



Meridian

Student Handbook
2025-2026

4215 Avenue I
Scottsbluff, NE 69361
(308) 635-3696

[Mission and Vision](#)

[Meridian School Information](#)

[Placement](#)

[Meridian Staff](#)

[Curriculum Information](#)

[Meridian School Assurances](#)

[School Hours & Schedule](#)

[Attendance & Absences](#)

[Transportation](#)

[School Cancellation & Closing](#)

[School Visitation](#)

[Communication with Staff](#)

[Student Assessment & Evaluation](#)

[Media & Publicity](#)

[Student Health](#)

[Wellness Policy-Students](#)

[Lunch Program](#)

[Compliance with Nebraska Health Requirements](#)

[Communication of Medical & Health Information](#)

[Medication](#)

[Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions](#)

[Emergency Medical Aid](#)

[Illness & Return-to-School](#)

[Buildings and Property](#)

[Security](#)

[Access to Buildings](#)

[Service Animals](#)

[Video Surveillance Policy](#)

[Asbestos](#)

[Student Conduct & Discipline](#)

[Dress Code](#)

[Searches, Seizures, and Arrests](#)

[Anti-Bullying](#)

[Dating Violence Prevention](#)

[Weapons](#)

[Tobacco, Alcohol, and Drugs](#)

[Internet/E-mail Acceptable Use – Student](#)

[Student Welfare](#)

[Abuse & Neglect](#)

[Corporal Punishment](#)

[Use of Restraints & Seclusion](#)

[Suspension, Removal, Placement Change, and Other Disciplinary Circumstances](#)

[Removal of Students and Interviews of Students](#)

[Homeless Students](#)

[Equity and Legal Compliance](#)

[Non-Discrimination](#)

[Notification of Rights Under FERPA](#)

[Notice to Parents of Rights Afforded by Section 504 of Rehabilitation Act of 1973](#)

[Notice Concerning Directory Information](#)

[Notice Concerning Designation of Law Enforcement Unit](#)

[Enrollment Form - Media/Publicity Form](#)

[Enrollment Form - Release of Information](#)

[Enrollment Form - Emergency Contact Information](#)

[Enrollment Form - Medical/Health Information](#)

[Enrollment Form - Medication & Emergency Treatment](#)

[Network Acceptable Use and Internet Safety Policy Student's Agreement](#)

[Network Acceptable Use and Internet Safety Policy Parent's or Legal Guardian's Agreement](#)

Mission and Vision

ESU #13 MISSION STATEMENT

The Mission of ESU #13 is to Serve, Support, and Empower.

ESU #13 VISION and BELIEFS

Achieving educational excellence for all learners through strong partnerships, service, and leadership by...

- Collaborating with schools, families, and communities
 - Serving with equity, efficiency, and integrity
 - Communicating effectively
 - Leading with innovation



MERIDIAN SCHOOL MISSION STATEMENT

Meridian partners with school districts, the community, and families to support individual student growth by teaching functional life skills and guiding students toward independence.

MERIDIAN SCHOOL PHILOSOPHY

Meridian School is one of the continuum of services available to districts to meet the needs of students with disabilities.

Meridian offers a safe, supportive, and nurturing environment by providing a functional, pre-vocational, and life skills curriculum.

Meridian promotes respect, acceptance, and self-advocacy through opportunities for positive leadership, understanding self-worth, and community involvement.

Meridian School Information

Placement

Meridian School is a placement option as part of the continuum of services available to students with disabilities. Meridian School provides services to children ages 5-21 on a contractual basis through their school district as determined by the student's Individual Education Plan (IEP). Should a student's team be interested in exploring Meridian School as a placement option, the district should contact Meridian School administration to schedule a visit to the school. If the team, following the on-site visit, determines that Meridian School is the most appropriate placement for the student, an IEP meeting should be scheduled to include the Meridian teacher. An IEP is mutually developed involving staff from Meridian School and the contracting school, parents, and related services providers in order to meet the unique needs of each student. The home school district finalizes the new IEP and adds Meridian staff to the IEP team on SRS.

Meridian Staff

Personnel Qualifications

(ESU Board Policy - Article 6, Section 1.E.)

All personnel assigned to provide special education and related services to children with disabilities are to be appropriately and adequately prepared to provide special education. The Director of Special Education will develop a comprehensive system of personnel development which shall include:

1. in-service training;
2. procedures to assure that all personnel are properly endorsed and adequately trained; and
3. acquiring and disseminating best educational practices and materials developed for the provision of the services.

Personnel Listing

Director of Special Education	Jessica Broderick
Special Education Program Coordinator	Julie Black
Special Education Secretary	Stephanie Ryan
Special Education Teacher	Irma Rios
General Education Teacher	Christopher Guadarrama
General Education Teacher	Autumn Luckey
Secondary Transition Teacher	Kenda Foos
School Nurse	Gabriela Valverde
Speech-Language Pathologist	Jenifer Splichal
Behavior Technician	Lori Frank
Behavior Technician	Martina Cardona
School Psychologist	Dr. Katie Carrizales
Counselor	To Be Determined
Physical Therapist	Michelle Weimer
Occupational Therapist	Allison Tramp
Secondary Transition Consultant	Diane Reinhardt
Teacher of the Visually Impaired	Megan Macy
Teacher of the Deaf/Hard of Hearing	Heather Esterdahl

Curriculum Information

Statement of Curriculum Expectations

The goal of Meridian school is to provide a high quality learning environment where ALL students are given opportunities to grow and excel. Meridian School implements research-based practices to provide strong functional, life-skills based curriculum emphasizing functional academics, personal management, vocational development, motor development, communication development, and independent living.

Functional Academics

Functional academics provide the ability to assimilate and apply essential academic concepts in academic and natural settings. A functional academic curriculum allows students to develop skills necessary to participate in everyday life. To be functional, these skills must be related to some real activity that the student encounters in daily living. Environments in school such as the cafeteria, gym, and school store, as well as community access offer natural opportunities to teach and access functional academic skills. In accordance with a student's IEP, Meridian School offers the following instructional opportunities:

Language Arts	Basic Functional Reading Basic Functional Writing
Mathematics	Basic Functional Math Skills Functional/Vocational Math Skills Touch Math Instruction Money/Personal Finance Instruction
Science & Humanities	Project-Based Science Instruction Project-Based Social Studies Instruction Art and Music Instruction Use of Technology

Personal Management

Personal management is the ability to demonstrate participation and performance of authentic daily skills such as self-care and life skills for physical health. In accordance with a student's IEP, Meridian School offers the following instructional opportunities:

Self Care	Dressing Personal Hygiene Social Norms/Manners
Physical Health	Caring for Medical Needs Personal Health & Wellness Personal Safety
Mental Health	Knowledge of Self Relationship Responsibilities Instruction on Professional Supports

Vocational Development

The ultimate goal of vocational development is to foster the unique relationship of the individual and society. The individual's role is the development of self-advocacy, vocational skills, and career abilities. In accordance with a student's IEP, Meridian School offers the following instructional opportunities:

Work Performance	Following Directions Remaining On-Task Sequencing Quality Standards Rate/Time of Work Safety on the Job Task Initiation and Completion
------------------	--

Work Behavior Skills	Work Relationships Work Attitude Personal Management in Workplace Ethics in the Workplace
Work Preparation	Work Value Interest/Strength Assessment & Instruction Seeking & Securing Employment

Motor Skill Development

Motor skill development refers to coordination of fine and gross motor skill movement as it relates to participation in educational and life skills activities. In accordance with a student's IEP, Meridian School offers the following instructional opportunities:

Gross Motor Skills	Head Control Repositioning & Seating Weight Bearing Ability Mobility Skills Strength & Coordination Skills
Fine Motor Skills	Visual Perception & Coordination Handwriting Development Self-Help Motor Movement

Communication Development

Communication development is concerned with the way a student understands information and expresses information. Student instruction focuses on opportunities for students to learn to use receptive and expressive language skills to communicate with teachers, peers, and community members. In accordance with a student's IEP, Meridian School offers the following instructional opportunities:

Receptive Communication	Listening to Verbal Directions Following Increasingly Complex Directions Understanding Spoken Information Understanding Nonverbal Messages
Expressive Communication	Articulation of Speech Sounds Fluency/Stuttering Intervention Expanding of Utterances Vocabulary Development Augmented or Alternative Communication
Social Communication	Social Skills Instruction Manners Socially-Acceptable Communication

Independent Living Skills

Independent living instruction focuses on teaching skills that will increase students' independence and reliance on themselves or cues in their environment and decrease dependence on others. Instruction may often take place predominantly within the community and in natural environments versus commercial curricula or school-only settings. Transition programming will focus on independent living goals, which meet parent and student preferences and support students as they move from traditional educational environments to community living. In accordance with a student's IEP, Meridian School offers the following instructional opportunities:

Household Management	Meal Planning Meal Preparation Housekeeping Linen/Clothing Care
----------------------	--

Access Issues	Community Involvement & Access Transportation
Leisure	Leisure Opportunities Recreation Opportunities
Finances	Money Concepts Financial Management

Related Services

Related individual services such as speech/language, counseling, occupational therapy, and physical therapy are delivered to the students on-site for those students whose programs require them. Needs are identified during your child's Multidisciplinary Team evaluation and described at the Individual Education Plan (IEP) meeting.

Students who require related services may receive them in an individual and/or group setting. The teaching staff integrate and reinforce goals within the total program context. This ongoing consultation promotes a consistent program for your child.

Music/Fine Arts Education

Music is a valuable source of enjoyment, expression, and socialization opportunity for your child, as well as an important future source of leisure activity in adult life. Sensory integration, language development, and learning concepts are tied to music activities. Based upon individual readiness, children participate in vocal music, bell choir, or both. Special program performances are held at least twice a year.

Physical Education

Lifelong wellness is an important piece of the Meridian curriculum. Students access various community recreation facilities on a regular basis for swimming and physical activity. Students also participate in supervised physical education activities during daily scheduled recess times.

Transition Programs

Beginning at age fourteen or earlier, student IEPs include specific preparation for future work and community life. Parents, school, and appropriate community agencies are involved in formulating a readiness inventory and a plan for transition from the school setting to work, to adult services for the disabled, or to post-public school training with Vocational Rehabilitation. Transition IEPs and activities must be in place by the child's 14th birthday. Teams may choose to enroll students within the program until they are 21 years of age.

IEPs are developed based on areas of need as identified in the transition plans. A Transition Consultant assists and supports you and the Meridian Staff in identifying and reaching transition objectives. These objectives include such skills as clothing care, self-care, individual recreation, housekeeping, and food preparation. As part of the plan, parents may get information on obtaining personal identification for your child, arranging for SSI and Medicaid benefits, and the need for exploring future guardianship arrangements.

Work Experience

At age 16, students receive an important transition skill: supervised work experience in the ESU building or at a business in the local community. A paraeducator job coach supervises each student at the job site and teaches the skills and attitudes necessary for success. The job assignment changes periodically to provide a variety of experiences. This helps the IEP team learn what kinds of work are best suited to your child's interests and capabilities. Students are eligible to participate in pre-employment services through NE VR at the age of 14.

Field Trips & Community Outings

Field trips and outings provide learning opportunities for inclusion in the larger community. Students learn how to access community resources to become as self-sufficient as possible in preparing for adult life. They will learn the location and purpose of such resources as banks, the post office, social services, the hospital, grocery stores, restaurants, and various recreation centers.

Meridian School Assurances

Procedural Safeguards

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

Statement of Confidentiality

Meridian School complies with the requirements contained in 92 NAC 51-009 relating to the confidentiality of records and information.

School Hours & Schedule

Meridian's school day begins at 9:00 AM and ends at 3:00 PM for students. Parents transporting their own child or districts transporting their own students should arrive at school no earlier than 10 minutes before the start of the school day. Children/students should be picked up promptly at 3:00.

The school calendar is sent to families at the beginning of the school year and may also be accessed online at ESU #13's website, www.esu13.org. Whether a student follows the Meridian School calendar or the calendar from their home district is an IEP team decision.

Attendance & Absences

Meridian School works in conjunction with a student's resident school district to ensure mandatory attendance requirements are met. Nebraska State Law 79-201 (updated 2012) states: "Every person residing in a school district within the State of Nebraska who has legal or actual charge or control of any child who is of mandatory attendance age or is enrolled in a public school shall cause such child to enroll in, if such child is not enrolled, and attend regularly a public, private, denominational, or parochial day school which meets the requirements for legal operation prescribed in Chapter 79, or a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements, each day that such school is open and in session, except when excused by school authorities or when illness or severe weather conditions make attendance impossible or impracticable."

It is the responsibility of each district to ensure that the children from their district attend school on a regular basis. As a means of doing this, the principal or the child's teacher must have documentation to account for every absence that a student may have during the school year.

Parents or guardians are requested to call the school whenever a student is absent and give the reason for the absence. Only absences involving the illness of the students themselves, recognized religious observances, or medical appointments are considered excused. All other absences are considered unexcused. If the principal or teacher does not receive notice or documentation for an absence, that absence will be counted as unexcused. When the number of unexcused absences reaches a level establishing irregular school attendance, the program administrator is required by State law to take appropriate action.

If a student will be absent for a prolonged period of time, please meet with the program administrator and teacher to address the issue. If a student misses five or more consecutive days of school due to illness, he/she must have a medical doctor's permit to re-enter school, or be cleared through the school nurse. Prolonged absences will require an IEP team meeting to discuss educational options needed during absence from school.

To excuse your child from school, call the Special Education secretary at (308) 635-3696 between 7:30 AM and 9:00 AM each day your child will be kept home from school. If your child is transported by ESU #13, please notify the school as early as possible so bus routes can be adjusted.

Transportation

Nebraska Department of Education Rule 51 Section 014 and IDEA identify transportation as a related service provision that may be required to assist a student with a disability to benefit from special education.

It is the responsibility of each school district contracting for services at Meridian School (which is a facility other than what would be the normal school of attendance of the child) to also arrange for transportation as is proper and necessary to transport children with disabilities.

Options available to school districts include:

1. Paying a parent for transporting his or her child.
2. Operating vehicles for the purpose of transporting children with disabilities enrolled in Meridian School.

3. Contracting for transportation services for children with disabilities through ESU #13.
4. Purchasing services from a common carrier.

ESU #13 maintains vehicles and employs drivers to meet regulations specified in Rule 91: "Regulations governing Driver Qualifications and Operational Procedures for Student Transportation Vehicles" and will provide contracted transportation services to school districts as identified as a related service on the student's IEP.

Special transportation needs/equipment that is required to assist a student with a disability in riding a vehicle, as well as any personnel required to accompany the student while en route and attend to the student's needs, will be identified in the transportation plan on the IEP.

Bus routes and time schedules for morning pick-up and delivery will be established by the Meridian Lead Teacher. Needs of students and length of time on vehicles will be considered when establishing transportation routes. Transportation routes and time schedules are subject to change as unforeseen situations arise throughout the school year. We will attempt to keep bus schedules as consistent as possible. You will be informed about any bus route or time changes that affect your child.

Please notify the ESU #13 Special Education Secretary if you are planning to drive your child to or from school before 7:45 AM so bus routes can be altered accordingly.

It is also important that an adult responsible for supervision of your child be at your home, or designated site, at the time identified on the transportation form for pick-up in the morning or drop off after school. This will eliminate any transportation delays for other families and keep the bus driver on schedule. Your assistance in this matter is appreciated.

Any questions regarding transportation time schedules and/or bus routes must be addressed by calling the Meridian Administrator or Special Education Secretary at (308) 635-3696.

Your child's safe and timely transportation to and from school is our primary focus.

School Cancellation & Closing

The safety of students and staff is always the major consideration when any severe weather problem arises during the school hours. When we are in a tornado alert, we encourage parents/guardians to seek protective shelter until the crisis is past. The staff and students have been trained in the proper procedures in the event of disasters and it is our responsibility to do what is necessary to protect the lives of the students and staff while at school.

If the weather conditions are serious and a decision is made not to have school, ESU #13 will contact radio station KNEB and ask them to announce this decision. Please tune into KNEB 94.1 FM in the morning and/or reference the "Closings" sections of their website at www.kneb.com if the weather looks bad enough to force a cancellation.

If you transport your child and weather conditions in your area are such that you decide not to take your child to school, please notify the school by 9:00 AM. School districts that provide bus service for their district's students will follow their district school closings/cancellation decision.

If weather conditions are becoming hazardous, or may become hazardous during the school day, we will close school and bus the children to their drop sites early. Before bussing your child, we will contact you personally by phone, or, in the event you cannot be reached, the individual(s) identified on the "Student Enrollment Form". If you transport your child, you will be asked to come and pick him/her up.

School Visitation

We encourage parents and district personnel to visit our school at any time. We ask that you limit your visits to one hour. Please contact the Meridian Administrator to schedule your visit in order to ensure that students will not be out on a field trip or involved in a special project. We are always pleased and proud to entertain visitors. Your interest and involvement is important to all of our students and staff. If you would like to have lunch with your child on any day, please let us know before 9:30 AM so we can order lunch for you.

All visitors must report in at the front office upon entrance to the building to sign in and to receive a visitor's badge.

The following Board of Education policies apply to visitors at Meridian School(*ESU Board Policy - Article 6, Section 4.G.*)

The ESU #13 Board encourages parents and other district citizens to visit ESU #13 programs and classrooms at any time to observe the work of students, teachers and other employees. All visitors, which includes persons other than employees or students, must notify the Program Administrator or Program Director of their presence in the facility upon arrival and request authorization to visit elsewhere in the building.

Persons who wish to visit a classroom while ESU #13 are in session are asked to notify the Program Administrator or Program Director and obtain approval prior to the visit so appropriate arrangements can be made and so class disruption can be minimized. Teachers and other employees shall not take time from their duties to discuss matters with visitors.

Visitors shall conduct themselves in a manner fitting to their age level and maturity and with mutual respect and consideration for the rights of others while attending ESU #13 events. Visitors failing to conduct themselves accordingly may be asked to leave the premises. The Board, Administration and Directors will not tolerate any person or persons whose presence disturbs classes or ESU #13 activities or hinders the instructional process. Children who wish to visit ESU #13 must be accompanied by a parent or responsible adult.

It shall be the responsibility of employees to report inappropriate conduct. It shall be the responsibility of the Program Administrator and Program Directors to take the action necessary to cease the inappropriate conduct. If the Program Administrator or Program Director is not available, an ESU #13 employee shall act to cease the inappropriate conduct.

The Board discourages using ESU #13 as a site for parents without custody to visit their children. The onsite supervisor may deny the parent without custody the opportunity to deliver packages, gifts, messages, etc., to the child and/or to see the child during the program day without the approval of the custodial parent or legal guardian. In this paragraph, "without custody" means the parent lacks joint legal custody under Nebraska law.

ESU #13 may restrict the use of its buildings and grounds or restrict access to ESU #13 property by issuing no trespassing commands and/or stay away/ no trespassing letters when deemed necessary by the Program Administrator or Program Director when any individual or group:

- is determined to present a risk to the safety of others
- presents a disruption to the learning environment
- fails to follow proper check-in and identification procedures
- does not have a legitimate purpose to be present on ESU #13 grounds or activities

In the event a person prohibited by this or other board policies is on ESU #13 property or is attending an ESU #13 sponsored event, the Program Administrator or Program Director will tell the person he or she must leave and will notify the person they are not permitted back on ESU #13 property, except if their presence is required by the ESU #13. The Program Administrator or Program Director may contact the proper legal authorities if necessary to enforce this policy and may file a report or sign a complaint on behalf of ESU #13.

Communication with Staff

Day-to-Day Communication

It is imperative that there be open lines of communication between school staff and families. If you have questions or concerns that need to be answered, please send a written note to class or call (308) 635-3696. The best time to reach school staff is between the hours of 8:00 AM and 9:00 AM or 3:00 PM and 4:00 PM. Please call at any time during the day in the event of an emergency or urgent need. Teachers may also be reached via their ESU #13 email addresses, which are provided to families at the beginning of the school year. Providing a personal cell phone number for text messages or phone calls outside of school hours is at the discretion of the individual teacher.

It is important that parents/guardians communicate via a written method (e.g. email or written note) when a change occurs in a child's environment, physical status, or mental condition. For example, a doctor prescribing a new medication. This ensures that there is record of the change(s) or important information.

We employ a number of caring, dedicated paraprofessionals who become very close to your child, and informal communication with these individuals is encouraged. Questions or concerns regarding your child's programming, status, or behavior should be directed to his/her teacher or the Meridian Administrator.

Individual Education Plan (IEP) Meetings

In addition to day-to-day communication, IEP conferences are held at least annually in accordance with 92 NAC 51-007. This is an opportunity set aside for parents/guardians to share information and ask questions. All attempts will be made to ensure all teachers and related service providers are in attendance or have provided written input regarding their area of expertise. Parents/guardians are encouraged to actively participate in these meetings.

Special Events

Parents and guardians are encouraged to attend Meridian School's community bell concerts and biannual performances at the school. Meridian School intends to host, schedule permitting, a family event at least once a semester to update families on school happenings, connect families with community agencies and supports, and provide a safe environment for networking.

Student Assessment & Evaluation

Multidisciplinary Team (MDT) Assessment

In accordance with 92 NAC 51-006.05, the eligibility for special education services of students attending the Meridian School shall be reevaluated every three years. The options for this include formal and informal assessment of a student or a review of existing evaluation data. The need for new evaluation information is at the discretion of the student's IEP team, which includes the parent/guardian. Parent/guardian permission will be obtained before a child is reassessed. Following MDT assessment, a team meeting - including the parent/guardian - will be scheduled to discuss the evaluation results.

Nebraska Student-Centered Assessment System (NSCAS) Testing

State law requires all students in grades 3-8 and 11 be assessed using the Nebraska Student-Centered Assessment System (NSCAS) in the areas of English Language Arts and Math. Additionally, students in grades 5, 8, and 11 are assessed in the area of Science. Many students who attend Meridian School take the NSCAS Alternate Assessment. A student's assessment plan is the decision of the IEP team. Students enrolled at Meridian School will take the NSCAS assessments at Meridian School unless otherwise agreed upon by the IEP team.

Media & Publicity

Parent permission must be provided on the "Media/Publicity Form" (located at the end of this handbook) in order for a child to be photographed, filmed, or videotaped for use by ESU #13.

Student Health

Wellness Policy-Students

(ESU Board Policy - Article 6, Section 5.G.)

A mission of Educational Service Unit #13 is to provide curriculum, instruction, and experiences in a health-promoting program environment to instill habits of lifelong learning and health. Therefore, the Board adopts the following ESU #13 Wellness Policy.

ESU #13 Wellness Committee

Committee Role and Membership: ESU #13 will convene a representative ESU #13 Wellness Committee or work within an existing program health committee that meets at least four times per year to establish goals for and oversee ESU #13 program health and nutrition and safety policies and programs, including development, implementation and periodic review and update of this ESU #13 wellness policy.

The ESU #13 Wellness Committee membership will represent all program levels and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the ESU #13 nutrition program; ESU #13 staff members which may include: school staff, health professionals, mental health, and social services staff. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators. To the extent possible, the ESU #13 Wellness Committee will include representatives from each department and reflect the diversity of the community.

A subcommittee will be established to specifically advise the ESU #13 schools' program wellness policies. The subcommittee will represent all student program levels and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the ESU #13 nutrition program; ESU #13 staff members which may include: school staff, health professionals, mental health, and social services staff. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators.

Leadership: The Administrator or Administrator's designee will convene the ESU #13 Wellness Committee and facilitate development of and updates to the Wellness Policy, and will ensure ESU #13's compliance with the policy.

ESU #13 will designate a program wellness policy coordinator, who will ensure compliance with the policy.

Wellness Policy Implementation, Monitoring, Accountability and Community Engagement Implementation Plan: ESU #13 will develop and maintain a plan for implementation to manage and coordinate the execution of this Wellness Policy. The plan delineates roles, responsibilities, actions and timelines specific to each program; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the ESU #13 campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other ESU #13 based activities that promote student wellness. It is recommended that the ESU #13 use the Healthy Schools Program online tools to complete a school-level assessment based on the Centers for Disease Control and Prevention's School Health Index, create an action plan that fosters implementation and generate an annual progress report.

This wellness policy and the progress reports can be found at ESU #13's website.

Recordkeeping: ESU #13 will retain records to document compliance with the requirements of the Wellness Policy at the Administrator's office and/or on ESU #13's computer network. Documentation maintained in this location will include but will not be limited to:

- the written Wellness Policy;
- documentation demonstrating that the policy has been made available to the public;
- documentation of efforts to review and update the ESU #13's Wellness Policy; including an indication of who is involved in the update and methods ESU #13 uses to make stakeholders aware of their ability to participate on the ESU #13 Wellness Committee;
- documentation to demonstrate compliance with the annual public notification requirements;
- the most recent assessment on the implementation of the ESU #13 Wellness Policy;
- documentation demonstrating the most recent assessment on the implementation of the ESU #13 Wellness Policy has been made available to the public.

Annual Notification of Policy: ESU #13 will actively inform families and the public each year of basic information about this policy, including its content and any updates to the policy and implementation status. ESU #13 will make this information available via ESU #13's website. This will include a summary of ESU #13's events or activities related to the Wellness Policy implementation. Annually, ESU #13 will also publicize the name and contact information of ESU #13 officials leading and coordinating the committee, as well as information on how the public can get involved with the ESU #13 wellness committee.

Triennial Progress Assessments: At least once every three years, ESU #13 will evaluate compliance with the Wellness Policy to assess the implementation of the policy and include:

- the extent to which ESU #13's programs are in compliance with the Wellness Policy;
- the extent to which ESU #13's Wellness Policy compares to the Alliance for a Healthier Generation's model wellness policy; and
- a description of the progress made in attaining the goals of ESU #13's Wellness Policy.

The position/person responsible for managing the triennial assessment and contact information is the Administrator or Administrator's designee.

The ESU #13 Wellness Committee, in collaboration with individual programs, will monitor ESU #13's compliance with this Wellness Policy.

ESU #13 will notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy: The ESU #13 Wellness Committee will update or modify the Wellness Policy based on the results of the annual School Health Index and triennial assessments and/or as ESU #13's priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The Wellness Policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

Community Involvement, Outreach and Communications: ESU #13 will actively communicate ways in which representatives of ESU #13 Wellness Committee and others can participate in the development, implementation and periodic review and update of the Wellness Policy through a variety of means appropriate for that program. ESU #13 will also inform parents of the improvements that have been made to ESU #13 meals and compliance with ESU #13 meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. ESU #13 will use electronic mechanisms, such as email or displaying notices on ESU #13's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the Wellness Policy, as well as how to get involved and support the policy. ESU #13 will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that ESU #13 and school districts are communicating important program information with parents.

ESU #13 will notify the public about the content of or any updates to the Wellness Policy annually, at a minimum. ESU #13 will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

Nutrition

ESU #13 Meals: All programs within ESU #13 that participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and any additional Federal child nutrition programs will meet the nutrition requirements of such programs

Staff Qualifications and Professional Development: All ESU #13 nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition professionals. These ESU #13 nutrition personnel will refer to USDA's Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

Water: To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the program day and throughout every ESU #13 campus ("ESU #13 campus" and "program day" are defined in the glossary). ESU #13 will make drinking water available where ESU #13 meals are served during mealtimes.

Competitive Foods and Beverages: The foods and beverages sold and served outside of the ESU #13 meal programs (e.g., “competitive” foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable ESU #13 meal programs that are sold to students on the ESU #13 campus during the program day, will meet or exceed the USDA Smart Snacks nutrition standards or, if the state policy is stronger, will meet or exceed state nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, ESU #13 stores and snack or food carts.

Celebrations and Rewards: ESU #13 will encourage staff to ensure that foods offered on the ESU #13 campus will meet or exceed the USDA Smart Snacks in School nutrition standards or, if the state policy is stronger, will meet or exceed state nutrition standards, including through:

- Celebrations and parties. ESU #13 will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas.
- Classroom snacks brought by parents. ESU #13 will provide or make available to parents a list of foods and beverages that meet Smart Snacks nutrition standards.
- Rewards and incentives. ESU #13 will provide teachers and other relevant ESU #13 staff a list of alternative ways to reward children or other comparable resources. Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for performance or behavior.

Fundraising: Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the ESU #13 campus during the program day.

Nutrition Promotion: Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in ESU #13 meal programs. Students and staff will receive consistent nutrition messages throughout ESU #13, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by ESU #13 staff, teachers, parents, students and the community.

Nutrition Education: ESU #13 will teach, model, encourage and support healthy eating by all students. ESU #13 will provide nutrition education and engage in nutrition promotion that:

- is designed to provide students with the knowledge and skills necessary to promote and protect their health; and
- includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and ESU #13 gardens.

Food and Beverage Marketing in Schools: Any foods and beverages marketed or promoted to students on the ESU #13 campus during the program day will meet or exceed the USDA Smart Snacks in School nutrition standards or, if stronger, state nutrition standards, such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food and beverage marketing is defined as advertising and other promotions at ESU #13. This term includes, but is not limited to the following:

- brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container;
- displays, such as on vending machine exteriors;
- corporate brand, logo, name or trademark on ESU #13 equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, ESU #13 will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that it is financially possible over time so that items are in compliance with the marketing policy.);
- corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by ESU #13;
- advertisements in ESU #13 publications or ESU #13 mailings;
- free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

As ESU #13/program nutrition services/Athletics Department/PTA/PTO reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by ESU #13 Wellness Policy.

Physical Activity

Children and adolescents should participate in physical activity every day. To the extent practicable, ESU #13 will ensure that its grounds and facilities are safe and that equipment is available to students to be active. ESU #13 will conduct necessary inspections and repairs.

Classroom Physical Activity Breaks (Elementary and Secondary): Students will be offered periodic opportunities to be active or to stretch throughout the day on all or most days during a typical program week. ESU #13 recommends teachers provide short (3-5-minute) physical activity breaks to students during and between classroom times at least three days per week.

ESU #13 will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks. Resources and ideas are available through the USDA and the Alliance for a Healthier Generation.

Other Activities that Promote Student Wellness

ESU #13 will integrate wellness activities across the entire ESU #13 setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. ESU #13 will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy program environments will be coordinated with and complementary of the Wellness Policy, including but not limited to ensuring the involvement of the ESU #13 Wellness Committee.

Community Partnerships: ESU #13 will develop, enhance, or continue relationships with community partners (e.g., hospitals, universities/colleges, local businesses, SNAP-Ed providers and coordinators, etc.) in support of this Wellness Policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the Wellness Policy and its goals.

Staff Wellness and Health Promotion: The ESU #13 Wellness Committee will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff.

Programs in ESU #13 will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. ESU #13 promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

Professional Learning: When feasible, ESU #13 will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and ESU #13 (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help ESU #13 staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing ESU #13 reform or academic improvement plans/efforts.

Lunch Program

Free and Reduced Meal Program

Applications can be completed to apply for free or reduced price meals based on Federal income guidelines. A new application must be completed each school year. An application can be obtained from and turned into the student's home school district. The Special Education Administrative Assistant will contact each district to check the status of a student's application and enroll the student in the Free and Reduced Lunch Program as applicable. All information provided on the Free and Reduced application will be kept confidential.

Student Accounts

A final lunch count will be taken and meals ordered from Scottsbluff Food Service by the front office secretary at 9:30 A.M.

Meal Prices

- For the 2025–2026 school year, the cost of student lunches is included in the overall program tuition. Families will not be billed for school lunches during this academic year.
- Adult Lunch \$4.80

Special Diets

Students requiring special diets will need to fill out paperwork through the school nurse.

Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) Mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410

(2) Fax: (202) 690-7442; or

(3) Email: program.intake@usda.gov

This institution is an equal opportunity provider.

Compliance with Nebraska Health Requirements

Nebraska State Law 79-214 (updated 20#13) requires a physical examination by a physician, a physician assistant, or an advanced practice registered nurse, practicing under and in accordance with his or her respective certification act, within six months prior to the entrance of a child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade of the local school. This law also requires a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist within six months prior to the entrance of a child into the beginner grade or, in the case of a transfer from out of state, to any other grade of the local school.

State Law also requires (79-217, updated 2009) that all students, preschool through 12th grade be immunized for measles, mumps, rubella, poliomyelitis, diphtheria, pertussis, and tetanus by immunization prior to enrollment. Every student entering 7th grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products. Records of the dates of the immunizations are required before enrollment. Students are also required to provide a record of either the Varicella (Chicken Pox) vaccine or healthcare provider documentation of having Chicken Pox. In Nebraska, children can't attend classes in public or private school until the school has written proof of their immunizations status.

Exemptions with Immunizations

While there are exemptions to the immunization requirements, parents need to be aware that unvaccinated children are not the only ones at risk for contracting disease. When parents choose not to immunize, their decision affects every other child in the school as well as their own child. Many immunizations require multiple doses before a child

builds up full immunity, and some children are not able to be vaccinated. These vulnerable children depend upon “herd immunity” for protection. Exemptions to the vaccination requirement include:

1. A statement signed by a physician that the required immunization would be injurious to the student or members of the student's family or household. This form can be found at the Nebraska Department of Health & Human Services website:
<http://dhhs.ne.gov/Immunization/MedicalExemptionFromVaccinationRequiredForSchoolAttendance.pdf>
2. An affidavit signed by a legally authorized representative stating that the immunization conflicts with the tenets and practices of a recognized religious denomination of which the student is a member. This form can be found at the Nebraska Department of Health & Human Services website:
<http://dhhs.ne.gov/Immunization/Religious-Affidavit.pdf>

Provisional Enrollment

Some immunizations call for multiple doses of vaccine. For students who have not completed all doses required, state statute allows them to be provisionally enrolled in school if they have received at least one dose of each of the required vaccines prior to enrollment and continue to get the remaining shots as rapidly as is medically feasible.

This means that school staff will need to track progress toward the completion of the required immunizations. Vaccine series do not need to be restarted if the child has a documented immunization record, even if it has been a long time since the last dose, just have the child finish the series. Please note that the health office will be keeping track.

If there are any questions feel free to either contact the school nurse or the Nebraska Department of Health and Human Services at (402) 471-6423

Please Note: Students with exemptions on file may need to be excluded from school if there is an outbreak of a vaccine-preventable disease.

Communication of Medical & Health Information

ESU #13 employs a full-time school nurse to monitor the health status of both students and staff. Please inform the school nurse if your child has a health history, such as Seizure disorders, Asthma, severe allergy reaction to foods, medications, or environmental factors such as bee stings, and hearing or sight problems and of any special medication your child might require. This information is included in the “Medical/Health Information Form”.

Many of our children have special dietary needs such as gluten-free meals, diabetic lunches and pureed meals. The school lunch office needs a new written order each school year in order to provide these special diets. If your child needs a special diet for school lunch, please get a written order from your healthcare provider before school begins.

During inclement weather, playground times are reduced or eliminated. Otherwise, students are expected to go to the playground during recess. If your child needs special arrangements for health reasons (greater than 3 days), please send a note to the child's teacher. If this is to cover an extended period of time, a doctor's permit will be required.

The school nurse can be contacted at any time if you have concerns about your child's health and wellness at (308) 635-3696.

Medication

Medications should be given at home if at all possible. All non-prescription medication must have a medication administration form completed and signed by the parent/guardian. The following Board of Education policies apply to the dispensing of medication at Meridian School (*ESU Board Policy - Article 6, Section 5.A.; Section 5.B.*)

Prohibition on Mandatory Medication

A student shall not be required to obtain a prescription for a controlled substance as a condition for receiving ESU #13 educational services, an evaluation or special education services.

Dispensing Medications

The administration of medication to students is to be limited to medications that must be taken while students are participating in ESU #13 programs or otherwise under the control and jurisdiction of the ESU #13.

All medications administered by ESU #13 personnel shall be administered in accordance with the Medication Aide Act.

Authorizations for Prescription Medications: Prescription medications may be administered when the following are on file with ESU #13:

- **Physician's Authorization:** A physician's signed, dated authorization including name of the medication, dosage, administration route, time to be given and reason the student is receiving the medication.
- **Caretaker's Authorization:** A caretaker's signed and dated authorization or permission to administer the medication during school. (Note: All references to "caretaker" in this policy shall mean a parent, foster parent, family member, or legal guardian who provides care for the student for whom medication is to be administered. The laws include a "friend" as a caretaker, but the school will not ordinarily recognize such an individual as a "caretaker" for the purposes of medication administration.)
- **Original Packaging:** The medication is in its original packaging and is labeled as dispensed by the prescriber or pharmacist. The label must name the student and identify the medication, strength, time interval and route to be administered. If needed, the physician may be contacted for clarification.

Authorizations for Non-Prescription Medications: Non-prescription medications may be administered provided that a caretaker's authorization is provided in the form established by the Administrator or Administrator's designee and the medication is in its original packaging.

Renewal of Authorizations: Medication authorizations must be renewed annually and updated immediately as changes occur.

Documentation: Accurate medication administration records are to be kept and maintained. Documentation of each dose of medication administered shall be made reflecting the student's name, the name of the medication, date, time, dosage, route, the signature and title of the person administering the medication and any unusual observations, and any refusal by the recipient to take or receive the medication. Medication documentation shall be kept confidential in accordance with the policies and practices concerning student records, provided that medication administration records shall be available to the Department of Education and the Department of Health and Human Services Regulation and Licensure for inspection and copying according to the Family Education Rights and Privacy Act (FERPA) requirements. Such medication administration records shall be maintained for not less than two years.

Storage: Medication shall be stored in a locked or otherwise secure area in accordance with the manufacturer's or dispensing pharmacist's instructions or temperature, light, humidity, or other storage instructions. Only authorized personnel who are designated by the administration shall have access to the medications. The school nurse shall establish procedures for monitoring the storage and handling of medication, the medication's expiration date, and the disposal of medication.

Receipt and Disposal of Medications: Medication shall be delivered to ESU #13 personnel and picked up by the caretaker. When medication is received, the amount received should be documented. Medication which is either past the expiration date or not claimed by the parent a reasonable time following the student's departure from the ESU #13 program shall be destroyed. Procedures for destroying medication shall include witness and documentation.

Administration of Medication by ESU #13 Personnel:

Administration of medication includes, but is not limited to:

- providing medications for another person according to the "five rights" (getting the right drug to the right recipient in the right dosage by the right route at the right time);
- recording medication provision; and
- observing, monitoring, reporting, and otherwise taking appropriate actions regarding desired affects, side effects, interactions, and contraindications associated with the medication.

Administration of medication shall only be done by the following:

- **Health Care Professionals (School Nurses).** This means an individual who holds a current license from the Department of Health and Human Services Regulation and Licensure for whom administration of medication is included in the scope of practice. For purposes of this Policy, such individuals are referred to as "school nurses."
- **Medication Competent Staff.** This means a staff member of ESU #13 who, by arrangement with the school in which the student is enrolled, is an employee of the school for purposes of the medication administration laws and who has been determined to be competent to administer medication in accordance with the competency assessment standards established by law. A medication competent staff member is to be subject to direction and monitoring, which involves responsibility for observing and taking appropriate action regarding any desired effects, side effects, interactions, and contraindications associated with the medication. Direction and

monitoring is to be done by a recipient with capability and capacity to make an informed decision about medications, a caretaker, or the school nurse. Medication competent staff members are to promptly report any medication errors or concerns to the school nurse. c.

Routes of Medication Administered by ESU #13 Personnel:

Routine Medication via Oral, Inhalation, Topical, and Instillation Routes: School nurses and medication competent staff may provide routine medications (meaning the frequency of administration, amount, strength, and method are specifically fixed) by the following routes:

- oral, which includes any medication given by mouth including sublingual (placing under the tongue) and buccal (placing between the cheek and gum) routes and oral sprays;
- inhalation, which includes inhalers, and nebulizers. Oxygen may be given by inhalation;
- topical application of sprays, creams, ointments, and lotions and transdermal patches; and
- instillation by drops, ointments, and sprays into the eyes, ears, and nose.

Administration of Medication via Additional Routes, PRN Medication, and Observing and Reporting: School nurses and medication competent staff may provide medication by additional routes ("additional routes"), provide PRN medication (PRN medication means an administration scheme in which a medication is not routine, is taken as needed, and requires assessment for need and effectiveness), or participate in observing and reporting for monitoring medications only under the following conditions:

- In the case of a medication competent staff member, a determination has been made by the school nurse or by the student's physician or duly licensed health care professional that these activities can be done safely for the specified recipient by the medication competent staff member and the determination is placed in writing.
- Directions for additional routes must be for recipient specific procedures and must be in writing.
- Directions for PRN medication must be in writing and include parameters for provision of PRN medication.
- Directions for observing and reporting for monitoring medication must be in writing and include the parameters for the observation and reporting.
- ESU #13 personnel administering the medication shall comply with the written directions.

Injections: School nurses will ordinarily be responsible for medications that must be provided or administered by injection. A medication competent staff member will not ordinarily administer medications by injection without specific training on injection administration. Students may be authorized to self-administer medication as hereafter provided.

Refusal to Administer Medication: ESU #13 may refuse to give a medication if after a reasonable and prudent research by ESU #13 or school health care professional a decision has been made that the dosage prescribed exceeds that which is recommended in the Physician's Desk Reference, Mosby's Nursing Drug Reference, the most recent edition of the Nursing Drug Handbook, or other pharmaceutical manuals handbook; or when a drug or substance is not currently approved by the FDA. When ESU #13 personnel refuse to carry out a request to administer medication, the Administrator or Administrator's designee is to be notified and efforts are to be made to work out a suitable solution (such as changing the time of administration, the dosage, or the medication) with the parent or guardian and the physician.

Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions

(ESU Board Policy - Article 6, Section 5.C.)

It is the policy of ESU #13 to follow the Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions (Emergency Protocol) and related policies of the school in which ESU #13 provides services in the school ESU #13 facilities.

Each employee who is or will be providing services to students in an accredited school, an approved school, or to children in an approved early childhood program, is to be provided with the following:

- information about the existence of the Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions (Emergency Protocol) established by the Nebraska Department of Education and adopted by ESU #13;
- access to a copy of the Emergency Protocol form and either a copy of the school's signed Emergency Protocol or directions to obtain such from the school administrator;
- information about the availability of a school nurse and, if one is not available, who at the school site where services are being provided is a designated trained nonmedical staff member for purposes of implementing the Emergency Protocol;
- information about the whereabouts within the school building where the employee is providing services of the equipment and medication necessary to implement the Emergency Protocol in the case of any student or

school staff emergency, including the location of an IM EpiPen-Jr. or adult EpiPen, or the school official who is to be contacted to obtain such information;

- appropriate direction and instruction so that an employee who may be involved in an Emergency Protocol response provides appropriate and accurate information to the appropriate school official, in order that the school may maintain records of administration of medication by school staff as required;
- inform and provide the employee of any written request from a parent or guardian of a minor student served by the employee, directing that such minor student not receive emergency treatment under the protocol.

Emergency Medical Aid

(ESU Board Policy - Article 6, Section 5.E.)

When a student is receiving services in a program under the control or supervision of ESU #13, ESU #13 employees are to utilize the skills within their capacity to respond to health emergencies. Employees are to render medical aid to students in need of emergency medical services or, as appropriate, arrange for the transportation of the student to the nearest facility where professional medical assistance is available.

Every effort should be made by ESU #13 employees to contact the student's parent or guardian, if time allows for such contact under emergency circumstances; but the primary interest is the health of the student. In the event that emergency circumstances do not allow the employee to contact a parent or guardian prior to the rendering of medical assistance, then the employee should contact the parent or guardian at the earliest practical time under the circumstances.

Illness & Return-to-School

The Nebraska Department of Health & Human Services recommends that public/private schools follow these practices, in order to keep illnesses from spreading throughout the schools. Please:

1. Keep your child home if they are ill. This will help eliminate the spread of diseases/infections to other students and staff.
2. If your child has a temperature of 100 degrees or higher, please keep them home until the fever has been gone without fever-reducing medication for 24 hours.
3. If your child has vomited or has diarrhea, please do not send them to school until 24 hours has passed since the last occurrence. Children who show any of these symptoms at school, parents will be called and asked to pick up their child immediately.

Children returning to school after having any illness that has required the child to miss 5 consecutive days of school must have a permit signed by a physician to re-enter school. Absences of any length that is due to any contagious or infectious disease such as Impetigo, Ringworm, Rash, Mononucleosis, Chicken pox, etc, will require a doctor's permit to return to school. Parents will be called to pick up a child returning without a doctor's permit. This is necessary to protect other students from being exposed. If you have any questions regarding if your child will need a note from a doctor before returning to school please contact the school nurse.

Buildings and Property

Security

(ESU Board Policy - Article 6, Section 8.C.)

The Board of ESU #13 encourages cooperation with the local law enforcement and the fire authorities and insurance company personnel in planning and carrying out proper security measures to preserve and protect ESU #13's investment in its physical plant. Buildings constitute one of the greatest capital investments of ESU #13 and should be protected. Security includes minimizing fire or other safety hazards, reducing the probability of faulty equipment, and keeping records and funds in a safe place. Security also includes having available floor plans of buildings and site plans showing the boundaries and access points.

A key control system shall be established and maintained limiting building access to ESU #13 personnel thus safeguarding against potential entry by unauthorized persons.

Protective devices designed as safeguards against illegal entry and vandalism shall be installed where appropriate. A security guard may be employed when special events or activities are scheduled, or in situations involving special risks.

The Program Administrator or Program Director is directed to establish regulations as may be needed to provide for security of building and grounds.

Incidents of illegal entry, theft of school property, vandalism or damage to ESU #13 property from any cause shall be reported by phone to the office of the Program Administrator or Program Director and to the appropriate law enforcement agency as soon as discovered. A timely written report of the incident shall be forwarded to the Program Administrator or Program Director.

ESU #13 will share the levels of protection with local fire departments, law enforcement and 911 communications to include location of the Knox Box and other safeguards and contact information for after-hour emergencies on ESU #13 properties.

Access to Buildings

(ESU Board Policy - Article 6, Section 8.D.)

Security for ESU #13 buildings and grounds (at all times) contributes to the well-being and safety of its students and staff as well as to that of the sites themselves.

The Program Administrator or Program Director will control access to the ESU #13 buildings and other facilities as appropriate and necessary to protect property, students and personnel.

Card access to buildings is determined and controlled through the issuances of key cards. Hours shall be determined and enforced by the Program Administrator or the Program Director.

The Program Administrator or Program Director will control access to the ESU #13 buildings and will provide safeguards against unauthorized access to these buildings. Each Program Administrator or Program Director, with the ESU #13 Administrator's approval, will develop regulations designed to control the use of the building keys and to ensure that buildings are adequately closed and locked when no authorized personnel are present. Staff or students who fail to obey such regulations may be disciplined, suspended or dismissed.

During regular school hours, flow of traffic into and out of buildings shall be closely monitored and limited to certain doors. Visitors shall be required to check in to show proper identification and reason for being at the school and shall wear name tags identifying them as visitors. This will not apply when parents/guardians have been invited to a classroom or assembly program.

Access to school buildings outside of regular school hours shall be limited to personnel whose work requires it and to sponsors of approved student activities.

Service Animals

(ESU Board Policy - Article 6, Section 8.E.)

Individuals with disabilities, including but not limited to students, may use a service animal on ESU #13 property subject to the conditions in this policy.

Definition

A service animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not considered service animals.

The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to:

- assisting individuals who are blind or have low vision with navigation and other tasks;
- alerting individuals who are deaf or hard of hearing to the presence of people or sounds;
- providing non-violent protection or rescue work;
- pulling a wheelchair;
- assisting an individual during a seizure;
- alerting individuals to the presence of allergens;
- retrieving items such as medicine or the telephone;
- providing physical support and assistance with balance and stability to individuals with mobility disabilities;
- helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship are not considered work or tasks under the definition of a service animal.

When and Where a Service Animal is Allowed Access

Individuals with disabilities can bring their service animals in to all areas of ESU #13 where members of the public, program participants, clients, customers, patrons, or invitees are allowed. A service animal can be excluded from a facility if its presence interferes with legitimate safety requirements of the facility.

ESU #13 will ask an individual with a disability to remove a service animal if the animal is not housebroken or is out of control and the individual is not able to control it. A service animal must have a harness, leash or other tether, unless the handler is unable to use a tether because of a disability or the use of a tether would interfere with the service animal's ability to safely perform its work or tasks. In these cases, the service animal must be under the handler's control through voice commands, hand signals, or other effective means. If a service animal is excluded, the individual with a disability must still be offered the opportunity to obtain goods, services, and accommodations without having the service animal on the premises.

Asking Questions

To determine if an animal is a service animal, ESU #13 may ask two questions:

1. Is this animal required because of a disability?
2. What work or task has this animal been trained to perform?

These questions may not be asked if the need for the service animal is obvious (e.g., the dog is guiding an individual who is blind or is pulling a person's wheelchair). ESU #13 may not ask about the nature or extent of an individual's disability or require documentation, such as proof that the animal has been certified, trained or licensed as a service animal, or require the animal to wear an identifying vest.

Service Animals Other Than Dogs

ESU #13 can consider whether the facility can accommodate service animals other than dogs, and will review requests on an individual basis. The animal must have been individually trained to do work or perform tasks for the benefit of the individual with a disability. The rules that apply to service dogs also apply to other animals.

Other Provisions

- ESU #13 is not responsible for the care and supervision of a service animal.
- ESU #13 cannot ask nor require an individual with a disability to pay a surcharge or deposit, even if people accompanied by pets are required to pay such fees.

- If ESU #13 normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his or her service animal.

Video Surveillance Policy

(ESU Board Policy - Article 6, Section 8.F.)

Purpose

The ESU #13 Board authorizes the use of video cameras and other passive electronic measures (such as motion detectors) for the purposes of ensuring the health, welfare and safety of staff, students and visitors, safeguarding ESU #13 facilities and equipment, and maintaining student discipline and an appropriate educational and work environment.

Placement

Video cameras and similar devices are authorized to be used in Unit facilities, Unit vehicles, and other places within the control of ESU #13. The locations in which the devices will be placed and the times the devices will be in use are to be determined by the Program Administrator, Program Director, or the ESU #13 Administrator or designee consistent with the purposes set forth in the Policy. The devices shall not be placed or operational in locations in which individuals have a high expectation of privacy, such as restrooms.

Notice

Notice of the fact that video surveillance cameras are being utilized shall be given through appropriate mechanisms, such as by posting signs in the building entry and other locations and by including a notice in the student-parent and employee handbooks.

Viewing Monitors and Video Recordings

Monitors used to view video recordings are to be located and positioned such that only authorized personnel are able to see the images on the monitors. Only authorized personnel shall be allowed to view recorded video. Authorized personnel for these purposes are the Program Administrator, Program Director, the ESU #13 Administrator or designee, and the ESU #13 Technology Department personnel responsible for the technical operations of the system (for technical purposes only). In some limited circumstances, the Program Administrator, Program Director, or the ESU #13 Administrator or designee may authorize supervised viewing of surveillance cameras and recorded video by other designated staff members.

The Program Administrator, Program Director, and the ESU #13 Administrator or designee may allow law enforcement officers to view monitors and recorded video when such is consistent with school security and discipline and consistent with law.

Students shall not be permitted to view the monitors. Students shall not be permitted to view recorded video except where the individual student is the focus of the recorded video.

Use of Video Recordings

Video records may be used as a basis for student or employee disciplinary action and for making reports to law enforcement. 6. Video Recordings as Education Records Video recordings which are considered to be "education records" within the scope of the Family Educational Rights and Privacy Act (FERPA) shall be maintained in accordance with FERPA and other applicable laws. A video recording may be considered an education record when a specific student is the focus of the video recording.

For example, if the video recording shows a student violating a school rule, the video recording is an education record of that student. It may be viewed on request by that student's parent (or the student if age 18 or older). The video recording may not be viewed by, nor will a copy be given to, others without the parent's written consent unless a FERPA exception exists.

In the event more than one student is a focal point of the video recording, it may be an education record of each such student. This would be the case, for example, if two students are recorded fighting. In that event, the school would allow both sets of parents an opportunity on request to view the video, but will not give a copy of the video to either set of parents without the written consent of the other student's parent.

Maintaining Video Recordings

Video recordings shall be retained for 30 days or until determined that no incident has occurred. If an incident has been recorded, the recording will be transferred and retained concurrently with the incident file. Video recordings that

contain personal information shall be securely stored in the ESU #13 network data center and, when such recordings are no longer needed or required to be maintained, shall be properly disposed of or erased.

Maintaining the Integrity of the Video Surveillance System

The ESU #13 Technology Department shall be responsible for checking the video surveillance system on a weekly basis to ensure it is operating properly. Students or staff who vandalize, damage, disable, or render inoperable surveillance cameras or equipment, or use the video surveillance system in a manner that is not consistent with the purposes set forth in this Policy, shall be subject to appropriate disciplinary action (up to and including expulsion for a student and termination for a staff member) and referral to appropriate law enforcement authorities.

Asbestos

ESU #13 has completed and has on file at the Administration Office, each building's Asbestos Management Plan. This plan contains the results of all building inspections and response action necessary to either abate or encapsulate any asbestos-containing material. Each building plan is available for public inspection in the Administrator's office at the Scottsbluff Office (4215 Ave I, Scottsbluff, Nebraska) and at the Sidney location (361 College Drive, Sidney, Nebraska).

Student Conduct & Discipline

Dress Code

For the continued maintenance of a positive and safe learning environment, the following rules relative to youth dress and apparel, possessions, and behaviors apply to all students on school grounds and/or at school activities. This list is not inclusive. The administration reserves the right to exclude any articles of clothing that distract from the learning environment.

- Clothing that carries derogatory, obscene, suggestive statements or connotations, or endorses/promotes any illegal activity, or promotes/advertises tobacco, alcohol, or drugs is prohibited.
- Clothing that is distracting from the learning environment shall not be allowed. (Examples: not wearing shoes, mesh shirts without undergarments, half shirts, tank tops, hats and caps in the building, coats or jackets worn during class, short shorts, biking/tight shorts, etc.)

It is the intent of the school that it be free from threats or harmful influence or any groups, which advocate drugs or disruptive behavior. The presence of any apparel, jewelry, accessory, notebook, or manner of grooming, - which by the nature of its color, arrangement, trademark, or any other attribute – denotes membership in such groups, will not be permitted. Such group-related clothing may vary and may change from year to year; therefore, it is the responsibility of the administration to determine appropriateness of clothing and accessories

Searches, Seizures, and Arrests

(ESU Board Policy - Article 6, Section 4.B.)

ESU #13 property is held in public trust by the Board. ESU #13 authorities may, without a search warrant, search students, protected student areas, or vehicles driven by students parked on ESU #13 property based on a reasonable and definable suspicion that an ESU #13 policy, rule, regulation or law has been violated.

The search shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the ESU #13 facilities. The furnishing of a locker, desk or other facility or space owned by ESU #13 and provided as a courtesy to a student, even if the student provides the lock for it, shall not create a protected student area and shall not give rise to an expectation of privacy with respect to the locker, desk or other facility.

ESU #13 authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco, weapons, explosives, poisons and stolen property. Such items are not to be possessed by a student while they are on ESU #13 property or on property within the jurisdiction of ESU #13; while on ESU #13 owned and/or operated transportation; while attending or engaged in ESU #13 activities; and while away from ESU #13 grounds if misconduct will directly affect the good order, efficient management and welfare of ESU #13.

Possession of such items will be grounds for disciplinary action including suspension or expulsion and may be reported to local law enforcement officials. The Board believes that illegal, unauthorized or contraband materials may cause materials and substantial disruption to the school environment or presents a threat to the health and safety of students, employees, or visitors on the ESU #13 premises or property within the jurisdiction of ESU #13.

The Program Administrator or Program Directors may release a minor student into the custody of a law enforcement officer upon presentation of a court order or warrant for the student's arrest, or to remove a student from the ESU #13 premises if the officer or Program Administrator or Program Director have reason to believe that the student has violated the law.

The Program Administrator, Program Director, or designee will immediately attempt to notify the parent/guardian or responsible relative of the student's removal from the ESU #13 premises and the place to which the student is reportedly taken, except in cases of child abuse.

The appropriate Program Administrator or Program Director of the school in which the student is enrolled is to be notified when items are discovered that would warrant discipline of the student under the school's student code of conduct.

Anti-Bullying

(ESU Board Policy - Article 6, Section 4.C.)

One of the missions of ESU #13 is to provide a physically safe and emotionally secure environment for students and staff.

The administration and staff are to implement strategies and practices to reinforce and encourage positive behaviors by students. Positive behaviors include non-violence, cooperation, teamwork, understanding, and acceptance of others.

The Program Administrator, Program Director, and staff are to implement strategies and practices to identify and prevent inappropriate behaviors by all students, including anti-bullying education for all students. Inappropriate behaviors include bullying, intimidation, and harassment. Bullying means any ongoing pattern of physical, verbal, or electronic abuse in areas within the control or jurisdiction of ESU #13.

Dating Violence Prevention

(ESU Board Policy - Article 6, Section 4.D.)

ESU #13 is to provide a physically safe and emotionally secure environment for all students and staff. Positive behaviors are encouraged in the educational program and are required of all students and staff. Inappropriate behaviors, including but not limited to dating violence will not be tolerated and must be avoided by all students and staff.

Pursuant to Section 79-2, 140, the Legislature has defined (a) "dating violence" to mean a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner; and (b) "dating partner" to mean any person, regardless of gender, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate involvement whether casual, serious, or long-term.

Strategies and practices are implemented to reinforce positive behaviors and to discourage and protect others from inappropriate behaviors. Dating violence training, as defined by Section 79- 2, 141(4), shall be provided to staff deemed appropriate by the administration. The Administrator, Director, or designee will be responsible for reviewing the ESU's Student Code of Conduct to ensure that this policy is reflected therein.

Weapons

(ESU Board Policy - Article 6, Section 4.E.)

The Board of ESU #13 believes weapons and other dangerous objects and look-a-likes in ESU #13 facilities can cause material and substantial disruption to the ESU #13 environment or present a threat to the health and safety of students, employees and visitors on ESU #13 premises or property within the jurisdiction of the ESU #13.

Weapons and other dangerous objects and look-a-likes shall be taken from students and others who bring them onto the ESU #13 property or onto property within the jurisdiction of ESU #13 or from students who are within the control of the ESU #13. For purposes of this policy, the term "dangerous object" includes any personal safety or security device (such as tasers, mace and pepper spray). This prohibition includes persons with a permit to carry a concealed handgun. Possession of a weapon includes, without limitation, a weapon in a person's personal possession or control, including a weapon in a desk, locker, backpack or purse. A person who is uncertain as to what constitutes a "dangerous object" under this policy is strongly encouraged to contact the Program Administrator or the Program Director in advance of such person bringing the item onto ESU #13 property. Any person found to be in violation of this policy shall be subject to disciplinary action, up to and including termination.

Parents of students found to possess weapons or dangerous objects or look-a-likes on ESU #13 property shall be notified of the incident. Confiscation of weapons or dangerous objects shall be reported to the law enforcement officials, and students will be subject to disciplinary action including suspension or expulsion.

Students bringing firearms to ESU #13 or knowingly possessing firearms at the ESU #13 may be expelled for a period of not less than one year. Students bringing to ESU #13 or possessing dangerous weapons, including firearms, will be referred to law enforcement authorities. The Program Administrator or Program Director shall have the authority to recommend this expulsion requirement be modified for students on a case-by-case basis.

Weapons under the control of law enforcement officials shall be exempt from this policy. Firearms also may be possessed by a person for the purpose of using them, with the approval of ESU #13, in a historical reenactment, in a hunter education program, or as part of an honor guard. The Program Administrator or Program Director may allow authorized persons to display weapons or other dangerous objects or look-a-likes for educational purposes. Such a display shall also be exempt from this policy.

Tobacco, Alcohol, and Drugs

Meridian School is committed to providing a safe and healthy learning environment for staff and students. The school prohibits the distribution, dispensing, manufacture, possession, use, consumption, or being under the influence of beer, wine, alcohol, tobacco, other controlled substances, or “look alike” substances while on school property; while on school owned and/or operated transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management, and welfare of the school district.

The term “under the influence” for school purposes has a less strict meaning than it does under criminal law. For school purposes, this term means any level of impairment and includes even the odor of alcohol or drugs on the breath of a student. It includes being impaired by reason of the abuse of any material used as a stimulant. In addition, “possession” or alcohol or drugs will be considered to have occurred for purposes of school rules if the student is in such proximity to alcohol or drugs or to others who are consuming alcohol or drugs.

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

The use of possession of tobacco and alternative nicotine/vapor products or herbal chew in the building, on the campus, or at a school related activity is not permitted. Any student found guilty of using or in possession of tobacco products on school property will face disciplinary consequences and may be referred to law enforcement.

Internet/E-mail Acceptable Use – Student

The following are guidelines for acceptable use of the internet/e-mail:

1. The intent of the legislature is to provide educators and students with access on the internet/e-mail for professional growth opportunities, research and other educationally related experiences. ESU #13 recognizes some personal use of the internet/e-mail is appropriate, being mindful of excessive personal use limits access availability for others.
2. Transmission or reception of any material which is in violation of any federal or state regulation is prohibited. This includes, but is not limited to the following copyrighted material; threatening, harassing, pornographic, or obscene material; or materials protected by trade secrets.
3. Commercial activities, product advertising, and political lobbying are prohibited. Excessive personal use during the school day will be considered misuse.
4. Users of internet/e-mail are expected to abide by established rules of network etiquette including, but not limited to the following:
 - a. Politeness is a must at all times. Abusive messages, hate mail, harassment, discriminatory remarks, and other antisocial behaviors are prohibited.
 - b. Profanity, vulgarities, or any other inappropriate language is prohibited.
 - c. Personal phone numbers and home addresses are not to be divulged.
 - d. Network storage areas will be regarded as school property. Files and communications may be reviewed by ESU #13 personnel. Electronic mail is not guaranteed to be private.
 - e. “Chain letters” are considered to be a misuse of the system.

- f. Talk, write, and chat commands may be intrusive and should only be used after receiving permission from the other party. Personal information should not be given.
 - g. Classroom use will take precedence over individual use.
- 5. Users must respect the integrity of the system at all times. Students and staff should not intentionally develop or activate programs that harass other users, infiltrate a computer system, or alter the software components of a computer or computer system. These include, but not are limited to: viruses, forgoing e-mail, hacking, and attempting to use administrative commands.
- 6. Do not vandalize or destroy the data or hardware on any other system.
- 7. Security of any computer system is essential. Access to internet/e-mail is intended for exclusive use by authorized individuals. Any problems which arise from the use of an account are the responsibility of the account holder. Misuse may result in the suspension of the account privileges. This may include, but is not limited to the following:
 - a. Trespassing in another's work file.
 - b. Giving out your password or the password of others.
 - c. Attempting to log in to another individual's account.
 - d. Failure to notify the supervising staff members of a security problem.
- 8. Technology- Related Limitations: Technology resources shall not be used in any manner which impairs its effective operations or the rights of other technology users.
 - a. 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).
 - b. Users shall not erase, remake, or make unusable another person's computer, information, files, programs or disks.
 - c. Users shall not access resources not specifically granted to the user or engage in electronic trespassing.
 - d. Users shall not engage in "hacking" to gain unauthorized access to the operating system software or unauthorized access to the system of other users.
 - e. Users shall not copy, change, or transfer any software without permission from the network administrators.
 - f. 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 called a bug, virus, worm, Trojan horse, or similar name.
 - g. Users shall not engage in any form of vandalism of the technology resources.
 - h. Users shall follow the generally accepted rules of the network etiquette.

The ESU #13 Administrator or designee may further define such rules.

Student Welfare

Abuse & Neglect

(ESU Board Policy - Article 6, Section 3.A.)

Everyone has a responsibility to report abuse or neglect. In Nebraska, everyone is a mandatory reporter. This means physicians, medical institutions, nurses, school employees, social workers or any other person who has reasonable cause to believe that a child or vulnerable adult has been subjected to abuse or neglect, or observes such child or vulnerable adult being subjected to conditions or circumstances which reasonably would result in abuse or neglect are required by law to make a report to the Abuse and Neglect Hotline (800-652-1999) and/or Law Enforcement (if an emergency exists). (Nebraska Revised Statute 28-711)

Definitions of Child or Vulnerable Adult Abuse and Child or Vulnerable Adult Neglect

(Nebraska Department of Health and Human Services)

Physical Abuse: Non-accidental physical injury (ranging from minor bruises to severe fractures or death) as a result of punching, beating, kicking, biting, shaking, throwing, stabbing, choking, hitting, burning or otherwise harming a child or vulnerable adult, that is inflicted by a parent, caregiver or other person who has responsibility for the child or vulnerable adult. Such injury is considered abuse regardless of whether the caregiver intended to hurt the child or vulnerable adult.

Physical discipline, such as spanking, is not considered abuse as long as it is reasonable and causes no bodily injury to the child or vulnerable adult. Non-accidental injury that is caused by someone other than a parent, guardian, relative or other caregiver, such as a stranger, is considered a criminal act that is not addressed by child or vulnerable adult protective services.

Neglect: The failure of a parent, guardian or other caregiver to provide for a child or vulnerable adult's basic needs. Neglect may be physical, medical, educational, or emotional.

Domestic Violence: Children or vulnerable adults are exposed to domestic violence and are harmed by the experience and suffer consequences ranging from hyper-vigilance to problem with concentration and emotional regulation.

Abandonment as Neglect: In general, a child or vulnerable adult is considered to be abandoned when the parent's identity or whereabouts are unknown, the child or vulnerable adult has been left alone in circumstances where the child or vulnerable adult suffers serious harm, or the parent has failed to maintain contact with the child or vulnerable adult or provide reasonable support.

Substance Abuse as Abuse or Neglect: Prenatal exposure of a child to harm due to the mother's use of an illegal drug or other substance; manufacture of methamphetamine in the presence of a child; and selling, distributing or giving illegal drugs or alcohol to a child.

Sexual Abuse: The employment, use, persuasion, inducement, enticement or coercion of any child or vulnerable adult to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct; or the rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of child or vulnerable adult, or incest with child or vulnerable adult.

Emotional Abuse: A behavior that harms a child or vulnerable adult's emotional development or sense of self-worth.

Abuse and Neglect Hotline

When utilizing the Hot Line, the following information may be requested and should be made available:

- address and age of the abused or neglected person;
- address of the person having custody of the abused or neglected person;
- nature and extent of the abuse or neglect, or the conditions and circumstances which would reasonably result in such abuse or neglect;
- any evidence of previous abuse or neglect including the nature and extent;

- any other information which, in the opinion of the person, may be helpful in establishing the cause of such abuse or neglect, and the identity of the perpetrator or perpetrators.

This oral report shall be followed by a written report, utilizing the ESU #13 Abuse and Neglect Reporting Form.

The following staff members shall also be informed of the report:

- the employee's immediate supervisor
- the Program Administrator or Program Director in which the student is enrolled
- the appropriate law enforcement agency (in the case of an emergency)

The immediate supervisor, the Program Administrator, or Program Director shall confirm that a report of suspected abuse or neglect has been made to local law enforcement or Child Protection Services.

Confidentiality of the person making the report shall be maintained to the extent practicable. The Program Administrator or Program Director is to establish and implement procedures to ensure such confidentiality.

The Program Administrator or Program Director shall provide employees information as appropriate to ensure that employees fully understand their responsibility under the law and ESU #13 procedures.

Corporal Punishment

(ESU Board Policy - Article 6, Section 3.B.)

Use of corporal punishment is prohibited by ESU #13. Corporal punishment for purposes of this policy means the infliction of bodily pain as a penalty for disapproved behavior. This does not include physical contact that is intended to preserve order in schools or to protect persons or property from harm. Any physical force used with students shall be limited to that which is reasonable in relation to the need for self-defense, the defense of others, the defense of one's property or the defense of another's property.

Any employee who has been involved in an incident involving the use of physical force with a student shall make an oral report of such circumstances to the Program Administrator or Program Director as soon as is practicable and within twenty-four hours. The Program Administrator or Program Director shall prepare a memorandum of such report and, as deemed appropriate, investigate and report the incident to the appropriate administrator or director of the school in which the student is enrolled. An Abuse and Neglect report shall be made in the event such is warranted.

The Program Administrator or Program Director shall provide employees information as appropriate to ensure that employees fully understand their responsibility to not use corporal punishment and ESU #13's procedures.

Use of Restraints & Seclusion

(ESU Board Policy - Article 6, Section 3.C.)

This policy sets forth the requirements, restrictions and procedures related to the use of physical restraints and seclusions.

Definitions

- **Physical Restraint.** Physical restraint means one or more persons using a physical hold to restrict a student's freedom of movement as a response to student behavior. A light touching of a student while conducting a physical escort or a touching to provide instructional assistance is not a physical restraint for purposes of this Guidance.
- **Seclusion.** Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving as a response to student behavior. Seclusion is distinguishable from an in-school suspension, in which other students or adults may be present. While students are required to remain in the in-school suspension area, the students are not physically prevented from leaving.

Physical Restraint

Physical restraint may be used in the following circumstances:

- to prevent a student from completing an act that would result in injury to the student or others when there is a substantial risk that the student would commit the act;
 - A verbal threat by a student does not present a substantial risk that a student would commit an aggressive act unless the student also demonstrates the ability and intent to carry out the threat.

- Destruction of or damage to property does not present a substantial risk of personal injury unless personal injury would be caused as a result of the destructive act (for example, throwing sharp or heavy objects when others are present, or the person whose property is about to be destroyed is likely to react physically if the person's property were destroyed). (Note: If a student is about to destroy or damage property, the act of grasping the student's arm or leg solely to prevent the striking, throwing or kicking of the item is not prohibited.)
- to move a student to a seclusion room, or to remove a student to another location because the student is creating a substantial disruption to others, in circumstances where the student is unable to be moved or removed without the use of physical restraint; and
- in circumstances where the student's IEP or a Behavioral Plan provides for the use of physical restraint in circumstances other than the foregoing. If it is anticipated that physical restraint may need to be used with a special education student, the IEP team is to discuss and include use of physical restraint in the student's IEP if the IEP team determines use of physical restraint to be appropriate. (Note: IEPs or Behavioral Plans should not provide for such physical restraint except in those circumstances where the professional staff determines that non-aversive or positive intervention strategies would not be effective.)

Physical restraint may not be used:

- when a known medical or psychological condition contraindicates its use; and
- as a form of punishment.

Use of physical restraint shall take into consideration the safety and security of the student. In determining whether a student who is being physically restrained should be removed from the area where such restraint was initiated, the staff shall consider the potential for injury to the student, the student's privacy interests, and the educational and emotional well-being of other students in the vicinity.

If physical restraint is imposed upon a student whose primary mode of communication is sign language or an augmentative mode, the student shall be permitted to have his or her hands free of restraint for brief periods, unless staff determines that such freedom appears likely to result in harm to the student or others.

Physical restraint is to be used only as long as necessary to resolve the reason for which it was initiated.

Physical restraint shall be applied only by individuals who have received systematic training that includes all the elements described below. An individual who applies physical restraint shall use only techniques in which he or she has received such training within the preceding two (2) years.

Training with respect to physical restraint may be provided either by ESU #13 or by an external entity and shall include, but need not be limited to:

- appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship-building, and the use of alternatives to restraint;
- a description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- the simulated experience of administering and receiving a variety of physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;
- instruction regarding the effects of physical restraint on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
- demonstration by participants of proficiency in administering physical restraint.

An individual may provide training to others in a particular method of physical restraint only if he or she has completed training in that technique that meets the foregoing requirements within the preceding one-year period.

Seclusion

Seclusion may be used in the following circumstances:

- when a student's behavior is so out of control that the student's behavior creates a risk of injury to the student or others;

- when a student's behavior is so out of control that the student is causing a substantial disruption to school activities and there is no other technique and no other place the student may be moved to prevent continued disruption;
- when a student's behavior is so out of control that the student is unable to engage in educational activities and there is no other technique that could reasonably be employed to allow the student's emotions to cool down and engage in appropriate behaviors and educational activities; and
- the student has an IEP or a Behavioral Plan which provides for the use of seclusion in circumstances other than the foregoing. If it is anticipated that seclusion may need to be used with a special education student, the IEP team is to discuss and include use of seclusion in the student's IEP if the IEP team determines use of seclusion to be appropriate. (Note: IEPs or Behavioral Plans should not provide for use of seclusion except in those circumstances where the professional staff determines that non-aversive or positive intervention strategies would not be effective).

Seclusion may not be used:

- when a known medical or psychological condition contraindicates its use; and
- as a form of punishment.

Use of seclusion shall take into consideration the safety and security of the student.

Enclosures used for seclusion, other than enclosures used on a temporary basis, shall:

- have the same ceiling height as the surrounding room or rooms and be large enough to accommodate not only the student being isolated but also any other individual who is required to accompany that student;
- be constructed of materials that cannot be used by students to harm themselves or others, be free of electrical outlets, exposed wiring, and other objects that could be used by students to harm themselves or others, and be designed so that students cannot climb up the walls (including walls far enough apart so as not to offer the student being isolated sufficient leverage for climbing);
- if an enclosure used for isolated time out is fitted with a door, the door shall either be a steel door or a wooden door of solid-core construction. If the door includes a viewing panel, the panel shall be unbreakable;
- be designed to permit visual monitoring of and communication with the student sufficient to ensure the student's safety and security. For students who do not communicate verbally, arrangements shall be made to permit the student to periodically communicate the student's needs; and
- if a locking mechanism is used on the enclosure, the mechanism shall be constructed so that it will engage only when a key, handle, knob, or other similar device is being held in position by a person, unless the mechanism is an electrically or electronically controlled one that is automatically released when the building's fire alarm system is triggered. Upon release of the locking mechanism by the supervising adult, the door must be able to be opened readily.

The procedures for use of seclusion include:

- An adult who is responsible for supervising the student shall remain within close proximity of the enclosure.
- The adult responsible for supervising the student must periodically check on the student visually if possible.

A student shall not be kept in seclusion for more than 20 minutes after the student ceases presenting the specific behavior for which isolated time out was imposed or any other behavior for which isolated time out would be an appropriate intervention.

Orientation will be provided to staff members who are anticipated to be involved in the use of seclusion. The orientation shall cover the procedures contained in this Guidance.

Documentation of Use of Physical Restraint or Seclusion

A written record of each use of seclusion or physical restraint shall be prepared and maintained in the student's temporary record. The student's case manager, if any, shall also maintain a copy of each such record. Each such record shall include:

- the student's name;
- the date of the incident;
- the beginning and ending times of the incident;
- a description of any relevant events leading up to the incident;
- a description of any interventions used prior to the implementation of physical restraint or seclusion;
- a description of the incident and/or student behavior that resulted in implementation of physical restraint or seclusion;

- a log of the student's behavior during physical restraint or seclusion, including a description of the restraint technique(s) used and any other interaction between the student and staff;
- a description of any injuries (whether to students, staff, or others) or property damage;
- a description of any planned approach to dealing with the student's behavior in the future;
- a list of the school personnel who participated in the implementation, monitoring, and supervision of physical restraint or seclusion; and
- the date on which the parent or guardian was notified.

The record shall be completed by the beginning of the school day following the use of seclusion or physical restraint.

The Program Administrator or Program Director shall be notified of the incident as soon as possible, but no later than the end of the school day on which it occurred.

Within 24 hours after use of seclusion or physical restraint, the Program Administrator or Program Director shall send written notice of the incident to the student's parents or guardians, unless the parent or guardian has provided ESU #13 a written waiver of this requirement for notification. The parent or guardian shall be informed of the date of the incident, a description of the intervention (physical restraint or seclusion) used, and who at the school may be contacted for further information.

An evaluation shall be conducted whenever a physical restraint exceeds 15 minutes or results in physical injury, whenever a seclusion exceeds 30 minutes, or use of physical restraint or seclusion is repeated with an individual student during any three-hour period:

- A certified staff person trained in the use of physical restraint, or knowledgeable about the use of seclusion, as applicable, shall evaluate the situation.
- The evaluation shall consider the appropriateness of continuing the procedure in use, including the student's potential need for medication, nourishment, or use of a restroom, and the need for alternate strategies (e.g., assessment by a mental health crisis team, assistance from police, or transportation by ambulance).
- The results of the evaluation shall be committed to writing and copies of this documentation shall be placed into the student's temporary student record.

Suspension, Removal, Placement Change, and Other Disciplinary Circumstances

Consistency, caring, and the modeling of desired behaviors are the basis for the Meridian School's student behavior goals. Any student pattern of hostile, aggressive, or uncooperative behavior is the concern of the total staff. The IEP team will be convened to address these issues and to devise a specific plan to address such behavior if the need arises.

The following ESU #13 Board policy applies to students in the Meridian School (*ESU Board Policy - Article 6, Section 3.D.*)

This policy is being adopted on the recognition that the law distinguishes verified special education students from those who are not so verified. Likewise, this policy is being developed out of the recognition that ESU #13 is a contract provider of services whether by sending personnel to the various ESU #13 area schools or whether by or through its own programs and schools providing full or partial service to students on behalf of districts with whom it is contracted. Therefore, ESU #13 has an obligation—for its part and for any children over whom it has exclusive control or for whom any school district served by contract has agreed with ESU #13 to be governed by its policies pertaining to student discipline and appropriateness of educative placement to afford all rights required under applicable laws, regulations and respective Board policies of ESU #13 and the school districts involved by contract with any student served as hereinabove enumerated—to act in a legal and consistent manner on the part of such children.

It shall also be the policy of ESU #13 by the enactment of this policy to notify the school districts it serves of ESU #13 policy pertaining to student disciplinary matters as herein enumerated and to encourage all of the school districts it serves by whatever method the Program Administrator or Program Director deems appropriate to coordinate their efforts with those of ESU #13 in assuring that all applicable statutes, regulations, and district or ESU #13 policies are complied with, and to reasonably assure that the contracts between ESU #13 and the schools served enumerate the respective responsibilities of the district and ESU #13 when policies are adhered to by the schools served and to contrast ESU #13's responsibility when such policies are not followed by the contracting districts.

- In recognition that certain children served by contracts with ESU #13 personnel are neither verified nor certifiable as special education students who engage in conduct contrary to the policies or rules governing student conduct of any schools served or where not applicable by any rules of conduct enumerated in State

Statutes or Board policies of ESU #13, such student shall be dealt with in accordance and under the Article 6 Services to Schools and Children 10 of 17 procedures provided by State Statute 79-255, et. seq., as such statute may be from time to time amended.

- As to all students who are served in programs of ESU #13 and which students are verified or certified as individuals with disabilities under any recognizable disability described by any applicable statute or regulation and as to all students who are served by any ESU #13 employee in any school which a student is verified or certified as having a disability recognized under any applicable statute or regulation, the procedure for determining the appropriate disciplinary method shall be as follows:
 - When any infraction of any applicable rule or regulation of student conduct or any statute declaring such conduct to be unlawful or contrary to law constitutes grounds for disciplinary action by any such statute, regulation or policy, the school district where applicable and ESU #13 may suspend the student for up to ten (10) consecutive days. If a suspension results in a cumulative total of more than ten (10) days of suspension in a school year, all due process and other procedural requirements of 92, NAC 51 shall apply. Prior to any suspension, notice of such suspension shall be sent within twenty-four (24) hours by certified or registered mail or by hand delivery to the caretaker and where applicable to the administrator or director of the school involved. If the student is eighteen (18) years of age or older, notice shall also be sent to the student.
 - Emergency exclusion or removal of individuals with disabilities- If, in the opinion of Program Administrator or Program Director, a student is found to present a danger to others or to their property or if he/she presents a danger of an ongoing threat to the disruption of the academic processes of others or if he/she presents a physical danger to himself, such student may be without notice excluded for the duration of the emergency situation. Within twenty-four (24) hours of the student's emergency exclusion, the Program Administrator or Program Director shall provide written notice to the parent and/or guardian and to the student if over the age of eighteen (18). The notice shall set forth the charges and the time, date, and place of the IEP meeting specifying the purpose and the participants in such meeting and request the parent and/or guardian and if appropriate the student to attend the IEP meeting. Such notice of emergency exclusion may be delivered by registered or certified mail, return receipt requested or by personal delivery by the administrator or director to the caretaker and student when applicable.

An IEP team meeting shall be convened if possible within the exclusionary period and shall be conducted in accordance with all standard procedures as established in 92, NAC 51 or other applicable rule(s).

The IEP team shall review the student's program and shall determine if the disability is a precipitating factor of the inappropriate or prohibited behavior. That decision shall be recorded on the IEP and that information shall be used, if necessary, to revise the student's IEP to reflect the need for the use of exclusion as a disciplinary tool or management strategy, to modify the educational program if required, to change the educational placement of the student if appropriate or to indicate that the disability is not a precipitating factor, and to serve as a basis for notifying the student's parent and/or guardian or reaffirming to them if they have already been so notified that the student is expected to behave in accordance with the rules established in the school district's code of conduct or where applicable in accordance with the guidelines of student conduct as set forth within the program operated by ESU #13. The parents shall be notified of the IEP team's decisions if they have not participated in the IEP team meeting, such notice to be sent by registered or certified mail or by personal delivery by the administrator or director.

The attending teacher or certified ESU #13 employee shall notify the Program Administrator or Program Director of such person of all emergency exclusions within twenty-four (24) hours by forwarding a copy of such fact.

- Prohibition against long-term suspension and expulsion of individuals with disabilities and requirement to follow procedural safeguards when any change in placement occurs

ESU #13 recognizes that long-term suspensions and expulsions of individuals with disabilities as the terms long-term suspension and expulsion are defined in state statutes pertaining to non-disabled students have been defined by numerous federal court decisions to constitute a change in placement. ESU #13 also recognizes that with a change comes a legal obligation to provide certain procedural due process rights to the student before any change in placement occurs. ESU #13 further recognizes that a series of short-term suspensions may become a long-term suspension or deemed a change of placement pursuant to 92 NAC 51,

and for that reason one short-term suspension shall be limited to a cumulative total of ten (10) days or less in a single school year unless additional days are authorized by state or federal law or regulation. ESU #13 further recognizes that the federal regulations pertaining to individuals with disabilities provides a hierarchy of restrictive placement such hierarchy being as follows:

- a regular classroom in a regular school
- a special classroom in a regular school
- a special school
- a homebound program
- an institutional placement

When in the judgment of the IEP team the behavior of a student becomes so inappropriate, disruptive or violative of any regulation or policy pertaining to the operation of a service, school, program or other kind of educational service that the student's ongoing participation in his present placement will be inappropriate for him and violative of the rights of other participants, then an IEP meeting shall be convened to determine what manner of more restrictive placement would be reasonably calculated to provide an appropriate education for the student in question. The student, subject to any emergency removal or exclusion for the protection of himself/herself or other students, shall remain in the placement designated in the IEP at the time the behavior of such student becomes inappropriate until such time as an agreement with the caretaker, the school district, and ESU #13 can be reached about a change in placement or until the issue of the appropriate placement has been litigated through all appropriate procedures. Under no condition, solely within the control of ESU #13, shall the total cessation of educational services to any student for whom ESU #13 is responsible be permitted to occur. In the event that due to circumstances beyond the reasonable control of ESU #13 to notify any other applicable agency or school district with which it is contracted that any litigation resulting from any cessation of service occurring contrary to the judgment of ESU #13, to withdraw the services and personnel of ESU #13, and to immediately notify such school district or other agency that as a result of such action contrary to ESU #13's policy that ESU #13 will assume no further responsibility of whatsoever nature for any consequences whether legal or otherwise occurring as a result of such cessation of such services.

- Notwithstanding any other section of this policy, school personnel may order a change in placement of a student with a disability to an appropriate interim alternative educational setting for the same amount of time that a child without a disability would be subject to discipline, but for not more than forty-five (45) days if:
 - the child carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state or a local educational agency; or
 - the child knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function under the jurisdiction of a state or local educational agency.

Removal of Students and Interviews of Students

(ESU Board Policy - Article 6, Section 3.E.)

It shall be the policy of ESU #13 to follow the policy of the school in which each individual student is enrolled with respect to the removal of students and interviews of ESU #13. In the absence of such a school policy, or when the school policy has not been provided to ESU #13, the following procedures shall be used.

Removal of Students by Law Enforcement Officials

In dealing with law enforcement officials, ESU #13 employees are not to obstruct government operations or unreasonably refuse or fail to aid a peace officer, but are also to attempt to prevent undue interference with ESU #13 operations or educational programming.

A peace officer may in the line of duty require a student to accompany him for questioning or detention, either with or without an arrest warrant. A peace officer has the lawful authority to take immediate temporary custody of children under the age of 18 without a warrant or order of the court (1) when, in the presence of the officer, the juvenile has violated a state law or a municipal ordinance; (2) when a felony has been committed and the officer has reasonable grounds to believe the juvenile committed it; (3) when such juvenile is seriously endangered in his or her surroundings and immediate removal appears to be necessary for the juvenile's protection; or (4) when there are reasonable grounds to believe that the juvenile has run away from his or her parent, guardian, or custodian. A probation officer assigned to a student by a court also has the statutory authority to arrest a student in certain circumstances and that power is similar to the power granted to a peace officer by law.

If a peace officer or probation officer requests custody of a student who is at that time under the control and jurisdiction of ESU #13:

- The student should be released after appropriate measures are taken and documented to ensure that the officer has the authority to take the student.
- Upon releasing the student, the school in which the student is enrolled has a statutory responsibility to inform the student's parent or guardian of the removal. To assist the school in meeting this responsibility, the ESU #13 employee who has released the student shall contact an appropriate administrator or director of the school in which the student is enrolled. The Program Administrator or Program Director shall be informed of any circumstances that warrant a delay in immediately contacting the parent or guardian, such as information which suggests that immediate notification could interfere with the peace officer's performance of duties or create a dangerous situation for the student or peace officer.

In some instances there may be orders for custody of a student served by the FBI, a federal marshal, a postal inspector, another federal officer, state official, or officers from outside the jurisdiction of ESU #13. While these officers may have authority to arrest and remove students, local law enforcement should be contacted and requested to participate in or monitor the removal.

A student should not be released to a private detective or "special police officer" who is not an officer of a Nebraska political subdivision or an officer of some agency of the federal government without consent of the student's parent, guardian or custodian.

Interviews of Students by Law Enforcement Officials

Unless a student is placed under arrest, a peace officer or probation officer will not be permitted to remove a student from the control and jurisdiction of ESU #13 for questioning unless permission of the student's parent, guardian or custodian is obtained. Law enforcement officers should be urged to contact students outside the instructional day and off ESU #13 premises whenever possible. Questioning or interview of students on ESU #13 premises should only take place pursuant to the following guidelines:

- If an interview of a student is requested during school hours concerning an ongoing investigation of a crime not related to ESU #13, questioning should not take place until the student's parent, guardian or custodian has been contacted, either by ESU #13 or by an appropriate administrator or director of the school in which the student is enrolled, and permission is given for such an interview. The consent should be documented. The presence of an ESU #13 employee during the interview is not necessary.
- If an investigator represents that an interview is necessary to collect information concerning an allegation of child abuse or neglect or an offense involving a family relation and it is clear that obtaining parental consent for the interview would be impossible or counter-productive, the interview may be conducted on ESU #13 premises without such consent. In these situations, an employee of ESU #13 or the school in which the student is enrolled should be present during the interview to ensure that the interview relates only to those matters specified by the law enforcement official.
- If the investigation relates to an incident which took place on ESU #13 school premises or during instructional time, it is not necessary to obtain parental consent for an interview. In these situations, an employee of ESU #13 or the school in which the student is enrolled should be present during the interview to ensure that the interview relates only to the incident which took place on ESU #13 or school premises or during instructional time or something which is directly related thereto.
- A probation officer assigned to a student by a court may be allowed the opportunity, on request, to interview a student on ESU #13 premises free from the observation of other children or individuals. In such situations, it is neither necessary nor desirable that an ESU #13 employee be present during the interview. It also is not necessary to obtain the consent of the parent, guardian, or custodian for the interview.

Disclosure of Student Records

ESU #13 employees shall not, in the course of dealing with a peace officer or probation officer, disclose any confidential student records or information from such student records other than in response to a court order or subpoena or as otherwise authorized by state law and the Family Educational Rights and Privacy Act (FERPA).

Interviews of Students by Persons other than Law Enforcement Officials

Any person other than an employee or agent of ESU #13 or of the school in which the student is enrolled who comes to ESU #13 premises to interview a student or remove a student prior to the end of the student's instructional day must obtain permission of the Program Administrator or Program Director.

Permission to remove is not to be granted unless authorized by the student's parent, guardian or custodian or a person authorized by the student's parent, guardian or custodian.

Permission to interview is not to be granted unless that person has a clearly valid and proper reason and such is not disruptive to ESU #13 operations or the student's educational program. Ordinarily such contacts shall be restricted to the student's parent, guardian or custodian or a friend of the family when an emergency or other similar circumstance exists.

Homeless Students

(ESU Board Policy - Article 6, Section 2.)

General Policy Statement

ESU #13 shall ensure that homeless children and youths shall have equal access to the same free, appropriate public education, including public preschool education, as provided to other children and youths.

Definitions

"School of Origin" shall mean the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including preschool. School of origin shall also include any designated receiving school for the next grade level for all feeder schools when a student completes the final grade level served by the school of origin.

"Homeless children and youths" shall mean any individuals who lack a fixed, regular, and adequate nighttime residence; and includes:

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

"Unaccompanied youth" shall mean a homeless child or youth not in the physical custody of a parent or guardian.

School Stability

School Selection: ESU #13 shall presume that keeping a homeless child or youth enrolled in the child's or youth's school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian or, in the case of an unaccompanied youth, the youth.

To overcome the presumption that a child or youth should remain in his/her school of origin, ESU #13 shall consider student-centered factors including: the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or, in the case of an unaccompanied youth, the youth.

Enrollment: Once the school is selected in accordance with the child's or youth's best interest, that child or youth shall be immediately enrolled even if the child or youth is unable to produce records normally required for enrollment including, but not limited to: previous academic records, immunization or other health records, and/or proof of residency. They could also enroll if they have missed any application or enrollment deadlines during any period of homelessness.

Transportation: If the child or youth continues to attend his or her school of origin, transportation shall be provided promptly even if there is a dispute pending regarding which school is in the child's or youth's best interest to attend. Transportation will continue to be provided to and from the school of origin for the remainder of any academic year during which the child or youth becomes permanently housed.

Records

Any record ordinarily kept by ESU #13, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained:

- such that all records are available, in a timely fashion, when a child or youth enrolls in a new school or school district;
- any information about a homeless child's or youth's living situation shall be treated as a confidential student education record, and shall not be deemed to be directory information; and
- in a manner consistent with the Federal Education Rights and Privacy Act.

Services

The Local Education Agency Liaison shall identify an appropriate staff person to be the Local Educational Liaison (LEL) for all homeless children and youth attending programs in ESU #13. The LEL responsibilities shall include, but are not limited to:

- Ensure homeless children and youth are identified through outreach and coordination activities including coordination with the Nebraska Department of Education Homeless Education Liaison, community, and school personnel responsible for education and related services to homeless children and youths.
- Receive appropriate time and training in order to carry out the duties required by law and this policy.
- Ensure homeless families and homeless children and youths are referred to health care, dental, mental health, substance abuse, housing and any other appropriate services.
- Ensure that homeless children and youths:
 - are enrolled in school which includes attending classes and participating fully in school activities;
 - have a full and equal opportunity to meet the same challenging State academic standards as other children and youths;
 - receive individualized counseling from counselors to prepare and improve their readiness for college, including college selection, application, financial aid, and on-campus supports;
 - unaccompanied youths are informed of their status as independent students under the Higher Education Act of 1965 and may obtain assistance from the LEL to receive verification of such status for purposes of the Free Application for Federal Student Aid.
- Ensure that public notice of the educational rights and available transportation services of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youths and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.
- Ensure the dispute resolution process identified below is carried out in accordance with the law and district policy.

Dispute Resolution

The dispute procedure must be available for disputes over eligibility, as well as school selection or enrollment.

In the event of a dispute regarding where a child or youth should enroll, the child or youth shall be immediately enrolled in the ESU #13 program in which enrollment is sought pending final resolution of the dispute, including all available appeals. ESU #13 shall immediately provide the child's parent or guardian or, in the case of an unaccompanied youth, the youth a written explanation of the decision made regarding the school selection including the right to appeal such decision. Said writing shall be provided in a manner and form understandable to such parent, Article 6 Services to Schools and Children 4 of 4 guardian, or unaccompanied youth and also include the LEL contact information. The LEL shall carry out the dispute resolution process within 30 calendar days from the date of said writing pursuant to 92 Nebraska Administrative Code 19-005.02.

Appeals: Any parent, guardian or other person having legal or actual charge of a homeless child or youth that is dissatisfied with the decision of ESU #13 after the dispute resolution process may file an appeal with the Commissioner within thirty calendar days of receipt of the decision by following the process in 92 Nebraska Administrative Code 19-005.03 and 19-005.03C.

Equity and Legal Compliance

Non-Discrimination

(ESU Board Policy - Article 5, Section 1.)

Policy of Non-Discrimination

ESU #13 does not discriminate on the basis of any protected status in its programs and activities and provides equal access to designated youth groups. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. Complaints or concerns involving discrimination should be addressed to:

Crystal Smith, ESU #13 Compliance Coordinator/Human Resource Manager
4215 Avenue I, Scottsbluff, NE 69361 (308) 635-3696 (cmith@esu13.org)

For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office of Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

ESU #13 is committed to offering employment and educational opportunities to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination of any kind by ESU #13 employees, including co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated. All ESU #13 employees are expected to take prompt and appropriate actions to report and prevent discrimination. Employees who witness or become aware of possible discrimination must immediately report the conduct to his or her supervisor or the designated Compliance Coordinator.

Harassment

General Harassment: Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to any protected status that is sufficiently serious to deny, interferes with, or limits a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment; or
- requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of any protected status may include, but is not limited to:

- Name-calling
- Teasing or taunting
- Insults, slurs, or derogatory names or remarks
- Demeaning jokes
- Inappropriate gestures
- Graffiti or inappropriate written or electronic material
- Visual displays, such as cartoons, posters, or electronic images
- Threats or intimidating or hostile conduct
- Physical acts of aggression, assault, or violence
- Criminal offenses

Sexual Harassment: The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- Unwelcome sexual advances or propositions;
- Requests or pressure for sexual favors;
- Comments about an individual's body, sexual activity, or sexual attractiveness;
- Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body;
- Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol;
- Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc.; or
- Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If ESU #13 knows or reasonably should know about possible harassment, including violence, ESU #13 will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled "Grievance Procedures," below), and take appropriate interim measures, if necessary. If ESU #13 determines that unlawful harassment occurred, ESU #13 will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, ESU #13 will follow this policy and grievance procedure, within the scope of its authority.

ESU #13 is committed to offering employment and educational opportunities to its employees and students in a climate free of harassment. Accordingly, unlawful harassment of any kind by ESU #13 employees, including co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated. All ESU #13 employees are expected to take prompt and appropriate actions to report and prevent harassment. Employees who witness or become aware of possible harassment must immediately report the conduct to his or her supervisor or the designated Compliance Coordinator.

Anti-retaliation

ESU #13 prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in ESU #13's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

ESU #13 will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, ESU #13 will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

ESU #13 is committed to offering employment and educational opportunities to its employees and students in a climate free of retaliation. Accordingly, unlawful retaliation of any kind by ESU #13 employees, including co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated. All ESU #13 employees are expected to take prompt and appropriate actions to report and prevent retaliation. Employees who witness or become aware of possible retaliation must immediately report the conduct to his or her supervisor or the designated Compliance Coordinator.

Grievance (Complaint) Procedures

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the Compliance Coordinator designated to handle complaints of discrimination. If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation ("discrimination") to the Compliance Coordinator.

If the Compliance Coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Administrator for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each ESU #13 building, on the ESU #13 website, and from the Compliance Coordinator.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

The Compliance Coordinator will review and evaluate each grievance, complaint, or report to determine if such grievance, complaint or report is covered under Title IX. If such a grievance, complaint or report is covered under Title IX, then the Compliance Coordinator will follow the Title IX Grievance Procedures. For all other grievances, complaints or reports, the Compliance Coordinator will follow the following General Grievance Procedures.

General Grievance (or Complaint) Procedures

Level 1 (Investigation and Findings): Once ESU #13 receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, ESU #13 will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, ESU #13 will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of ESU #13's investigation. ESU #13 will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

ESU #13 will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. ESU #13 will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, ESU #13 will notify the complainant of his or her right to file a criminal complaint, and ESU #13 employees will not dissuade the complainant from filing a criminal complaint either during or after ESU #13's investigation.

ESU #13 will aim to complete its investigation within ten (10) working days after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline. Periodic status updates will be given to the parties, when appropriate.

ESU #13's investigation will include, but is not limited to:

- Providing the parties with the opportunity to present witnesses and provide evidence.
- An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- For allegations involving harassment, some of the factors ESU #13 will consider include:
 - the nature of the conduct and whether the conduct was unwelcome,
 - the surrounding circumstances, expectations, and relationships,
 - the degree to which the conduct affected one or more students' education,
 - the type, frequency, and duration of the conduct,

- the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment,
- the number of individuals involved,
- the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment,
- the location of the incidents and the context in which they occurred,
- the totality of the circumstances, and
- other relevant evidence.
- A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The Compliance Coordinator (or designated investigator) will complete an investigative report, which will include:

- A summary of the facts,
- Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate discrimination, harassment or other inappropriate conduct.

If someone other than the Compliance Coordinator conducted the investigation, the Compliance Coordinator will review, approve, and sign the investigative report. ESU #13 will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. ESU #13 will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

ESU #13 will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within one (1) working day after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits ESU #13 to disclose relevant information to a student who was discriminated against or harassed.

Level 2 (Appeal to the Administrator): If a party is not satisfied with the findings or remedies (or both) set forth in the decision, Article 5 Equity and Legal Compliance 6 of 14 he or she may file an appeal in writing with the Administrator within five (5) working days after receiving the decision. The Administrator will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal within ten (10) working days after receiving the appeal. The party who filed the appeal will be sent the Administrator’s determination at the time it is issued, and a copy will be sent to the Compliance Coordinator. [If the Administrator is the subject of the complaint, the party will file the appeal directly with the Board.]

Level 3 (Appeal to the Board) If the party is not satisfied with the Administrator’s determination, he or she may file an appeal in writing with the Board within five (5) working days after receiving the Administrator’s determination. The Board will review the appeal, the Administrator’s determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board’s next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, Compliance Coordinator and the party. The Board will issue a written determination about the appeal within thirty (30) days after the party addresses the Board. The party who filed the appeal will be sent the Board’s determination at the time it is issued, and a copy will be sent to the Compliance Coordinator. The Board’s determination, and any actions taken, will be final on behalf of ESU #13.

Confidentiality

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. ESU #13 will notify the complainant of the anti-retaliation provisions of applicable laws and that ESU #13 will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, ESU #13 will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent ESU #13 from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, ESU #13 will inform the complainant that its ability to respond may be limited. Even if ESU #13 cannot take disciplinary action against the alleged harasser, ESU #13 will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted.

Title IX Grievance (or Complaint) Procedures

All employees are responsible for helping to prevent sexual harassment. Employees or students, who believe they have been subjected to, or believe they have witnessed sexual harassment should Article 5 Equity and Legal Compliance 7 of 14 follow these procedures:

- Directly inform the person engaging in the discrimination or harassment that such conduct is offensive and must stop.
- For employee reporters, contact your supervisor or the supervisor of the offending person, the Title IX Coordinator, or the Human Resources Manager if you do not wish to communicate directly with the person whose conduct is offensive or if direct communication with the offending person has been ineffective.
- Report the matter to the Title IX Coordinator or the Human Resources Manager, if the offending conduct continues or has not been resolved to your satisfaction after you have reported the matter to the supervisor.
- For student reporters, contact any teacher.
- Report to the Title IX Coordinator if you are the adult to whom the student has made a report so that the matter can be properly resolved. The Title IX Coordinator may file a formal complaint and begin the following complaint procedure.

Allegations of sexual harassment or discrimination shall be investigated and if substantiated, corrective or disciplinary action taken, up to and including dismissal from employment if the offender is an employee, or suspension and/or expulsion, if the offender is a student. Retaliatory action will not be taken against an employee for reporting discrimination or harassment.

Response to a Formal Complaint

Filing Formal Complaint: An employee or student can allege sexual harassment by filing a formal complaint in writing with the Title IX Coordinator in person or by mail, or by electronic mail using the following contact information:

TITLE IX COORDINATOR CONTACT INFORMATION

Crystal Smith
4215 Ave I, Scottsbluff, NE 69361
308-635-3696 csmith@esu13.org

The formal complaint must be signed by the complainant or by the Title IX Coordinator.

The following procedures apply only in the event that a formal complaint is filed. All other allegations of sexual harassment shall be resolved using the general complaint procedure. Any timelines set forth in the following procedures may be extended by the Title IX Coordinator with notice to the parties.

Immediate Actions Upon Receipt of Formal Complaint: Upon receipt of a formal Article 5 Equity and Legal Compliance 8 of 14 complaint, the Title IX Coordinator shall provide the following to all known parties of (a): The complaint procedure as outlined in this regulation; and (b): Notice of the allegations of sexual harassment including (i) the identities of the parties involved, if known, (ii) the conduct allegedly constituting sexual harassment, and (iii) the date and location of the alleged incident.

The parties to the formal complaint may select an advisor of their choice, who may be, but is not required to be an attorney.

Investigation of Formal Complaint: Upon receipt of a formal complaint, the Title IX Coordinator shall notify the Investigator. The Investigator will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The Investigator will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this complaint procedure. If the allegation(s) involve possible criminal conduct, ESU #13 will notify the complainant of his or her right to file a criminal complaint, and ESU #13 employees will not dissuade the complainant from filing a criminal complaint either during or after ESU #13's investigation.

The Investigator will aim to complete its investigation within a reasonable time frame as determined by the Title IX Coordinator. The factors to determine a reasonable time frame include, but are not limited to the allegations of the formal complaint, the number of witnesses that may need to be interviewed, and whether the police are also conducting an investigation into the allegations. The time frame originally set by the Title IX Coordinator may be extended by the Title IX Coordinator, upon notice to the parties, as he or she deems necessary to complete the investigation. Periodic status updates will be given to the parties, when appropriate.

- **Neutrality:** The Title IX Coordinator, Investigator, decision-maker, or any person designated by ESU #13 to facilitate this complaint procedure shall not have any conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. ESU #13 shall ensure that Title IX Coordinators, Investigators, decision-makers, and any person who facilitates this complaint procedure shall receive training on the definition of sexual harassment in accordance with this regulation, the scope of ESU #13's education program or activity, how to conduct an investigation and complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the fact at issue, conflicts of interest, and bias. ESU #13 shall ensure that the individuals involved in the complaint procedure receive training on issues of relevance of questions and evidence and on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
- **Burden of Production:** It shall be the Investigator's burden to gather evidence sufficient to reach a determination regarding responsibility. To reach a determination, the investigation will include, but is not limited to:
 - Providing the parties with the opportunity to present witnesses and provide evidence.
 - An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
 - For allegations involving harassment, some of the factors ESU #13 will consider include:
 - the nature of the conduct and whether the conduct was unwelcome;
 - the surrounding circumstances, expectations, and relationships;
 - the degree to which the conduct affected one or more students' education;
 - the type, frequency, and duration of the conduct;
 - the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment;
 - the number of individuals involved;
 - the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment;
 - the location of the incidents and the context in which they occurred;
 - the totality of the circumstances; and
 - other relevant evidence.
 - A review of the evidence using a "preponderance of the evidence" standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)
- **Rights of the Parties:** The respondent is entitled to a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.

The Investigator must provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The Investigator shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

The Investigator shall provide the parties with the same opportunities to have others present during any complaint proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice if the Investigator deems appropriate. However, the Investigator may establish restrictions regarding the extent to which the advisor may participate in the proceedings, if the restrictions apply equally to both parties.

The Investigator shall provide to all witnesses expected to attend an meeting notice of the date, time, location, participants, and purpose of all hearings within 2 days of the meeting.

Up until the conclusion of the investigation, the parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. This includes the evidence upon which the Investigator does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence obtained from any source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

ESU #13 retains the right to place a non-student employee respondent on administrative leave during the pendency of the investigation. ESU #13 also retains the right to remove a respondent from ESU #13's educational program prior to the conclusion of the investigation. In the event of a removal, the respondent shall have the opportunity to challenge the decision for removal. d.

Conclusion of Investigation: Prior to the conclusion of the investigation, the Investigator shall send each party and the party's advisor, if any, the evidence that is subject to inspection and review in an electronic format or a hard copy. The parties shall then have ten (10) days to submit a written response, which the Investigator will consider.

Once the Investigator has considered the written statements of the parties, if any, and any questions of the parties, if any, the Investigator shall create an investigative report that fairly summarizes relevant evidence. The Investigator shall then submit the written investigation report to the decision-maker. The parties shall each receive a copy of the final investigative report at the same time as the decision-maker.

Decision of Responsibility

The decision-maker shall review the investigative report. Prior to coming to a determination regarding responsibility, the decision maker shall provide 10 days for each party to submit written, relevant questions that a party wants asked of any party or witness, provide each party with answers, and allow for additional, limited follow-up questions from each party.

Once the decision maker has considered the written questions of the parties, if any, the decision maker shall issue a written determination regarding responsibility by a preponderance of the evidence within a reasonable time frame as determined by the Title IX Coordinator. The decision-maker shall consider all relevant evidence, including inculpatory and exculpatory evidence, and will not consider the credibility of the evidence to be based on a person's status, such as complainant, respondent, or witness. The decisionmaker shall provide the written determination to both parties simultaneously. The written determination must include:

- Identification of the allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
- Findings of fact supporting the determination;
- Conclusions regarding the application of each recipient's code of conduct to the facts;

- A statement of, and rationale for, the results as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
- The recipient's procedures and permissible bases for the complainant and respondent to appeal.

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 11232g; 34 C.F.R. Part 99, permits ESU #13 to disclose relevant information to a student who was discriminated against or harassed.

Supportive Measures and Disciplinary Actions

Throughout the investigation, either party may be entitled to supportive measures. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or ESU #13's educational environment, to deter sexual harassment.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. ESU #13 shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of ESU #13 to provide supportive measures.

At the conclusion of the investigation, the Decision-Maker may institute disciplinary measures to Article 5 Equity and Legal Compliance 12 of 14 the respondent if the Decision-Maker determines that the respondent engaged in sexual abuse or harassment. Disciplinary measures may include, but are not limited to, in school suspension, out of school suspension, expulsion, and in the case of an employee disciplinary action up to and including dismissal from employment. This regulation does not limit or prohibit ESU #13 from instituting disciplinary measures if in the course of the investigation it determines that the complainant or respondent violated the student code of conduct.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Appeals

If either party is not satisfied with the outcome of the investigation and the decision of the decisionmaker, they may appeal on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, Investigator, or Decision-Maker had a conflict of interest or bias for or against the complainant or respondent generally or the individual complainant or respondent that affected the outcome of the matter.

The request for an appeal shall be in writing and submitted on the appropriate document. The appeal document shall be submitted to the ESU #13 Administrator.

Upon notice of an appeal by either party, the ESU #13 Administrator shall notify the other party in writing when the appeal is filed and of the appeal procedures, which apply equally to both parties. The ESU #13 Administrator shall give both parties a reasonable, and equal opportunity to submit a written statement in support of, or challenging the outcome.

The ESU #13 Administrator shall review the investigative report, decision-maker's determination, and written statements of the parties and then issue a written decision describing the result of the appeal and the rationale for the result.

The ESU #13 Administrator shall provide the written decision simultaneously to both parties.

Informal Resolution

If a formal complaint is filed, ESU #13 may offer the complainant and respondent the opportunity to participate in an informal resolution process. The informal resolution process may take place at any time prior to reaching a determination regarding responsibility. The informal resolution process shall only take place upon:

- Written notice to both parties disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the resolution process and resume the complaint process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- The parties' voluntary, written consent to the informal resolution process; and
- That the allegations of the formal complaint do not involve any allegations that an employee sexually harassed a student.

Training

ESU #13 will ensure that relevant ESU #13 employees, including but not limited to officials, administrators, teachers, substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, and bus drivers are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate ESU #13 officials or employees.

Designated Compliance Coordinator

The Designated Compliance Coordinator will be responsible for:

- Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti retaliation laws and regulations.
- Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other ESU #13 employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Administrator and the Board.
- Reviewing all evidence in harassment or violence cases brought before ESU #13's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- Determining whether ESU #13 employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- Recommending changes to this policy and grievance procedure.
- Performing other duties as assigned.

The Designated Compliance Coordinator will not have other job responsibilities that may create a conflict of interest with their Coordinator responsibilities.

Preventative Measures

ESU #13 will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on ESU #13's website and posting the notice at each building in ESU #13. ESU #13 also will designate an employee to coordinate compliance with anti discrimination laws (see Designated Compliance Coordinator section, above, for further information on Compliance Coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on ESU #13's website, at each building in ESU #13, reprinting it in ESU #13 publications, such as handbooks, and sending it electronically to members of the school community. ESU #13 will provide training to employees and students at the beginning of each academic year in the areas (B.6.a-g) identified in the Training section, above.

ESU #13 also may distribute specific harassment and violence materials (such as sexual violence), including a summary of ESU #13's anti-discrimination, anti-harassment, and anti retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- The right to inspect and review the student's education records within 45 days of the day ESU #13 receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the School District to amend a record that they believe is inaccurate or misleading. They should write to the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If ESU #13 decides not to amend the record as requested by the parent or eligible student, ESU #13 will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by ESU #13 as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom ESU #13 has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, ESU #13 discloses education records without consent to officials of another School District in which a student seeks or intends to enroll.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by ESU #13 to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:
Family Policy Compliance Office

Notice to Parents of Rights Afforded by Section 504 of Rehabilitation Act of 1973

The following is a description of the rights granted by federal law to qualifying students with disabilities. The intent of the law is to keep you fully informed concerning the decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

- Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disability.
- Have the school district advise you of your rights under federal law.
- Receive notice with respect to identification, evaluation or placement of your child.
- Have your child receive a free appropriate public education.
- Have your child receive services and be educated in facilities which are comparable to those provided to every student.
- Have evaluation, educational and placement decisions made based on a variety of information sources and by persons who know the student and who are knowledgeable about the evaluation data and placement options.
- Have transportation provided to and from an alternative placement setting (if the setting is a program not operated by the district) at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
- Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district.
- Examine all relevant records relating to decisions regarding your child's identification, evaluation and placement.
- Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. (You and your child may take part in the hearing. Hearing requests are to be made to the Superintendent).
- File a local grievance.

Notice Concerning Directory Information

ESU #13 may disclose directory information. The types of personally identifiable information that ESU #13 has designated as directory information are as follows:

- Student's Name, address, telephone listing, and the name, address, telephone listings (if not unlisted), e-mail address and work or other contact information of the student's parent/guardian or other adult acting in loco parentis or with authority to act as parent or guardian in educational matters for the student;
- School and dates of attendance;
- Student's current grade;
- Student's enrollment status (e.g. full-time or part-time);
- Student's date of birth and place of birth;
- Student's extra-curricular participation;
- Student's achievement awards or honors;
- Student's weight and height if a member of an athletic team;
- Student's photograph; and
- School or school district the student attended before he or she enrolled in [Name] Public Schools.

Notwithstanding the foregoing, ESU #13 does not designate as directory information personally identifiable information from students' education records where ESU #13 determines that the disclosure to the potential recipient poses a risk to student safety or well-being, including but not limited to circumstances where the potential recipient is a registered sex offender and the personally identifiable information would permit the potential recipient to communicate with or otherwise contact the student.

A parent or eligible student has the right to refuse to let ESU #13 designate information about the student as directory information. The period of time within which a parent or eligible student has to notify ESU #13 in writing that he or she does not want information about the student designated as directory information is as follows: two (2) weeks from the time this information is first received. Please contact the Administrator's office to indicate your refusal to have your child's information designated as directory information.

ESU #13 may disclose information about former students without meeting the conditions in this section.

ESU #13's policy is for education records to be kept confidential except as permitted by the FERPA law, and ESU #13 does not approve any practice which involves an unauthorized disclosure of education records. In some courses student work may be displayed or made available to others. Also, some teachers may have persons other than the teacher or school staff, such as volunteers or fellow students, assist with the task of grading student work and returning graded work to students. ESU #13 does not either approve or disapprove such teaching practices, and designates such student work as directory information and/or as non-education records. Each parent and eligible student shall be presumed to have accepted this designation in the absence of the parent or eligible student giving notification to ESU #13 in writing in the manner set forth above pertaining to the designation of directory information. Consent will be presumed to have been given in the absence of such a notification from the parent or eligible student.

Notice Concerning Designation of Law Enforcement Unit

ESU #13 designates the Scottsbluff Police Department as ESU #13's "law enforcement unit" for purposes of (1) enforcing any and all federal, state or local law, (2) maintaining the physical security and safety of the schools in ESU #13, and (3) maintaining safe and drug free schools.

Enrollment Form - Media/Publicity Form

Reporters from local newspapers, television stations, and radio stations frequently visit schools to gather information and pictures for stories on a variety of topics (profiles on new school programs, stories about outstanding students and teachers, parent/student issues, news such as new standards and policies). My signature below represents that ESU #13 has my permission to use my child's photograph, likeness, artwork, profile, and/or story in all forms of media and all manners (these are called "use"), including, but not limited to classroom display, publications, web pages, brochures, videos, and other promotional media. I understand the circulation of the materials could be worldwide and that there will be no compensation to me or my child for this use. I waive any right to inspect or approve the finished product, including written copy that may be created in connection therewith.

Occasionally, due to family, legal, or other reasons, parents and legal guardians prefer that their children never receive publicity. We ask that those parents and legal guardians sign and return the form below. Signed forms returned to us will be kept on file at ESU #13 and referred to when members of the media visit the school. Reporters and photographers will be asked to avoid featuring any children for whom this form is on file.

Please note that this procedure cannot apply to public events or to the extracurricular programs for which children must register.

____ I GIVE permission for my child to be included in any publicity or web publications that a school classroom or regular school program may receive.

____ I do NOT want my child to be included in any publicity that a school classroom or regular school program may receive.

Name of Child _____

Parent/Guardian Signature _____

Date _____

Authorization expires at the end of each school year.

(Questions? Call Jessica Broderick, Director of Special Education at 308-635-3696)

It may be in the best interest of some students to have open communication between ESU #13 Meridian School personnel and student healthcare and/or mental health providers. Please complete this form if you would like ESU #13 personnel and healthcare and/or mental health providers to be able to communicate about your child. This communication may include information shared via phone call, email, facsimile, and/or US Postal Service mail. Completion of this form is voluntary.

***Authorization for Release of Personal Records/Health Records
And Pupil Information***

____MDT information	____Psychological & mental health records	____Test scores
____ IEP information	____ Educational evaluation	____Medical, Health & Immunization records

I hereby authorize you to release records to:
Educational Service Unit #13
4215 Avenue I
Scottsbluff, NE 69361
Phone: (308) 635-3696
Fax: (308) 635-0680

Signature of Parent/Guardian _____
Date

I acknowledge notification of this transfer of records as required by the Family Educational Rights and Privacy Act of 1974, and understand that I have a right to receive a copy at my own expense, if I so request, and have an opportunity for a hearing to challenge the content of the records. I understand that the information transferred will be treated in a confidential manner and will not be transmitted to a third party without my consent. Family Educational Rights and Privacy Act of 1974 states that parents' signature is not required for transfer of records between schools.

Enrollment Form - Emergency Contact Information

Student Name: _____ Date of Birth: _____
Age: _____ Grade: _____ ☐ Male ☐ Female School District: _____
Who does the student live with? _____

Please notify the school immediately of any changes in contact information.

Parent/Guardian Information

Father/Guardian Name: _____
Address: _____ City: _____ State: _____ Zip: _____
Home Phone: _____ Cell Phone: _____
Place of Employment: _____ Work Phone: _____
Email Address: _____
Preferred Contact Method: ☐ Phone ☐ Text Message ☐ Email

Mother/Guardian Name: _____
Address: _____ City: _____ State: _____ Zip: _____
Home Phone: _____ Cell Phone: _____
Place of Employment: _____ Work Phone: _____
Email Address: _____
Preferred Contact Method: ☐ Phone ☐ Text Message ☐ Email

Emergency Contacts if Parents/Guardians Cannot Be Reached

1st Contact Name: _____ Phone: _____
Relationship to Student: _____

2nd Contact Name: _____ Phone: _____
Relationship to Student: _____

Healthcare Providers

Family Physician: _____ Phone: _____
Date of Last Exam: _____

Dentist: _____ Phone: _____
Date of Last Exam: _____

Optometrist: _____ Phone: _____
Date of Last Exam: _____

Psychiatrist/Psychologist: _____ Phone: _____
Date of Last Visit: _____

Signature of Parent/Guardian

Date

Enrollment Form - Medical/Health Information

Page 1 of 2

Student Name: _____

Please circle either YES or NO for the following questions. If you answer "yes" to any of the following, please give more information in the space provided.

Does your child take medications or supplements regularly?	YES	NO	Has your child had any new immunizations in the last year? <small>*if YES, provide school with updated record</small>	YES	NO
Does your child have allergies?	YES	NO	Does your child have anaphylaxis? <small>*if YES, Anaphylaxis Action Plan sent home</small>	YES	NO
Does your child have asthma? <small>*if YES, Asthma Action Plan sent home</small>	YES	NO	Does your child have diabetes? <small>*if YES, Diabetes Action Plan sent home</small>	YES	NO
Does your child have seizures? <small>*if YES, Seizure Action Plan sent home</small>	YES	NO	Does your child have a mental health disorder?	YES	NO
Does your child have a skin disorder?	YES	NO	Does your child have restrictions for physical activity?	YES	NO
Does your child have a vision loss?	YES	NO	Does your child have a hearing loss?	YES	NO
Does your child have a history of surgeries or injuries?	YES	NO	Does your child have any dietary restrictions or nutritional needs?	YES	NO
Does your child have a modified diet or feeding/swallowing needs? <small>*if YES, you will contacted by the SLP</small>	YES	NO	Does your child have a history of high blood pressure?	YES	NO

Please list ALL allergies that you are aware of for your child, including medication, food, environmental, and chemical.

Allergen	Reaction	Treatment

Enrollment Form - Medical/Health Information

Page 2 of 2

Student Name: _____

Please list ALL prescription medication that your child takes, including vitamins, supplements, and over-the-counter medications.

Medication	Dose	Route	Time(s)	Indication	Prescriber

Please use the space below to share any additional information and/or any other medical condition or concern that your child may have:

Signature of Parent/Guardian

Date

Enrollment Form - Medication & Emergency Treatment

Student Name: _____

Medication

If there are over-the-counter medications you wish to have given to your child, please send these medications to the school. Your signature below indicates that you give permission for the school nurse or a medication-competent school staff member to administer over-the-counter medications - such as Acetaminophen, Ibuprofen, cough drops, hydrocortisone cream, triple antibiotic ointment, antifungal cream, and first aid cream - to your child as needed. You release ESU #13 and its employees from liability in case of choking, allergic reaction, side effects, and/or health risks related to the medication.

**Please note: we do not provide liquid forms of medication*

____ I GIVE permission for my child to be given over-the-counter medication(s) at school.

____ I do NOT want my child to be given over-the-counter medication(s) at school.

Signature of Parent/Guardian

Date

In Case of Emergency

In the event of an emergency, your signature below authorizes any qualified, competent personnel to administer emergency medical first aid and/or any other treatment essential to the health and well-being of my child. Additionally, you consent for my child to be transported via ambulance in the case the parent/guardian cannot be reached. Should emergency medical treatment be necessary, you authorize local emergency service providers to carry out such treatments.

**If you consent to one or two of these three items, please mark the lines below and circle which items you authorize*

____ I GIVE permission for my child to receive emergency medical first aid by school personnel, be transported via ambulance if a parent/guardian cannot be reached, and be treated by emergency service providers

____ I do NOT want my child to receive emergency medical first aid by school personnel, be transported via ambulance if a parent/guardian cannot be reached, and be treated by emergency service providers

Signature of Parent/Guardian

Date

Network Acceptable Use and Internet Safety Policy Student's Agreement

Educational Service Unit No. 13 Network Acceptable Use and Internet Safety Policy Student's Agreement By signing this form, I acknowledge receipt of, understand, and agree to abide by the rules and standards set forth in ESU #13 Network Acceptable Use and Internet Safety Policy. I understand that to gain access to the ESU #13 computer network systems, I must return this form signed by me and my parent or legal guardian. I further understand that any violation of the Policy is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, monetary liability may be incurred, school disciplinary and/or appropriate legal action may be taken. I understand that this agreement will be in effect for one school year and must be re-signed in subsequent years.

AI Tools & Systems:

- *AI Output Review: Always review and critically assess outputs from AI tools before submission or dissemination. Staff and students should never rely solely on AI-generated content without review.*
- *Bias and Misinformation: Be aware that AI-generated content may possess biases or inaccuracies. Always verify AI-produced results using trusted sources before considering them in academic work.*
- *Safety & Respect: Users must not use AI tools to create or propagate harmful, misleading, or inappropriate content. (Note: This may also be added to a student code of conduct or bullying/harassment policy.)*
- *Transparency: Any use of AI to aid assignments, projects, or research must be declared [and properly cited].*
- *Usage: AI tools will be used for educational purposes only. Misuse or malicious use of AI technologies will lead to disciplinary action.*

Printed Student Name: _____

Student Signature: _____

Date: _____

Network Acceptable Use and Internet Safety Policy Parent's or Legal Guardian's Agreement

Educational Service Unit No. 13 Network Acceptable Use and Internet Safety Policy Parent's or Legal Guardian's Agreement I have read, understand, and agree with the ESU #13 Network Acceptable Use and Internet Safety Policy. I understand that by signing this form I give permission for ESU #13 to grant access to district electronic communication systems, including the Internet. I understand that this access is designed for educational purposes. I understand that ESU #13 has taken reasonable precautions to eliminate access to inappropriate material and I will not hold the district or staff members responsible if inappropriate material is inadvertently accessed. I understand that this agreement will be in effect for one school year and must be re-signed in subsequent years. **I grant permission for [insert district] to provide selected information required for my child to use online or other equipment or instructional technology tools approved by the District Technology Committee/District representative. I further consent that ESU13 may provide such information on my behalf under the Children's Online Privacy Protection Act, Children's Internet Protection Act, Protection of Pupil Rights Amendment, Family Educational Rights and Privacy Act, and other federal or state law.**

Printed Parent Name: _____

Parent Signature: _____

Date: _____