/her student be excused from any testing, classroom instruction, survey, assembly, counseling session, or other instructional activity or other school experience, the superintendent or his/her designee shall excuse such student from the activity. The Administration shall direct the appropriate personnel to make reasonable efforts to provide, when reasonable or

practical to do so, alternate school activities or school experiences for the activity or school experience from which the student has been excused.

It shall further be the policy of the District to prohibit any diminution in grade, credit, or other detriment to the student as a result of having been excused from any school experience or school activity as a result of objections by his/her parent or parents under this policy.

InstructionTitle I Parental Involvement Policy

This Title I Parental Involvement Policy is established in compliance with the No Child Left Behind Act of 2001. Pleasanton Public Schools has a parental involvement policy applicable to parents of all children. The parental involvement policy applicable to parents of all children is not replaced by this Title I Parental Involvement Policy and shall continue to be applicable to all parents, including parents participating in Title I programs.

It is the policy of Pleasanton Public Schools to implement programs, activities, and procedures for the involvement of parents in Title I programs consistent with the Title I laws. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents of participating children.

Expectations for Parental Involvement

It is the expectation of Pleasanton Public Schools that parents of participating children will have opportunities available for parental involvement in the programs, activities, and procedures of the District's Title I program. The term "parental involvement" means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring—(A) that parents play an integral role in assisting their child's learning; (B) that parents are encouraged to be actively involved in their child's education at school; (C) that parents are full partners in their child's education and are included, as appropriate, in decision making and on advisory committees to assist in the education of their child; and (D) the carrying out of other activities, such as those described in this parental involvement policy. The District intends to meet this expectation through the following activities:

- A. Involving parents in the joint development of the District's Title I plan and the processes of school review and school improvement.
- B. Providing coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance.
- C. Building the schools' and parents' capacity for strong parental involvement.
- D. Coordinating and integrating parental involvement strategies under Title I with parental involvement strategies under other programs.
- E. Conducting, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy in improving the academic quality of the schools served under the Title I program, including identifying barriers to greater participation by parents in Title I programs, with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background, and use the findings of such evaluation to design strategies

for more effective parental involvement, and to revise, if necessary, the parental involvement policies of the District.

- F. Involving parents in the activities of the schools served under Title I.

Policy Involvement

Each school served under the Title I program shall:

- A. Convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation under the Title I program and to explain the requirements of the Title I program.
- B. Offer a flexible number of meetings, such as meetings in the morning or evening. If sufficient funds are provided for this purpose, the District may assist parental involvement in such meetings by offering transportation, childcare, or home visits.
- C. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of Title I programs.
- D. Provide parents of participating children—(1) timely information about programs under Title I, (2) a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and (3) if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.
- E. If the District operates a school-wide program under Title I and such plan is not satisfactory to the parents of participating children, submit any parental comments on the plan when the school makes the plan available to the District.

Shared Responsibilities for High Student Academic Achievement

As a component of the District's parental involvement policy, each school served under the Title I program shall jointly develop with parents for all children served under the Title I program a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. Such compact shall—(1) describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served under Title I to meet the State's student academic achievement standards and the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and (2) address the importance of communication between teachers and parents on an ongoing basis through, at a minimum—(A) parent-teacher conferences in elementary schools, at least annually, during which the compact

shall be discussed as the compact relates to the individual child's achievement; (B) frequent reports to parents on their children's progress; and (C) reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.

Building Capacity for Involvement

To ensure effective involvement of parents and to support a partnership among the District, parents, and the community to improve student academic achievement, each school participating in the Title I program and the District—(1) shall provide assistance to participating parents, as appropriate, in understanding such topics as the State's academic content standards and State student academic achievement standards, State and local academic assessments, the requirements of Title I and how to monitor a child's progress and work with educators to improve the achievement of their children; (2) shall provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement; (3) shall educate teachers, student service personnel, principals, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school; (4) shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities that encourage and support parents in more fully participating in the education of their children; (5) shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format, and to the extent practicable, in a language the parents can understand; (6) may involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training; (7) may provide necessary literacy training from funds received under Title I if the District has exhausted all other reasonably available sources of funding for such training; (8) may pay reasonable and necessary expenses associated with parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions; (9) may train parents to enhance the involvement of other parents; (10) may arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation; (11) may adopt and implement model approaches to improving parental involvement; (12) may establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in programs supported under Title I; (13) may develop appropriate roles for community-based organizations and businesses in parent involvement activities; and (14) shall provide such other reasonable support for parental involvement activities under Title I as parents may request.

Accessibility

In carrying out the parental involvement activities for this Title I Parental Involvement policy, the District shall provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under Title I in a format and, to the extent practicable, in a language such parents understand.

Use, Distribution, and Updating of this Policy

This Title I Parental Involvement Policy shall be incorporated into the District's Title I plan, shall be distributed to parents of participating children, shall be made available to the local

community, and shall be updated periodically to meet the changing needs of the parents and the school.

Legal Authorities: No Child Left Behind Act of 2001, sections 1118 and 9201(32);
20 U.S.C. §§6318 and 7801(32)

Date of Adoption: July 11, 2017

A. Internet Safety Policy

It is the policy of Pleasanton Public School to comply with the Children's Internet Protection Act (CIPA). With respect to the District's computer network, the District shall: (a) prevent user access to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) provide for the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (c) prevent unauthorized access, including so-called "hacking," and other unlawful activities online; (d) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (e) implement measures designed to restrict minors' access to materials (visual or non-visual) that are harmful to minors.

1. Definitions. Key terms are as defined in CIPA. "Inappropriate material" for purposes of this policy includes material that is obscene, child pornography, or harmful to minors. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that: (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
2. Access to Inappropriate Material. To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as required by the CIPA, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.
3. Inappropriate Network Usage. To the extent practical, steps shall be taken to promote the safety and security of users of the District's online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by CIPA, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.
4. Supervision and Monitoring. It shall be the responsibility of all members of the District staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and CIPA. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Superintendent and the Superintendent's designees.

5. Social Networking. Students shall be educated about appropriate online behavior, including interacting with others on social networking websites and in chat rooms, and cyberbullying awareness and response.
6. Adoption. This Internet Safety Policy was adopted by the Board at a public meeting, following normal public notice.

B. Computer Acceptable Use Policy

This computer acceptable use policy is supplemental to the District's Internet Safety Policy.

1. Technology Subject to this Policy. This Computer Acceptable Use Policy applies to all technology resources of the District or made available by the District. Technology resources include, without limitation, computers and related technology equipment, all forms of e-mail and electronic communications, and the internet.
2. Access and User Agreements. Use of the District technology resources is a privilege and not a right. The Superintendent or designee shall develop appropriate user agreements and shall require that employees, students (and their parents or guardians), and others to sign such user agreements as a condition of access to the technology resources, as the Superintendent determines appropriate. Parents and guardians of students in programs operated by the District shall inform the Superintendent or designee in writing if they do not want their child to have access.

The Superintendent and designees are authorized and directed to establish and implement such other regulations, forms, procedures, guidelines, and standards to implement this Policy.

The technology resources are not a public forum. The District reserves the right to restrict any communications and to remove communications that have been posted.

3. Acceptable Uses. The technology resources are to be used for the limited purpose of advancing the District's mission. The technology resources are to be used, in general, for educational purposes, meaning activities that are integral, immediate, and proximate to the education of students as defined in the E-rate program regulations.
4. Unacceptable Uses.

The following are unacceptable uses of the technology resources:

- a. Personal Gain: Technology resources shall not be used, and no person shall authorize its use, for personal financial gain other than in accordance with prescribed constitutional, statutory, and regulatory procedures, other than compensation provided by law.
- b. Personal Matters: Technology resources shall not be used, and no person shall authorize its use, for personal matters.

Occasional use that the Superintendent or designee determines to ultimately facilitate the mission of the District is not prohibited by this provision. Examples of occasional use that may be determined to ultimately facilitate the mission of the District: sending an e-mail to a minor child or spouse; sending an e-mail related to a community group in which an employee is a member where the membership in the community group facilitates the District's mission.

This occasional use exception does not permit use by employees contrary to the expectations of their position. For example, employees may not play games or surf the net for purposes not directly related to their job during duty time; nor may students do so during instructional time.

The occasional use exception also does not permit use of the technology resources for private business, such as searching for or ordering items on the internet for non-school use; or sending an e-mail related to one's own private consulting business.

- c. Campaigning: Technology resources shall not be used, and no person shall authorize its use, for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question.
- d. Technology-Related Limitations: Technology resources shall not be used in any manner which impairs its effective operations or the rights of other technology users. Without limitation,
 - 1. Users shall not use another person's name, log-on, password, or files for any reason, or allow another to use their password (except for authorized staff members).
 - 2. Users shall not erase, remake, or make unusable another person's computer, information, files, programs or disks.
 - 3. Users shall not access resources not specifically granted to the user or engage in electronic trespassing.
 - 4. Users shall not engage in "hacking" to gain unauthorized access to the operating system software or unauthorized access to the system of other users.
 - 5. Users shall not copy, change, or transfer any software without permission from the network administrators.
 - 6. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.
 - 7. Users shall not engage in any form of vandalism of the technology resources.

8. Users shall follow the generally accepted rules of network etiquette. The Superintendent or designees may further define such rules.
- e. Other Policies and Laws: Technology resources shall not be used for any purpose contrary to any District policy, any school rules to which a student user is subject, or any applicable law. Without limitation, this means that technology resources may not be used:
1. to access any material contrary to the Internet Safety Policy; or to create or generate any such material.
 2. to engage in unlawful harassment or discrimination, such as sending e-mails that contain sexual jokes or images.
 3. to engage in violations of employee ethical standards and employee standards of performance, such as sending e-mails that are threatening or offensive or which contain abusive language; use of end messages on e-mails that may imply that the District is supportive of a particular religion or religious belief system, a political candidate or issue, or a controversial issue; or sending e-mails that divulge protected confidential student information to unauthorized persons.
 4. to engage in or promote violations of student conduct rules.
 5. to engage in illegal activity, such as gambling.
 6. in a manner contrary to copyright laws.
 7. in a manner contrary to software licenses.
5. Disclaimer. The technology resources are supplied on an “as is, as available” basis. The District does not imply or expressly warrant that any information accessed will be valuable or fit for a particular purpose or that the system will operate error free. The District is not responsible for the integrity of information accessed, or software downloaded from the Internet.
6. Filter. A technology protection measure is in place that blocks and/or filters access to prevent access to Internet sites that are not in accordance with policies and regulations. In addition to blocks and/or filters, the District may also use other technology protection measures or procedures as deemed appropriate.

Notwithstanding technology protection measures, some inappropriate material may be accessible by the Internet, including material that is illegal, defamatory, inaccurate, or potentially offensive to some people. Users accept the risk of access to such material and responsibility for promptly exiting any such material.

The technology protection measure that blocks and/or filters Internet access may be disabled only by an authorized staff member for bona fide research or educational purposes: (a) who has successfully completed District training on proper disabling circumstances and procedures, (b) with permission of the immediate supervisor of the staff member requesting said disabling, or (c) with the permission of the Superintendent. An authorized staff member may override the technology protection measure that blocks and/or filters Internet access for a minor to access a site for bona

vide research or other lawful purposes provided the minor is monitored directly by an authorized staff member.

7. Monitoring. Use of the technology resources, including but not limited to internet sites visited and e-mail transmitted or received, is subject to monitoring by the administration and network administrators at any time to maintain the system and insure that users are using the system responsibly, without notice to the users. Users have no privacy rights or expectations of privacy with regard to use of the District's computers or Internet system. All technology equipment shall be used under the supervision of the Superintendent and the Superintendent's designees.
8. Sanctions. Violation of the policies and procedures concerning the use of the District technology resources may result in suspension or cancellation of the privilege to use the technology resources and disciplinary action, up to and including expulsion of students and termination of employees. Use that is unethical may be reported to the Commissioner of Education. Use that is unlawful may be reported to the law enforcement authorities. Users shall be responsible for damages caused and injuries sustained by improper or non-permitted use.

Legal Reference: Children's Internet Protection Act, 47 USC § 254
FCC Order adopted August 10, 2011
47 USC § 254(h)(1)(b); 47 CFR 54.500(b) and 68 FR 36932 (2003) (E-rate restrictions)
Neb. Rev. Stat. § 49-14,101.01 (Political Accountability and Disclosure Act)

Date of Adoption: March, 2012

Pleasanton Public School
Addition to Employee Code of Conduct
Appendix "1"

ACCEPTABLE USE OF COMPUTERS AND NETWORKS

ADMINISTRATORS, FACULTY AND STAFF AGREEMENT

In order to make sure that all members of Pleasanton Public School community understand and agree to these rules of conduct for use of the e-mail and Internet systems of the school district, the Pleasanton Public School District asks that you, as an administrator, faculty member, or staff member user, sign the following statement:

I have received a copy of, and have read, the Internet Safety and Acceptable Use Policy adopted by the Pleasanton Public School and I understand and will abide by those district guidelines and conditions for the use of the facilities of Pleasanton Public School and access to the Internet. I further understand that any violation of the district guidelines is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges will be revoked. School disciplinary action and/or appropriate legal action will be taken.

I agree not to hold the Pleasanton Public School any of its employees, or any institution providing network access to Pleasanton Public School responsible for the performance of the system or the content of any material accessed through it.

Employee's Name _____

Employee's Signature _____ Date: _____

This form will be retained on file by authorized faculty designee for duration of applicable computer/network/Internet use.

Pleasanton Public School
Addition to Student Code of Conduct
Appendix "2"

ACCEPTABLE USE OF COMPUTERS AND NETWORKS

STUDENT'S AGREEMENT

In order to make sure that all members of Pleasanton Public School community understand and agree to these rules of conduct, Pleasanton Public Schools asks that you as a student user sign the following statement:

I have received a copy of, and have read, the Internet Safety and Acceptable Use Policy adopted by the Pleasanton Public School, and I understand and will abide by those district guidelines and conditions for the use of the facilities of Pleasanton Public School and access to the Internet. I further understand that any violation of the district guidelines is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges will be revoked. School disciplinary action and/or appropriate legal action will be taken.

I agree not to hold the Pleasanton Public School, any of its employees, or any institution providing network access to Pleasanton Public School responsible for the performance of the system or the content of any material accessed through it.

Student's Name _____

Student's Signature _____ Date: _____

This form will be retained on file by authorized faculty designee for duration of applicable computer/network/Internet use.

Pleasanton Public School
Addition to Student Code of Conduct
Appendix "3"

ACCEPTABLE USE OF COMPUTERS AND NETWORKS

PARENT'S AGREEMENT

In order to make sure that all members of Pleasanton Public School community understand and agree to these rules of conduct, we ask that you as a parent/guardian sign the following statement:

I have received a copy of, and have read, the Internet Safety and Acceptable Use Policy adopted by Pleasanton Public School. As parent or guardian of the student named below, I grant permission for my son or daughter to access networked computer services such as electronic mail (e-mail) and the Internet. I understand that this free access is designed for educational purposes. I also understand that individuals may be held liable for violations of those Terms and Conditions. However, I also recognize that it is impossible to restrict access to all controversial materials and I will not hold Pleasanton Public School responsible for materials acquired or sent via the network.

I agree not to hold the Pleasanton Public School, any of its employees, or any institution providing network access to Pleasanton Public School responsible for the performance of the system or the content of any material accessed through it.

Student's Name _____

Parent's Signature _____ Date: _____

This form will be retained on file by authorized faculty designee for duration of applicable computer/network/Internet use.

604 SERVICES

604.1 Guidance and Counseling

The Pleasanton School shall provide Counseling and Guidance services in accordance with the provisions of NDE Rule 10.

604.2 Health Services

The Pleasanton School shall provide health services as needed to comply with state law. A school nurse shall be employed on a part time basis to fulfill the students health needs.

604.3 Special Services

Other services may be provided as deemed necessary by the administration and the board of education.

604.4 Homeless Youth

It shall be the policy of Pleasanton Public Schools to insure each Homeless Youth has equal access to a free appropriate education as provided to all other youth.

For the purpose of this policy Homeless Children and Youth shall mean:

1. Those children lacking a fixed regular and/or regular residence; or
2. Those children having a nighttime residence in a supervised or privately operated shelter for temporary accommodations.

604.41 Homeless Students

This School District will comply with the federal and state law related to homeless students.

A “homeless children” for purposes of this Policy is a child who lacks a fixed, regular, and adequate nighttime residence, as defined by applicable federal and state law related to homeless students. An “unaccompanied youth” is a child who is not in the physical custody of a parent or guardian.

1. Homeless Coordinator: The District’s designated Homeless Coordinator is the Superintendent. The Homeless Coordinator may delegate the specified duties as the Homeless Coordinator determines to be appropriate. The Homeless Coordinator shall serve as the school liaison for homeless children and youth.
 - a. Responsibilities. The responsibilities of the Homeless Coordinator are to assist with identification, enrollment, and placement of homeless children and to provide staff development activities to all school personnel regarding the educational rights and needs of homeless children and youth. The Homeless Coordinator shall ensure that:
 - i. homeless children are identified by school personnel;
 - ii. homeless children enroll in, and have a full and equal opportunity to succeed in, school;
 - iii. homeless children and their families receive educational service for which they are eligible and referrals to health, dental, and mental health services and other appropriate services;
 - iv. the parents or guardians of homeless children are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
 - v. public notice of the educational rights of homeless children is disseminated where such children receive services under the federal homeless children laws, such as schools, family shelters, and soup kitchens;
 - vi. enrollment disputes are mediated in accordance with law; and
 - vii. the parents or guardians of homeless children, and any unaccompanied youth, are fully informed of transportation services available under law.

- b. Coordination. The Homeless Coordinator shall coordinate with State coordinators and community and school personnel responsible for the provisions of education and related services to homeless children. Coordination activities with area shelters and other homeless service providers are to be established by the Homeless Coordinator.
 - c. Financial. The Homeless Coordinator shall ensure that financial records are maintained to show expenditures are for authorized activities. Title I, Part A homeless set-aside funds are also to be used for services for homeless children. Materials and equipment purchased with grant funds are properly identified and inventoried.
 - d. Program Activities. The Homeless Coordinator shall design program activities to meet the greatest need as determined by the District and homeless service providers.
 - e. Documentation. The Homeless Coordinator shall document the number of homeless children and youth receiving services.
 - f. Student Records. The Homeless Coordinator shall ensure that any record ordinarily kept related to students, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, are maintained so that the records of a homeless child are available, in a timely fashion, when the child enters a new school or school district and in a manner consistent with the Federal Education Rights and Privacy Act.
2. Enrollment and Placement of Homeless Children: The enrollment and placement of homeless children shall be in compliance with federal and state law.
- a. Enrollment. A homeless child shall be immediately enrolled even if the child is unable to produce records normally required for enrollment. Lack of previous school records, immunization and medical records, birth certificate, or other documentation from the previous school will not delay the enrollment of a homeless child or youth. Guardianship issues, uniform or dress code requirements, and residency requirements will not be obstacles to delay or deny enrollment. The District may nonetheless require the parent or guardian of the homeless child to submit contact information.
 - b. Obtaining Records. The District shall immediately contact the school last attended by the homeless child to obtain relevant academic and other records. If the homeless child needs to obtain immunizations or medical records, the District shall immediately refer the parent or guardian of the homeless child to the Homeless Coordinator, who shall assist in obtaining necessary immunizations or medical records.
 - c. Placement. Placement decisions for a homeless child shall be made according to the District's determination of the child's best interests.
 - i. The placement shall be at either:

1. The child's "school of origin," which is the school that the child attended when permanently housed or the school in which the child was last enrolled; or
 2. The school of the attendance area in which the child is actually living.
 - ii. If placed in the school of origin, the placement shall continue for the duration of the child's homelessness. If the child becomes permanently housed (no longer homeless) during the school year the placement in the school of origin will be continued for the remainder of that school year.
 - iii. To the extent feasible the placement shall be in the school of origin except when such is contrary to the wishes of the homeless child's parent or legal guardian. If the placement is not in the school of origin or a school requested by the homeless child's parent or legal guardian, the District shall provide a written explanation of the placement decision and a statement of appeal rights to the parent or guardian.
 - iv. If the homeless child is an unaccompanied youth, the Homeless Coordinator shall assist in the placement decision, consider the views of the unaccompanied youth, and provide the unaccompanied youth with notice of the right to appeal.
 - v. The grade placement for the homeless child will be the appropriate grade level as determined by the building principal or designee using the same procedures that are used for placing non-homeless children attending that school.
3. Educational Services and Stigmatization or Segregation: It is the District's policy that homeless children not be stigmatized or segregated on the basis of their status as homeless. Homeless children will be provided the same free, appropriate public education as other students. Homeless students will be provided services comparable to services offered to other students in the school in which the homeless child has been placed, including the following: transportation services, educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities, and educational programs for students with limited English proficiency, programs in vocational and technical education, programs for gifted and talented students, and school nutrition programs.
4. Transportation: Transportation will be provided to homeless students to the extent required by law.
 - a. Comparable Service. Transportation will be provided to a homeless student comparable to that provided to students who are not homeless.
 - b. School of Origin. When the homeless student attends the school of origin, transportation will be provided to and from the school of origin upon request of the parent or guardian of the homeless child, or upon request of the Homeless Coordinator in the case of an unaccompanied youth. If the homeless child relocates out of the District but continues to be enrolled in this School District based on it being the school of origin, this School District will negotiate with the school district in which the child is residing to develop a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If agreement is not reached, the responsibility and cost for transportation shall be shared equally.

- c. Eliminate Barriers. Transportation will be provided when necessary to eliminate barriers to school enrollment and the retention of students experiencing homelessness.
5. Dispute Resolution. The process to resolve disputes concerning the enrollment or placement of a homeless child is as follows:
 - a. The homeless child and the parent, guardian or other person having legal or actual charge or control of the homeless child shall be referred to the Homeless Coordinator. The Homeless Coordinator shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute. The dispute resolution process is as follows:
 - i. The homeless child and parent/guardian will submit a written dispute statement to the Homeless Coordinator. The District's Dispute Resolution Form shall be used if such is available.
 - ii. When it is determined that additional information would be helpful, the Homeless Coordinator will schedule a meeting within 10 days, or such time as practicable, at which the homeless child and parent/guardian will be given the opportunity to provide information in support of their position.
 - iii. The Homeless Coordinator will contact school officials and others as determined appropriate to obtain information to corroborate the information provided in support of the positions of the homeless child and parent/guardian and the District.
 - iv. The Homeless Coordinator will provide a written response and explanation of a decision regarding the dispute within 30 calendar days after receiving the dispute statement.
 - v. The written response and explanation of the decision will include a notice of the right appeal using the appeal process provided for in Nebraska Department of Education Rules 19.
 - b. In the event of an enrollment dispute, the homeless child's placement shall be at the school in which enrollment is sought pending resolution of the dispute in accordance with the dispute resolution process. In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

Legal Reference: Neb. Rev. Stat. § 79-215 Nebraska Department of Education Rule 19
McKinney-Vento Homeless Assistance Act, 42 USC §§11431, et seq.

Date of Adoption: Sept , 2007

**HOMELESS STUDENT ENROLLMENT INFORMATION
& PLACEMENT REQUEST**

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

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

Current Address _____

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

Information provided on this form is confidential.

1. Homeless Status

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

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

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

2. School Most Recently Attended

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

Dates of Attendance: _____ to _____

Grade level when last attended: _____

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

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

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

4. Possible Barriers to Education

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

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

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

6. Placement

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

b. Reason(s) for Request: _____

c. Name of "School of Origin" _____

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

Enrollment Date _____

Has student been withdrawn? _____

If so, what was the withdraw date? _____

d. Distance from:

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

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

Parent or Guardian or Unaccompanied Youth's signature

Date

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

**WRITTEN NOTIFICATION OF
ENROLLMENT/PLACEMENT DECISION FOR HOMELESS STUDENT**

Child's Name: _____

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

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

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

Homeless student program eligibility:

- _____ Child qualifies under the homeless student program.
- _____ Child qualifies under the homeless student program. This determination was based upon: _____

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

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

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

Notices:

- The student has the right to be immediately admitted in the school in which enrollment is sought pending resolution of the dispute.
- You may contact the state coordinator:
Roger Reikofski, Education Specialist & Homeless Education / NCLB Programs
Nebraska Department of Education
Telephone: 402-471-2968 Email: Facsimile:402-471-0117
- You may seek the assistance of advocates or attorneys.

Administrator Date

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

DISPUTE RESOLUTION FORM

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

Child's Name: _____

Person completing

form: _____

(Name)

(Relation to Student)

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

I wish to dispute the following decision:

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

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

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

Parent or Guardian or Unaccompanied Youth's signature

Date

-----**For School Use**-----

Date received by Homeless Coordinator _____

-----**Determination of Homeless Coordinator**-----

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

Parent/Guardian _____ Unaccompanied

Youth _____

(Name)

(Name)

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

Explanation for this determination:

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

Roger Reikofski, Education Specialist & Homeless Education / NCLB Programs
Nebraska Department of Education
Telephone: 402-471-2968 Email: Facsimile: 402-471-0117

Administrator

Date

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

605.1 Progress Reports of Students

In the high school and junior high school, grade estimates are to be sent home at midterm, or as needed, of each quarter, and report cards are to be sent home at the end of each quarter.

In grades K-12, conferences are to be scheduled twice a year. Conferences shall be scheduled so they fall in the middle of a quarter in each semester. Each teacher is encouraged to invite parents for other conferences whenever he/she or the parent feel such a conference might be in the best interest of the student.

The purpose of the school reports should be:

- a. To inform parents of the progress made by their children.
- b. To bring parents into closer understanding of the work of the school.
- c. To record for pupils their success or achievement.
- d. To help pupils evaluate their own progress.
- e. To help the student, parents, and teachers work cooperatively for improvement.

605.2 Testing Program

A testing program shall be maintained to reflect student progress. Achievement test scores may be discussed with parents when they request such a discussion or when the teacher feels it is in the best interest of the student.

Staff members will not report the I.Q. to the parents unless authorized by the superintendent or principal.

605.3 Promotion

In the elementary school the promotion and/or retention of a child shall be determined by the teacher with the approval of the superintendent/principal.

The parent should be notified in advance of this possibility by so indication on the report card, or by a conference with the parents. If there is too much parental objection, the child may be advanced without promotion to the next grade under probationary provisions.

In the high school a student will be promoted in accordance with the number of credit hours earned.

605.4 Graduation Requirements

The Pleasanton Public Schools shall require at least 250 credit hours for graduation, of which at least 80% shall be from the core curriculum as provided in NDE Rule 10.

Core Curriculum: The term means a curriculum that includes Language Arts, Social Science, Science, Mathematics, Vocational Education, Foreign Language, Visual and Performing Arts, and Personal Health and Physical Fitness.

In order to graduate from Pleasanton High School the student shall have received passing grades in the following core areas:

- Language Arts--40 semester hours of English (Speech may under special conditions be substituted for 10 hours of English)
- Mathematics--20 semester hours (30 starting 2012 - 2013)
- Social Science-- 40 semester hours (10 hours of American History, American Government, World History, and Geography must be earned)
- Science--20 semester hours (30 starting 2012 - 2013)
- Visual and Performing Arts--10 semester hours
- Fitness and Health--10 semester hours (5 hours of Health)

The school does not advocate correspondence courses. Whenever local courses are available they should be taken, however, any academic course not offered by the school may be taken by correspondence, A+, OdysseyWare and/or NovaNet and if completed satisfactorily, tuition will be paid by the local district.

Credit Hour: The term means credit awarded for the successful completion of the work required in one instructional unit. The number of credit hours given for a course may be less than the number of instructional units and may be increased up to twenty-five percent. (Example: Credit given for a course of eight instructional units could range from 0-10 (8 x 1.25) credit hours. NDE Rule 10

Semesters: Eight semesters of high school attendance is required, however, if application is made for exception to this rule, cases will be considered individually by the administration and Board of Education if it may appear to cause a hardship for the individual.

Graduation Ceremonies: Students not meeting the minimum graduation requirements will not be allowed to participate in graduation ceremonies. Students who have been designated Special Education and have met the requirements of their individual program will be granted a diploma with the approval of the administration and Board of Education. All special grading procedures and course work will be noted on each student's transcript.

605.4a High School Credit for Junior High Courses

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

605.5 Permanent Records

Student records shall be kept in accordance with State/Federal law. NDE Rule 10

State law provides for access to a student's records by the student, the student's parents or guardian, teachers, counselors, and school administrators. The statute denies access to all other persons and forbids the release of any information kept in school, except to authorized persons, including certain state and federal officials. In addition, the statute requires that academic and non-academic records be kept separate (or at least separable) and that non-academic records can be destroyed upon the student's graduation or within three years after the student terminates attendance.

605.6 School System Performance; Evaluation and Improvement Policy

It shall be the policy of the Pleasanton Public Schools, District 10-015 to provide to the residents of the district the following information:

1. The results of the standardized norm-referenced assessment instrument used by the district in such grades as it has been administered in grades 4-6, grades 7-9, and grades 10-12 respectively.
2. The results of such criterion-referenced assessment instruments are used by the district to show acquisition of competencies in reading, writing, and mathematics and any such other criterion-referenced assessment instruments as the district may from time to time elect to use.
3. A report pertaining to the school district including but not limited to student performance, school system demographics, and financial information.
4. The results of periodic follow-up studies of the graduates of the district indicating such information as the Superintendent of Schools, subject to approval by the Board of Education, may deem appropriate.
5. A report on the results of the district's written plan for assessing learning climate of the district through such school and community surveys as may be from time to time carried out by the district showing areas of satisfaction and dissatisfaction of the patrons, students and staff of the district.

The district shall report the information referred to in this policy by way of publication in a newspaper of general circulation in the school district, by newsletter, or such other reasonable means as the board may deem reasonably calculated to notify the residents of the district of such information. Nothing herein shall be construed to require that all such information be simultaneously published or that each item of information herein above referred to be published in the same manner.

A summary of materials available for public review shall be maintained in the office of the superintendent for review upon reasonable request by any resident of the district.

Nothing herein shall be construed to vest in any resident of the district or any other person any access to information which would violate any applicable state or federal law pertaining to personally identifiable data of any student of the district or which would in any manner violate the rights of privacy of any person. 92 N.A.C. 10 - .004.02E (1)

605.7 Policy On Reports Involving Fewer Than 10 Students

It shall further be the policy of this district that any report pertaining to standardized norm-referenced assessment instruments, criterion-referenced assessment instruments, criterion-referenced assessment instruments, any written reports pertaining to student performance, school system demographics, and financial information or any follow-up studies done by the district shall not be required by this policy to be published in the event that the district has fewer than ten students in any grade to which any such report pertains. 92 N.A.C. 10 - .004.02E (1)

605.8 School Patron Survey

It shall be the policy of the Pleasanton Public Schools District # 10-0105 to survey school patrons to determine areas of satisfaction and dissatisfaction. Such survey instrument may be developed by the Superintendent of Schools and shall be approved by the Board of Education for issuance to the school patrons or, if the Board so chooses, to the community as a whole. The Board may, in addition to developing its own survey instruments, retain such other consultants or other personnel as the Board deems appropriate to conduct such surveys as shall be issued under this policy and to compile the results and report the results as set forth in the School System Performance; Evaluation and Improvement Policy. 92 N.A.C.

605.9 Post-Graduate Follow-Up

It shall be the policy of the Pleasanton Public School District # 10-0105 to conduct a follow up of its graduates at least every three years. Such procedures for follow up shall be approved by the Board after recommendations for carrying out such a plan have been presented to the Board by the superintendent of Schools and, guidance counselor. If the school district does not have a Superintendent, the Board may designate such other personnel as it deems appropriate including but not limited to the principal, County Superintendent, or any independent contractors or other personnel with training in the area of education. 92 N.A.C. 10-.00402E (5)

605.10 Annual Report

It shall be the policy of the Pleasanton Public School District #10-105 to annually prepare a written report for publication as set forth in the district's policy pertaining to School System Performance; Evaluation and Improvement Policy. The Board of Education and the Superintendent of Schools, and/or Principal shall issue a report consisting of the following:

1. Student performance, including but not limited to the results of student testing by way of a standardized norm-referenced assessment instrument, criterion-referenced assessment instrument, and such other evaluations, whether comparative or criterion oriented in nature, as the Board shall deem appropriate.

2. A statement of school system demographics, which may include such things as student distribution by age, grade level, and identification of any population growth, or situations which may have impact on the school district.

3. Such financial information the Board deems appropriate such as tax levies, budget totals, cash reserves, total expended on salaries in the aggregate, and funds expended in a given year on equipment and supplies. 92 N.A.C. 10-.004.02E(4)

605.11 Standardized Criterion-Referenced Assessment Instrument

It shall be the policy of the Pleasanton Public School District #10-105 to use the following standardized criterion-referenced assessment instrument or instruments for purposes of determining acquisition of competencies in reading, writing, and mathematics. Such assessments shall begin in grade 5 and shall be re-given in such other grades at such other times as the Superintendent of Schools shall recommend and the Board of Education shall designate.

In the event the Superintendent of Schools after consultation as herein referred to recommends to the Board of Education a change as to the standardized criterion-referenced assessment instrument, such recommendation shall be made at the August meeting next preceding the commencement of the school year or at such later time as the Board of Education and Superintendent of Schools may deem appropriate.

The results of such standardized criterion-referenced assessment instruments shall be reported in the manner as described in the district's policy pertaining to School System Performance; Evaluation and Improvement Policy. 92 N.A.C. 10- .004.02E(3)

605.12 Standardized Norm-Referenced Assessment Instrument

It shall be the policy of the Pleasanton Public School District No. R-105 to use the following standardized norm-referenced assessment instrument or instruments as follows: For grades 4-6 the Iowa Test of Basic Skills, for grades 7-9 the Iowa Test of Basic Skills and for grades 9-12 the National Educational Development Test.

The Superintendent of Schools shall recommend to the Board of Education after consultation with such persons as he deems appropriate including but not limited to the guidance counselor which grades in each of the three groups shall be selected for assessment by standardized norm as referenced assessment instruments set forth herein.

In the event the Superintendent of Schools after consultation as herein referred to recommends to the Board of Education a charge as to the standardized norm-referenced assessment instrument, such recommendation shall be made at the August meeting next preceding the commencement to the school year or at such later time as the Board of Education and Superintendent of Schools may deem appropriate. The results of such standardized norm-referenced assessment instruments shall be reported in the manner as

prescribed in the district's policy pertaining to School System Performance; Evaluation and Improvement Policy. 92 N.A.C. 10- .004.02E(2)

1. Training.

The Superintendent or designee shall make available training approved by the chief medical officer of the State on how to recognize the symptoms of a concussion or brain injury and how to seek proper medical treatment for a concussion or brain injury to all coaches of school athletic teams.

2. Education.

The Superintendent or designee shall require that concussion and brain injury information be provided on an annual basis to students and the students' parents or guardians prior to such students initiating practice or competition. The information provided to students and the students' parents or guardians shall include, but need not be limited to:

- a. the signs and symptoms of a concussion;
- b. the risks posed by sustaining a concussion; and
- c. the actions a student should take in response to sustaining a concussion, including the notification of his or her coaches.

3. Response to Concussions.

- a. Removal. A student who participates on a school athletic team shall be removed from a practice or game when he or she is reasonably suspected of having sustained a concussion or brain injury in such practice or game after observation by a coach or a licensed health care professional who is professionally affiliated with or contracted by the school.
- b. Return-to-Play. A student who has been removed from a practice or game as a result of being reasonably suspected of having sustained a concussion or brain injury shall not be permitted to participate in any school supervised team athletic activities involving physical exertion, including, but not limited to, practices or games, until the student: (i) has been evaluated by a licensed health care professional, (ii) has received written and signed clearance to resume participation in athletic activities from the licensed health care professional, and (iii) has submitted the written and signed clearance to resume participation in athletic activities to the school accompanied by written permission to resume participation from the student's parent or guardian.

The coach or administration may require that the student's return to full activities be on a stepwise progression back to full participation, or otherwise establish conditions for return to participation that are more restrictive than those defined by the licensed health care professional if the coach or an administrator reasonably deems such to be appropriate.

The signature of an individual who represents that he or she is a licensed health care professional on a written clearance to resume participation that is provided to the school shall be deemed to be conclusive and reliable evidence that the individual who signed the clearance is a licensed health care professional. The school is not required to determine or verify the individual's qualifications.

- c. Parent Notification. If a student is reasonably suspected after observation of having sustained a concussion or brain injury and is removed from an athletic activity per the preceding paragraph, the parent or guardian of the student shall be notified by the Superintendent or designee of the date and approximate time of the injury suffered by the student, the signs and symptoms of a concussion or brain injury that were observed, and any actions taken to treat the student.
 - d. Return to Learn. The Superintendent or designee shall develop a return to learn protocol for students who have sustained a concussion. The return to learn protocol shall recognize that students who have sustained a concussion and returned to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff until the student is fully recovered.
4. Responsibility of Coaches.

Coaches shall comply with this policy and apply their safety and injury prevention training. A coach who fails to do so is subject to disciplinary action, including but not limited to termination of employment.

5. Students and Parents.

It is recognized that coaches cannot be aware of every incident in which a student has symptoms of a possible concussion or brain injury. As such, students and their parents have a responsibility to honestly report symptoms of a possible concussion or brain injury to the student's coaches on a timely basis.

Legal Reference: Neb. Rev. Stat. §§ 71-9102 to 71-9106

Date of Adoption: March 2014

607.1 Return to Learn From Cancer

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

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

Adopted: August 2015

608.1 Fire Drills

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

The frequency of fire drills shall be as follows:

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

The manner of conducting fire drills shall be as follows:

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

Crisis Plans

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

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

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

Date of Adoption: August 2015

