

SECTION II: STUDENT CONDUCT

AREAS OF PROHIBITED STUDENT CONDUCT – LEVEL I

Classroom Conduct K-12

The common goal of students, parents, faculty and administration of Wallace Public School is to maintain a school atmosphere that is conducive to learning. Students have an opportunity to learn by sharing some of the responsibility for creating a good learning environment. To help maintain a quality instructional environment for all students attending Wallace, all students are expected to comply with item #1 below and refrain from items #2 through #17:

1. Come to class prepared: Students will bring assignments, classroom supplies, materials, or equipment appropriate to that class. Book bags in the classrooms must be in designated areas.
2. Cheating/Plagiarism/Forgery: Examples of cheating, plagiarism, and forgery include sharing work, taking another student's work, obtaining a copy of a copyrighted material, passing someone else's work for your own, tampering with report cards, passes, or any other school record, including forging parents or a school official's signature.
3. Defiance/Disrespect/Non-Compliance: Defiance, disrespect, and insubordination include gestures, eye rolling, talking back, not following directions, not asking permission, or any type of refusal to cooperate with school personnel. Students will use the proper name of all faculty members; (Mr., Ms., Mrs., Coach).
4. Destruction of Property: Student deliberately impairs or damages the usefulness of school/personal property, which includes graffiti/ defacing property.
5. Dress Code Violation: Students must wear clothing that is within the dress code guidelines as printed in the handbook.
6. Fighting/Physical Aggression: Actions involving physical contact where injury may occur (e.g. hitting, punching, hitting with an object, kicking, hair pulling, spitting, pushing, choking, biting, slapping, scratching, pinching, etc.)
7. Food/Drinks: Pop, juice, sport drinks, candy, all food items are not allowed in the school building or classrooms, except for special occasions as determined by the teacher. Gum chewing and water bottles will be allowed at the discretion of the teacher.
8. Harassment/Bullying: The Wallace Public School will not tolerate any form of bullying and/or harassment. Any intentionally hostile or offensive verbal, written, electronic, graphic, demonstrative, or physical intimidation, frightening, oppressing, or adversely controlling a student, any intentionally hurtful, demeaning, or disparaging acts, words, symbolic representations, or behavior used by a student or students.
9. Inappropriate Behavior: Inappropriate behavior includes but is not limited to: causing an interruption in a class or activity, sustained loud talk, yelling, screaming, noise with materials, horseplay or roughhousing, sustained out-of-seat behavior, obscene material, tipping of chair or desk, sitting on desks or heat registers, poor sitting posture, heads down on the desk, running in the halls, use of electronic devices for personal use during class time without teacher permission, obnoxious bodily noises, unsafe movement between classes, not being where your pass indicates, not going directly to where your pass indicates.
10. Inappropriate Language: Use of inappropriate language or any disrespectful gestures written, verbal, or electronic are not allowed. This includes all profanity and slang derivations of profanity, racial or homosexual comments.

11. Computer and Internet Policy Violation: The use of equipment, computers, network resources, and the internet is a privilege; not a right. Any inappropriate use will result in a cancellation of those privileges. See the handbook for a complete list of rules.
12. Not showing up for a detention.
13. Nuisance Items: Anything not requested as a supply item by the teacher may be considered as a nuisance item. This list includes but is not limited to; cell phones, video games, laser pointers, head phones, any electronic devices, playing cards, trading cards, toys of any kind, rubber bands, white-out, etc.
14. Students will not leave their seat without permission: Teachers may provide general instructions for lab/study hall situations that may alter this responsibility.
15. No talking Without Permission.
16. Tardy/Skip Class: Students are to be in their seats and ready for class on or before the tardy bell. Students will not leave class/school without permission.
17. Theft: Student is in possession of, has passed on, or is responsible for removing school property or someone else's property.

Discipline Report

Supervisory adults (teachers, coaches, paraprofessionals, substitute teachers, bus drivers, office staff, lunch room staff, custodial staff, and administrators) may provide appropriate warnings for misbehavior and then proceed to consequences if misbehavior continues. Consequences include loss of privileges, time-out, office referral, parent conferences, detention, in-school suspension, out of school suspension, and eventually expulsion.

If a detention is assigned, the detention will be 30 minutes in length to be served either before or after school. Students who ride the bus and whose parents are unable to transport them may serve two lunch periods in the office in lieu of one 30 minute detention before or after school. The classroom teacher will schedule the day and time the detention is to be served. The principal will schedule the day and time the detention is to be served when multiple detentions are received in the same day, and when detentions are assigned by supervisory adults other than classroom teachers.

Detentions will be scheduled to be served no sooner than the next day unless the teacher or principal makes other arrangements with the parent/guardian. The student will sign the detention and take a copy home to the parent on the same day. The parent will be responsible for the student's transportation home after the detention is served for after-school detentions, or to school for before-school detentions. The parent will need to contact the school if the student is not able to serve the detention because of an appointment or other commitment. Ball practice, Scouts, 4-H, etc., will not be considered as an appointment or commitment to keep the student from serving the detention.

Consequences for numerous detentions

Students will serve in-school suspension for having received numerous detentions during a school year in accordance with the following chart:

- Detentions 1 through 5 (after receiving the 5th detention) = 1 day
- Detentions 6 through 10 (after receiving the 10th detention) = 1 day
- Detentions 11 through 15 (after receiving the 15th detention) = 2 days
- Detentions 16 through 20 (after receiving the 20th detention) = 3 days
- More than 20 = at the Principal's discretion

AREAS OF PROHIBITED STUDENT CONDUCT: LEVEL II

Grounds For Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment.

Development of Uniform Discipline System. It shall be the responsibility of the Superintendent to develop and maintain a system of uniform discipline. The discipline which may be imposed includes actions which are determined to be reasonably necessary to aid the student, to further school purposes, or to prevent interference with the educational process, such as (without limitation) counseling and warning students, parent contacts and parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling upon written consent of the parent or guardian, or in-school suspension. The discipline may also include out-of-school suspension (short-term or long-term) and expulsion.

A. DEFINITIONS AND PROCEDURES

1. Short-Term Suspension: Students may be excluded by the Principal or the Principal's designee from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:
 - a. Conduct that constitutes grounds for expulsion, whether the conduct occurs on or off school grounds; or
 - b. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

- a. The Principal or the Principal's designee will make a reasonable investigation of the facts and circumstances. A short-term suspension will be made upon a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
- b. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what the student is accused of having done, an explanation of the evidence the authorities have, and be afforded an opportunity to explain the student's version of the facts.
- c. Within 24 hours or such additional time as is reasonably necessary following the suspension, the Principal or administrator will send a written statement to the student and the student's parent or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken.
- d. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal or administrator ordering the short-term

suspension before or at the time the student returns to school. The Principal or administrator shall determine who in addition to the parent or guardian is to attend the conference.

- e. A student who on a short-term suspension shall not be permitted to be on school grounds without the express permission of the Principal.

2 Long-Term Suspension:

A long-term suspension means an exclusion from school and any school functions for a period of more than five school days but less than twenty school days. A student who on a long-term suspension shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension; the procedures will be those set forth in the Student Discipline Act.

3 Expulsion:

- a. **Meaning of Expulsion.** Expulsion means exclusion from attendance from school and on school grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period. A student who has been expelled shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends an expulsion. The notice will include a description of the procedures for expulsion; the procedures will be those set forth in the Student Discipline Act.
- b. **Suspensions Pending Hearing.** When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be taken to the superintendent, if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers.
- c. **Summer Review.** Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year in accordance with law.

- d. **Alternative Education:** Students who are expelled may be provided an alternative education program that will enable the student to continue academic work for credit toward graduation. In the event an alternative education program is not provided, a conference will be held with the parent, student, the Principal or another school representative assigned by the Principal, and a representative of a community organization that assists young people or that is involved with juvenile justice to develop a plan for the student in accordance with law.
- e. **Suspension of Enforcement of an Expulsion:** Enforcement of an expulsion action may be suspended (i.e., “stayed”) for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect. As a condition of such suspended action, the student and parents will be required to sign a discipline agreement.
- f. **Students Subject to Juvenile or Court Probation.** Prior to the readmission to school of any student who is less than nineteen years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, or Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the Principal or the Principal’s designee shall meet with the student’s probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the Principal or the Principal’s designee are agreed to by the probation officer and the student, and the court permits the student to return to school under the agreed to conditions, the student may be permitted to return to school. The student may with proper consent, upon such return, be evaluated by the school for possible disabilities and may be referred for evaluation for possible placement in a special education program. The student may be expelled or otherwise disciplined for subsequent conduct as provided in Board policy and state statute.

4. **Other Forms of Student Discipline:**

Administrative and teaching personnel may also take actions regarding student behavior, other than removal of students from school, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but are not limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions may also include in-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.

B. STUDENT CONDUCT EXPECTATIONS:

Students are not to engage in conduct which causes or which creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity or purpose or interfere with the health, safety, well being or rights of other students, staff or visitors.

C. GROUNDS FOR SHORT-TERM SUSPENSION, LONG-TERM SUSPENSION, EXPULSION OR MANDATORY REASSIGNMENT:

The following conduct has been determined by the Board of Education to have the potential to seriously affect the health, safety or welfare of students, staff and other persons or to otherwise seriously interfere with the educational process. Such conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, and any other lesser forms of discipline. The conduct is subject to the consequence of long-term suspension, expulsion, or mandatory reassignment where it occurs on school grounds, in a vehicle owned, leased, or contracted by the school and being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or an employee's designee, or at a school-sponsored activity or athletic event.

1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
2. Use of violence, force, coercion, threat, intimidation, harassment, or similar conduct in a manner that constitutes a substantial interference with school purposes or making any communication that a reasonable recipient would interpret as a serious expression of an intent to harm or cause injury to another.
3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, repeated damage or theft involving property, or setting or attempting to set a fire of any magnitude.
4. Causing or attempting to cause personal injury to any person, including any school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision.
5. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student or making a threat which causes or may be expected to cause a disruption to school operations.
6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.
7. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance

or inhalant. Tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.

8. Public indecency or sexual conduct.
9. Engaging in bullying, which includes any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or a school employee's designee, or at school-sponsored activities or school-sponsored athletic events.
10. Sexually assaulting or attempting to sexually assault any person. This conduct may result in an expulsion regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.
11. Engaging in any activity forbidden by law which constitutes a danger to other students or interferes with school purposes. This conduct may result in an expulsion regardless of the time or location of the offense if the conduct creates or had the potential to create a substantial interference with school purposes, such as the use of the telephone or internet off-school grounds to threaten.
12. A repeated violation of any rules established by the school district or school officials if such violations constitute a substantial interference with school purposes.
13. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
14. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, disability, national origin, or religion.
15. Dressing or grooming in a manner which is dangerous to the student's health and safety or a danger to the health and safety of others or repeated violations of the student dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work and discipline of the school; dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.
16. Willfully violating the behavioral expectations for riding school buses or vehicles.
17. A student who engages in the following conduct shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:
 - a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if

caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or

- b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm.

- 18. Knowingly and intentionally possessing, using, or transmitting a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event_off school grounds, or at a school-sponsored activity or athletic event. This conduct shall result in an expulsion for one calendar year. "Firearm" means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. That statute includes the following statement: "The term 'firearm' means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device." The Superintendent may modify such one year expulsion requirement on a case-by-case basis, provided that such modification is in writing.

Bringing a firearm or other dangerous weapon to school for any reason is discouraged; however, a student will not be subject to disciplinary action if the item is brought or possessed under the following conditions:

- a. Prior written permission to bring the firearm or other dangerous weapon to school is obtained from the student's teacher, building administrator and parent.
- b. The purpose of having the firearm or other dangerous weapon in school is for a legitimate educational function.
- c. A plan for its transportation into and from the school, its storage while in the school building and how it will be displayed must be developed with the prior written approval by the teacher and building administrator. Such plan shall require that such item will be in the possession of an adult staff member at all times except for such limited time as is necessary to fulfill the educational function.
- d. The firearm or other dangerous weapon shall be in an inoperable condition while it is on school grounds.

D. ADDITIONAL STUDENT CONDUCT EXPECTATIONS AND GROUNDS FOR DISCIPLINE:

I. STUDENT DRESS CODE

- 1. Student Appearance: Students are expected to dress in a way that is appropriate for the school setting. Students should not dress in a manner that is dangerous to the health and safety of anyone or interferes with the learning environment or teaching process in our school. Following is a list of examples of attire that will not be considered appropriate, such list is not exclusive and other forms of attire deemed inappropriate by the administration may be deemed inappropriate for the school setting:

GRADUATION: All caps and gowns are purchased by the school district and will be kept at the school until graduation day. No alterations to the gown, cap, mortar board or tassel will be allowed.

2. Students will be restricted from attending school if their attire includes any of the following:
 - a. Students will be dressed in such a manner as not to interfere with the academic and extra-curricular activities which constitute their course of daily study at school.
 - b. Students will be dressed in a manner which would be perceived by the community at large as in standard taste. The building Principal's opinion on standard community taste will be the deciding factor. Common sense and discretion are invaluable when determining what is appropriate or inappropriate. Just because you can buy it at a store does not mean that it is suitable for the school setting. If you question the appropriateness of something, please call the school in advance if you need more information. Styles continue to change, and the administration will make changes accordingly and inform students of these changes. The only exceptions to the dress code rules would be situations under the supervision of a school sponsor. Students whose attire is found to be in violation of this dress code may be required to change into more appropriate clothing. Violation of this dress code may result in detention or suspension.
 - c. Clothing that shows an inappropriate amount of bare skin or underwear (midriffs, spaghetti straps, sagging pants) or clothing that is too tight, revealing or baggy, or tops and bottoms that do not overlap or any material that is sheer or lightweight enough to be seen through, or otherwise of an appropriate size and fit so as to be revealing or drag on the ground.
 - d. Shorts, skirts, or skorts that do not reach mid-thigh or longer.
 - e. Clothing or jewelry that advertises or promotes beer, alcohol, tobacco, or illegal drugs.
 - f. Clothing or jewelry that could be used as a weapon (chains, spiked apparel) or that would encourage "horse-play" or that would damage property (e.g. cleats).
 - g. Head wear including hats, caps, bandannas, and scarves.
 - h. Clothing or jewelry which exhibits nudity, makes sexual references or carries lewd, indecent, or vulgar double meaning.
 - i. Clothing or jewelry that is gang related.
 - j. Shoes, boots or sandals must be worn at all times
 - k. The wearing of clothing with holes, slashes or cuts will not be permitted if they depart from cleanliness, neatness, good taste and decency.
 - l. Clothing usually worn as undergarments may not be worn as outer garments

Consideration will be made for students who wear special clothing as required by religious beliefs, disability, or to convey a particularized message protected by law. The final decision regarding attire and grooming will be made by the Principal or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school's guidelines, the student should contact the Principal for approval, and may also review such additional posting of prohibited items or grooming which may be available in the Principal's office.

Coaches, sponsors or teachers may have additional requirements for students who are in special lab classes, students who are participants in performing groups or students who are representing the school as part of an extracurricular activity program.

On a first offense of the dress code, the student may call home for proper apparel. If clothes cannot be brought to school, the student may be issued a school owned Tee shirt, may be given zip ties for belt loops, or be may be assigned to in-school suspension for the remainder of the day if clothes are not brought from home and the student refuses the Tee shirt or zip tie remedies. Students will not be allowed to leave campus to change clothes. Continual violations of the dress code will result in more stringent disciplinary actions, up to expulsion. Further, in the event the dress code violation is determined to also violate other student conduct rules (e.g., public indecency, insubordination, expression of profanity, and the like), a first offense of the dress code may result in more stringent discipline, up to expulsion.

II. INAPPROPRIATE PUBLIC DISPLAYS OF AFFECTION (IPDA)

Students are not to engage in inappropriate public displays of affection on school property or at school activities. Such conduct includes kissing, touching, fondling or other displays of affection that would be reasonably considered to be embarrassing or a distraction to others. Students will face the following consequences for IPDA:

1. 1st Offense: Student will be confronted and directed to cease.
2. 2nd Offense: Student will be confronted, directed to cease, and parents will be notified.
3. 3rd Offense: Student will be suspended from school for a minimum of 1 day, and parents and student will need to meet with Administrator(s) and/or counselor.

III. LAW VIOLATIONS

1. Cases of law violations or suspected law violations by students will be reported to the police and to the student's parents or guardian as soon as possible.
2. When a principal or other school official releases a minor student to a peace officer (e.g., police officer, sheriff, and all other persons with similar authority to make arrests) for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, in which case the principal or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.
3. In an effort to demonstrate that student behavior is always subject to possible legal sanctions regardless of where the behavior occurs it is the District's policy to notify the proper legal authorities when a student engages in any of the following behaviors on school grounds or at a school sponsored event:
 - (a) Knowingly possessing illegal drugs or alcohol.
 - (b) Aggravated or felonious assault.
 - (c) Vandalism resulting in significant property damage.
 - (d) Theft of school or personal property of a significant nature.

- (e) Automobile accident.
- (f) Any other behavior which significantly threatens the health or safety of students or other persons, and such other offenses which are required to be reported by law.

When appropriate, it shall be the responsibility of the referring administrator to contact the student's parent of the fact that the referral to legal authorities has been or will be made.

IV. REMOVAL OF STUDENTS AND INTERVIEW OF STUDENTS BY LAW ENFORCEMENT OFFICIALS

In dealing with law enforcement officials, Wallace School District 65-R' 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 District operations or educational programming.

1. Removals of Students by Law Enforcement Officials

Law enforcement officers should not be permitted to remove a child from school while the child is properly in attendance, without permission of the child's parent or guardian, except when legally authorized to do so. (See Neb. Rev. Stat. §49-801 for more information).

Law enforcement officers may in the line of duty require a student to accompany him or her 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 with an arrest warrant, or without a warrant or order of the court when:

- (a) the child has violated a state law or a municipal ordinance and such child was eleven years of age or older at the time of the violation, and the officer has reasonable grounds to believe such child committed such violation and was eleven years of age or older at the time of the violation;
- (b) the child is seriously endangered in his or her surroundings and immediate removal appears to be necessary for the child's protection;
- (c) the officer believes the child to be mentally ill and dangerous as defined in Neb. Rev. Stat. §71-908 and that the harm described in that section is likely to occur before proceedings may be instituted before the juvenile court;
- (d) the officer has reasonable grounds to believe that the juvenile has run away from his or her parent, guardian, or custodian;
- (e) a probation officer has reasonable cause to believe that a juvenile is in violation of probation and that the juvenile will attempt to leave the jurisdiction or place persons or property in danger; or
- (f) the officer has reasonable grounds to believe the juvenile is truant from school. (Neb. Rev. Stat. §§43-418 and 43-248).
- (g) the officer has reasonable grounds to believe the child is immune from prosecution for prostitution under subsection (5) of section 28-801; or

- (h) the child has committed an act or engaged in behavior described in subdivision (1), (2), (3)(b), or (4) of section 43-247 and such child was under eleven years of age at the time of such act or behavior, and the officer has reasonable cause to believe such child committed such act or engaged in such behavior and was under eleven years of age at such time.

If a peace officer or probation officer requests to take custody of a student who is at that time under the control and jurisdiction of Wallace School District 65-R, the following action is to be taken:

- (a) Establish Authority to Remove. The student should be released after appropriate measures are taken and documented to ensure that the officer has the authority to take the student.
- (b) Notify Local Law Enforcement. In some instances there may be orders for custody of a student served by the officers with authority to arrest from outside the jurisdiction of Wallace School District 65-R. Local law enforcement should be contacted and requested to participate in or monitor the removal.
- (c) Notify Parent of Removal. When a principal or other school official releases a minor student to a peace officer for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor student to the officer and the place to which the student is reportedly being taken. Provided, however, when a minor student has been taken into custody as a victim of suspected child abuse, the principal or other school official is not required to notify the parent or guardian, but shall provide the peace officer with the address and telephone number of the minor student's parents or guardian.

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 an agency of the federal government without consent of the student's parent, guardian or custodian.

2. Interviews of Students by Law Enforcement Officials

Law enforcement officers and other law authorities should be urged to contact students for questioning outside the instructional day and off school premises whenever possible. When it is appropriate that such questioning occur, the following guidelines are to be followed:

- (a) Interviews not related to District Events. If an interview of a student is requested during school hours concerning an ongoing investigation of a crime not related to Wallace School District 65-R, questioning should not take place until the student's parent, guardian or custodian has been

contacted and permission is given for such interview. The consent should be documented. The presence of a school employee during the interview is not necessary.

- (b) Interviews Related to District Events. If the investigation relates to an incident which took place on school premises or during instructional time, it is not necessary to obtain consent of the student's parent, guardian or custodian. In these situations, an employee of the District should be present during the interview to ensure that the interview relates only to the incident which took place on school premises or during instructional time or something which is directly related thereto.
- (c) Child Abuse or Neglect. 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 without consent of the student's parent, guardian or custodian. In these situations, an employee of Wallace School District 65-R should be present during the interview to ensure that the interview relates only to those matters.
- (d) Probation Officer Interview. A probation officer assigned to a student by a court may be allowed the opportunity, on request, to interview a student on school premises. In such situations, it is neither necessary nor desirable that a District employee be present during the interview. It also is not necessary to obtain the consent of the parent, guardian, or custodian.

See Board Policy 5413 for additional information.

PROCEDURES FOR LONG-TERM SUSPENSION, EXPULSION OR MANDATORY REASSIGNMENT

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

1. The principal shall prepare a written summary of the alleged violation and the evidence supporting the alleged violation with the superintendent.
2. If the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers, and a notice of intent to discipline the student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be taken to the superintendent.

3. If the superintendent deems further action appropriate, said party shall either send by registered or certified mail or by personal service the student and the student's parents or guardian with a written notice within two school days of the date of the decision. Said notice shall include the following:
 - a. The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long-term suspension or expulsion including a summary of the evidence to be presented against the student as submitted by the principal.
 - b. The penalties to which the student may be subjected and the penalty which the principal has recommended in the charge.
 - c. A statement explaining the student's right to a hearing upon request on the specified charges.
 - d. A description of the hearing procedures provided by these policies along with procedures for appealing any decision rendered by the hearing.
 - e. A statement that the administrative representative, legal counsel for school, the student, the student's parents, or the student's representative or guardian shall have the right to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct, and the right to know the identity of the witnesses to appear at the hearing and the substance of their testimony.
 - f. A form or a request for hearing to be signed by such parties and delivered to the superintendent in person or by registered or certified mail.
4. Nothing in this policy shall preclude the student, student's parents, guardian or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.
5. In the event that the superintendent has not received a request for hearing within five school days following receipt of the written notice, the punishment recommended in the charge by the principal, or superintendent shall automatically go into effect.
6. If a hearing is requested more than five school days following the actual receipt of the written notice, but not more than thirty calendar days after actual receipt, the student shall be entitled to a hearing but the punishment imposed may continue in effect pending final determination.
7. If a request for hearing is not received within thirty calendar days following the mailing or delivery of the written notice, the student shall not be entitled to a hearing.
8. In the event that a hearing is required to be provided, the superintendent of schools shall appoint a hearing officer.

Hearing Procedure

1. Hearing Officer. The hearing officer shall be any person designated by the superintendent of schools. The hearing officer shall be an individual who has had no involvement in the charge, will not be a witness at the hearing and who has not brought the charges against the student. It shall be the duty of the hearing officer to remain impartial throughout all deliberations. The hearing officer shall be available prior to any hearing held pursuant to this policy to answer any questions the administrative representative, the student, the student's parents, or guardian, may have regarding the nature and conduct of the hearing.
2. Administrative Representative. The superintendent shall appoint an administrative representative with the responsibility to present the facts and evidence. Such administrative representative may be an attorney or may be represented by an attorney, but any such attorney shall not advise the hearing office or parties who may review the proceedings as their counsel.
3. Notice of Hearing. If a hearing is requested within five school days of receipt of the notice, the hearing officer shall, within two school days after being appointed, give written notice to the

administrative representative, and the student, the student's parents or guardian of the time and place for the hearing. The hearing shall be scheduled within a period of five school days after it is requested. No hearing shall be held upon less than two school days' actual notice to the administrative representative, and the student, the student's parents, or guardian, except with the consent of all of the parties.

4. Continuance. Upon written request of the student or the student's parents or guardian, the hearing officer shall have the discretionary authority to continue from time to time the hearing. In addition the hearing officer may continue the hearing upon any good cause.

5. Access to Records. The administrative representative, the student, the student's parent or guardian and the legal counsel of the student shall have the right to examine the records and affidavits and the statements of any witnesses in the possession of the Wallace Board of Education at any reasonable time prior to the hearing.

6. Hearing Procedure. The hearing shall be attended by the hearing officer, the student, the student's parents, or guardian, the student's representative if any, and the administrative representative. Witnesses shall be present only when they are giving information at the hearing or with the consent of both parties. The student may be excluded at the discretion of the hearing officer at times when the student's psychological evaluation or emotional problems are being discussed. The student or the student's parents or guardian or both may be represented by legal counsel. The hearing examiner may exclude anyone from the hearing when his/her actions substantially disrupt an orderly hearing. The formal rules of evidence shall not apply at the hearing. The administrative representative shall present to the hearing officer statements, in affidavit form, of any person having information about the student's conduct and the student's records, but not unless such statements and records have been made available to the student, the student's parents, guardian or representative prior to the hearing. The information contained in such records shall be explained and interpreted prior to or at the hearing to the student, parents or guardian, or representative at their request, by appropriate school personnel. The student, the student's parents, guardian, or representative, the administrative representative or the hearing officer may ask witnesses to testify at the hearing. Such testimony shall be under oath and the hearing officer shall be authorized to administer the oath. The student, parent, guardian, or representative, the administrative representative, or the hearing officer shall have the right to question any witness giving information at the hearing, the student may testify in his/her own defense in which case he/she shall be subject to cross-examination nor will any conclusion be drawn there from. Any person giving evidence by written statement or in person at a hearing shall be given the same immunity from liability as a person testifying in a court case. A single hearing may be conducted for more than one student if in the discretion of the hearing examiner a single hearing is not likely to result in confusion or prejudice to the interest of any of the students involved. If during the conduct of such a hearing, the hearing examiner concludes that any of such student's interests will be substantially prejudiced by a group hearing, or that confusion is resulting, the hearing examiner may order a separate hearing for each or any of said students.

7. Availability of Witnesses. The hearing officer will have the authority to subpoena any witnesses to the hearing and shall make reasonable efforts to assist in obtaining the attendance of any witnesses requested by the student, student's parents or guardian or their legal representative.

8. Record. The proceedings of the hearing shall be recorded at the expense of the school district.

9. Findings. Within a reasonable time after the conclusion of the hearing, the hearing officer shall prepare and submit to the superintendent of schools his/her written findings and recommendation as to disposition. This report shall explain, in terms of the needs of both the student and the school board, the reasons for the particular action recommended. Such recommendation may range from no action, through the entire field of counseling, to long-term suspension, expulsion,

or mandatory reassignment.

10. Review by Superintendent. The superintendent of schools shall review the findings and recommendations of the hearing officer and in his/her discretion may also review any of the facts and evidence presented at the hearing and based upon such report and the facts shall determine the sanctions to be imposed. However, the superintendent may not impose a more severe sanction than that imposed by the hearing officer.

11. Notice of Determination. Written notice of the findings and recommendations of the hearing officer and the determination of the superintendent of schools shall be made by certified registered mail or by personal delivery to the student, the student's parents or guardian. Upon receipt of such written notice by the student and/or parents and guardian, the determination of the superintendent shall take immediate effect.

12. Appeal to Board of Education. The student, student's parents or guardian may, within seven school days following the receipt of the superintendent's decision, submit to the superintendent of schools a written request for a hearing before the Wallace Public School's Board of Education.

13. Review by Board of Education. Upon receipt of the request for review of the superintendent's determination, the Wallace Public School's Board of Education, or a committee of not less than three members, shall, within ten school days, hold a hearing on the matter. Such hearing shall be made on the record except that the board may admit new or additional evidence to avoid substantial threat of unfairness.

The Board of Education or committee thereof may withdraw to deliberate privately upon the record and new evidence. Any such deliberation shall be held in the presence only of board members in attendance at the appeal proceeding, but may be held in the presence of legal counsel who has not previously acted as the administrative representative in presenting the school's case before the hearing officer. If any questions arise during such deliberations which require additional evidence, the Board of Education or committee thereof may require the hearing to receive such evidence, subject to the right of all parties to be present. A record of any such new or additional evidence shall be made and shall be considered as a part of the record and based upon the evidence presented at the hearing before the hearing officer, and such new or additional evidence, the Board of Education or the committee shall make a final disposition of the matter. The board may alter the superintendent's disposition of the case if it finds his/ her decision to be too severe, but it may not impose a more severe sanction. The final decision of board shall be delivered to the student and parents or legal guardian of the student by personally delivering the same or by mailing the same by certified or registered mail.

SUSPENSION AND / OR EXCLUSION OF QUALIFYING HANDICAPPED STUDENTS

The suspension or exclusion of qualifying handicapped students from school or the bus shall be governed by this policy and its rules.

Short Term (non-emergency) Suspension of Qualifying Handicapped Students

1. A handicapped student may be suspended for one to five days for infractions defined in the Parent/Student Handbook or established as Board policy. That decision is made by the IEP Team and the team education program (IEP) prior to the suspension.

2. Implementation of the one to five day suspension requires that timely notice of the suspension shall be delivered within twenty-four hours or such additional time as is reasonably necessary by any of the following methods:

a. Written notice hand delivered to the parent/guardian with written verification of receipt

- obtained from the parent/guardian
 - b. the Superintendent of Schools
 - c. if eighteen years of age or older, the student, if said student is capable of understanding the purpose and content of the notice
3. An IEP Team meeting shall be conducted prior to the end of the suspension period or within a reasonable period of time as is necessary after the return to school.
 4. Short term suspension shall be defined as temporary removal not to exceed five days during the school year. Short term suspensions shall not occur consecutively.

Emergency Exclusion (removal) of Qualifying Handicapped Students

If in the opinion of the principal/designee, he/she has justifiable reason to believe that an IEP Team meeting cannot be convened prior to exclusion because of an emergency situation, then he/she may immediately exclude the student for a period not to exceed five days. An emergency situation is defined as one in which the student's presence poses a continuing danger to persons or property or an on-going threat of disrupting the academic process.

Within twenty-four hours or such additional time as is reasonably necessary of the student's exclusion the principal/designee shall provide written notice to the parent or guardians and the student of the exclusion alleged charges, and scheduled IEP meeting and specify the time and place. The parent and/or guardian shall also be requested to attend the IEP meeting. Within the up to five day exclusion period, the principal/designee shall convene the IEP Team following all standard procedures as established in NDE Rule 51.

The IEP Team shall review the student's program and shall determine if the handicapping condition is a precipitating factor of the inappropriate behavior. That decision shall be recorded on the IEP and that information shall be used to revise the student's IEP to reflect (1) the need for the use of exclusion as a disciplinary tool or management strategy, and/or (2) to modify the educational program and/or; (3) to change the educational placement, and/or (4) to indicate that the handicapping condition is not a precipitating factor and therefore the student is expected to behave in accordance with the rules established in the Parent/Student Handbook and Board policy. Parents shall be requested to attend the IEP meeting and shall be notified of the IEP Team's decision(s) if they have not participated in the meeting.

The principal/designee shall notify the superintendent/designee of all emergency exclusions within twenty-four hours or such time as is reasonably necessary. After the IEP and team meeting, the principal/designee shall notify the superintendent/designee of the committee's decision(s).

Long Term Suspension and Exclusion of Qualifying Handicapped Students

Long term suspension and exclusion of handicapped students shall not be defined as excluding the student from public education as may occur with non-handicapped students. Long term suspension and exclusion is defined as a change in placement from one program to another, modifying current program, assignment to a program in another district, residential, homebound, etc.

Alternative Education Programs or Plans For Expelled Students

In the event action is being taken to expel a student from this school district, the Administration shall select one of the following described educational options to be made available to the expelled student during the period of expulsion, to-wit: (1) An alternative school, class, or educational program

(hereinafter referred to as an "alternative program"); or (2) The development of a plan of behavior modification, educational objectives, and financial resources and community programs available to meet the behavioral and educational objectives, and monthly reviews to assess the student's progress toward meeting the specified goals and objectives. The superintendent or superintendent's designee shall make known to the expelled student which of the alternative educational options the administration has selected for the student's expulsion. Such information shall be made known to the expelled student on or before the date the expulsion becomes effective. An expulsion becomes effective, as to a student who has been given a written notice of a recommendation to expel, on the earliest of the following dates: (1) if the student, parent, or guardian has not requested a hearing, the sixth school day following receipt of the notice of the recommendation to expel, (2) if the student has requested a hearing, the date the student, parent, or guardian receives notice of the determination of the superintendent or superintendent's designee to expel the student, or (3) such other date as may be mutually agreed by the student, parent, or guardian and the administration.

A. ALTERNATIVE EDUCATION PROGRAM:

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

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

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

provisions for suspension and expulsion of students shall be made available, unless waived by the parent or legal guardian.

Upon preapproval by the superintendent or the superintendent's designee, academic credit towards graduation or advancement in grade level shall be available to students participating in alternative programs for expelled students. The academic credits to be awarded shall be equal to the same academic credit a student in the school district's regular educational program would earn for completion of a similar educational program, as determined at the discretion of the superintendent or superintendent's designee. Such academic credits shall not be earned unless the expelled student has successfully completed the conditions of the alternative program, as determined by the teacher and the superintendent or superintendent's designee. The superintendent or superintendent's designee shall determine whether or to what extent such academic credits should be assigned to subject area or other specific graduation or advancement requirements. The achievement mark (i.e., grades) assigned for such academic credits shall not be available to the advantage of the expelled student for honor roll, class rank, or other academic honors or recognition.

B. EDUCATION PLAN PROGRAM:

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

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

(2) The plan shall be in writing and adopted by a school administrator and presented to the student and the parent or legal guardian.

(3) The plan shall:

(a) Specify guidelines and consequences for behaviors which have been identified as preventing the student from achieving the desired benefits from the educational opportunities provided,

(b) Identify educational objectives that must be achieved in order to receive credits toward graduation,

(c) Specify the financial resources of the community programs available to meet both the educational and behavioral objects identified, and

d) Require the student to attend monthly reviews in order to assess the student's progress toward meeting the specified goals and objectives.

The school district shall submit such plan on the form "Section 79-266(2) Plan" attached to this policy as Appendix "1".

Legal Reference: Neb. Rev. Stat. §79-266
NDE Rule 17

APPENDIX "1"

SECTION 79-266(2) PLAN

Student: _____

Date and Participants: _____

(List parent or legal guardian, school representative, and community or agency representative)

(a) Guidelines and Consequences for Behaviors

The student has been recommended for expulsion for conduct as specified in correspondence and memoranda recently provided to the student and the student's parents or guardian. This conduct has had the effect of preventing the student from achieving the desired benefits from the educational opportunities provided. The student is expected to conform his conduct to the school rules for which he has been recommended for expulsion and all other established school rules. Further disciplinary measures, including possible future expulsions, can result from future violations of such behavioral guidelines and expectations.

(b) Educational Objectives

In order to graduate, the student needs to receive the credits listed in Attachment "A", subject to future modifications in graduation requirements.

(c) Financial Resources and Community Programs Available

The financial resources and community programs available to meet the educational and behavioral objectives identified in this plan include school resources (e.g., upon return from the recommended expulsion, counseling with the school counselor, and meetings with the school administration and teachers) and community organizations which assist young people (e.g., civic organizations, local college and university programs, and community college programs).

(d) Monthly Reviews & Other

During the period of the expulsion, the student shall be required to attend monthly reviews with the Principal or designee to assess the student's progress toward meeting the specified goals and objectives. The student shall be responsible for contacting the named school official to schedule the monthly meetings. (Attach separate sheet for any additional information or terms of plan).

Dated this _____ day of _____, 20____, adopted by the school administrator after a conference held to assist the district in the development of the plan with the participation of a parent or legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved in juvenile justice, and presented to the student and parent or legal guardian at the conference prior to the student being expelled in accordance with law.

Adopted by _____

[Administrator]

Attachments: Attachment "A" (academic credits needed to graduate or other, if applicable)

SEXUAL HARASSMENT

Sexual harassment of any student by any individual under the jurisdiction of the Wallace School

District is prohibited as a violation of law and board policy. Persons deemed to have engaged in sexual harassment shall be subject to disciplinary action. Unwelcome sexual advances and other verbal or physical conduct of a sexual nature shall constitute sexual harassment, when submission to this conduct is used as a basis for any decision affecting a student's educational standing, a condition for enrollment or participation in any class or school sanctioned activity, or creates a hostile, intimidating or offensive environment for the student.

A student who believes he/she has been sexually harassed, or persons knowing of incidents of alleged sexual harassment, should notify the superintendent, principal or a staff member. Such notification shall be considered confidential and any type of retaliation against a person filing a complaint is prohibited. False allegations of sexual harassment are also prohibited. The complaint shall be made within thirty (30) days of the alleged incident. Allegations of sexual harassment will be thoroughly investigated, as outlined in Board of Education Policy #5401. A complete copy of Policy #5401 may be obtained from the superintendent's office.

WEAPONS

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

Weapons and other dangerous objects and look-a-likes shall be taken from students and others who bring them onto the school district property or onto property within the jurisdiction of the school district or from students who are within the control of the school district. Parents of students found to possess weapons or dangerous objects or look-a-likes on school 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 school or knowingly possessing firearms at school may be expelled for a period of not less than one year. Students bringing to school or possessing dangerous weapons, including firearms, will be referred to law enforcement authorities. The superintendent shall have the authority to recommend this expulsion requirement be modified for students on a case-by-case basis. For purposes of this portion of this policy, the term "firearm" includes, but is not limited to, any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

Weapons under the control of law enforcement officials shall be exempt from this policy. Firearms kept in a locked firearm rack that is on a motor vehicle or that are contained within a private vehicle operated by a nonstudent adult that are not loaded are also exempt. Firearms also may be possessed by a person for the purpose of using them, with the approval of the school, in a historical reenactment, in a hunter education program, or as part of an honor guard. The principal may allow authorized persons to display weapons or other dangerous objects or look-a-likes for educational purposes. Such display shall also be exempt from this policy.

SEARCH AND SEIZURE

Student hallway lockers, athletic lockers, desks and other such property are owned by the school. The

school exercises exclusive control over school property. Students should not expect privacy regarding items placed in or on school property because school property is subject to search at any time by school officials. Periodic, random searches of student lockers may be conducted in the discretion of the administration.

The following rules shall apply to the search and the seizure of items in a student's possession or control:

1. School officials may conduct a search if there is a reasonable basis to believe that the search will uncover evidence of a crime or rule violation.
2. Illegal items or other items reasonably determined to be a threat to the safety of others or a threat to educational purpose may be seized by school officials. Any firearm shall be confiscated and delivered to law enforcement as soon as practicable.
3. Items which are used to disrupt or interfere with the educational process may be removed from student possession.
4. At any time a Drug Dog may be used throughout any part of the school facilities and/or parking area. The random search will be done by the proper authorities, during this search for the safety of the students and staff, the school will go into a lock down procedure.

DRUG COUNSELING AND TREATMENT

It shall be the policy of Wallace School District 65R to provide information to all students concerning available drug and alcohol counseling, rehabilitation, and re-entry programs within fifty miles of the administrative offices of the district or, where no such services are found, within the state of Nebraska. Information concerning such resources shall be presented to all of the students of the district.

In the event of disciplinary proceedings against any student for any district policy pertaining to the prohibition against the unlawful possession, use, or distribution of illicit drugs and alcohol, appropriate school personnel shall confer with any such student and his or her parents or guardian concerning available drug and alcohol counseling, rehabilitation, and re-entry programs that appropriate school personnel shall consider to be of benefit to any such student and his or her parent or parents or guardian.

Safe and Drug-Free Schools-- Parental Notice of Right to Withdraw

Pursuant to the provisions of the No Child Left Behind Act, parents will be notified that, if upon receipt of information regarding the content of safe and drug free school programs and activities other than classroom instruction a parent objects to the participation of their child in such programs and activities, the parent may notify the School District of such objection in writing. Upon the receipt of such notice the student will be withdrawn from the program or activity to which parental objection has been made.

Standards of Student Conduct Pertaining to the Possession, Use, or Distribution of Illicit Drugs, Alcohol or Tobacco.

These standards are in addition to standards of student conduct elsewhere adopted by board policy or administrative regulation. The District's standards prohibit the possession, use, or distribution of illicit drugs, alcohol or tobacco on school premises, in school vehicles, or as a part of any of the school's activities on or off school premises. Conduct prohibited at places and activities as hereinabove described shall include, but not be limited to, the following:

1. Possession, use distribution or being under the influence of any controlled substance,

- including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant, or any depressant.
2. Possession of any prescription drug in an unlawful fashion.
 3. Possession, use, distribution or being under the influence of alcohol.
 4. Possession, use, distribution, or being under the influence of any abusable glue or aerosol paint or any other chemical substance for inhalation, including but not limited to lighter fluid, whiteout, and reproduction fluid, when such activity constitutes a substantial interference with school purposes.
 5. Possession, use, or distribution of any look-alike drug or look-alike controlled substance when such activity constitutes a substantial interference with school purposes.
 6. Possession, use or distribution of any tobacco product.

Disciplinary Sanctions

Violation of any of the above prohibited acts will result in disciplinary sanction being taken within the bounds of applicable law, up to and including short term suspension, long term suspension, expulsion, and referral to appropriate authorities for criminal prosecution. In particular, students should be aware that:

1. Violation of these standards may result in suspension or expulsion.
2. Prohibited substances will be confiscated and turned over to law enforcement authorities.
3. The student may be referred for counseling or treatment.
4. Parents or legal guardian will be notified.
5. Law enforcement will be notified.
6. If it appears there is imminent danger to the student, other students, school personnel, or students involved, emergency medical services will be contacted.

STUDENT LOCKERS

1. Student lockers, be they athletic lockers or hallway lockers, are assigned by the Principal for the convenience of the students. Please keep them clean, neat, and locked at all times. Do not change lockers with another student without the permission of the Principal, as it is very important for the Principal to be able to locate an individual's locker.
2. All lockers are to be locked at all times.
3. The lockers are school property, and can be opened and searched by School Administrators at any time. Keep your locker locked at all times, as the school is not responsible for lost items.

RESTROOMS

1. With the cooperation of all students, the restrooms can be kept neat, clean, and in good operating condition. Please help us keep them in good condition for everyone.
2. Normally, teachers will not permit students to go to the restrooms during class time, so breaks between classes should be used for this purpose. During these breaks, please get in and out of the restrooms as quickly as possible to make room for others.
3. Loitering in the restrooms during lunch time is not permitted.

HALLWAYS

1. Proper conduct, walking and polite behavior is expected for safety.
2. Please help keep our halls neat and clean by using trash cans. Please don't litter.
3. If you are in the hallway for any reason when classes are in session, please be as quiet as

possible to avoid disturbing other students.

STUDY HALL RULES

1. Every student will be required to bring study materials and will use this as study time
2. Talking between students will not be permitted without the specific permission of the study hall supervisor.
3. A student will be permitted to leave the study hall only with written permission from the study hall teacher.
4. At the end of the period, students will not be permitted to leave until the study hall is neat and clean.

FIRE REGULATIONS

Students are responsible for knowing the Fire Regulations which are posted in each room. During fire drills or in the event of an actual fire, students will stay in line, refrain from talking, move quickly without running, and obey all instructions without question. Supervisors of students will call the roll as soon as the class had cleared the building. After the all clear is given, students are to return to their classes.

LIBRARY

1. Every student who uses the library is expected to help keep it neat and clean. All materials used are to be returned to their proper place so that others may locate and use them.
2. The hours of operation and the procedures for checking out materials will be posted by the librarian.
3. Quiet talk and polite behavior are expected in the library at all times.
4. Students who want instruction in how to use the library may contact any teacher who will arrange instruction periods with the librarian.

STUDENT AUTOMOBILES

1. Students are not authorized the use of automobiles during the school day, including the lunch period, without permission of the Principal or Superintendent. Students are not to sit in automobiles at any time during the school day.
2. Students who drive in a reckless or dangerous manner in the vicinity of the school will be reported to the proper law enforcement officer.
3. The primary student parking area is east of the main building. Parking automobiles in the school vehicle parking area, including the bus parking area, is prohibited at all times. Parallel parking is prohibited. Use common sense and be considerate of others when parking your vehicle.
4. Students driving on permits are reminded they are only valid to drive to and from school by the shortest possible route.

USE OF TELEPHONE

1. Students will not be called from classes to answer telephone calls, except in the case of an emergency. The office personnel will take a message to be given the student between classes.
2. Students will not be permitted to make telephone calls, except during the lunch period or between classes, unless an emergency exists.
3. School telephones are for school business only.

CELL PHONES / ELECTRONIC DEVICES

Cell phone usage, including texting, video, pictures and all other applications contained in a cell phone, is not allowed in the school building during class periods and between class periods without the permission of the Principal. Students will be allowed to use their cell phones before school, after school, and during the lunch hour in designated areas assigned by the principal. Restricted areas will always be restrooms and locker rooms. The principal reserves the right to take this right away from individual students who abuse this privilege. The teachers maintain the right to make the students place their cell phones in an assigned area that is visible in their classrooms at their discretion. Cell phones that are used inappropriately are to be confiscated and can be picked up at the end of the school day in the Principal's office. After the 3rd time the student's phone has been taken, the student's parents will have to pick up their child's cell phone from the principal's office. Appropriate disciplinary procedures will be followed for multiple violations of this rule.

INDOOR GYM RECESS RULES

1. The gyms will be used for recess **ONLY** when it is raining or extremely cold or windy. 20 degrees Fahrenheit wind chill will be the cut off temperature for determining indoor recess.
2. No footballs in the gym.
3. Kindergarten and First Grade - on one half of the gym; and 2nd and 3rd - on the second half of the gym.
4. No dodge ball or kicking balls.
5. The bleachers are not part of the play area.
6. Students not on the gym floor are to sit on the bleachers until the first bell. No excessively rough games will be allowed.

PLAYGROUND RULES

1. Children must get permission from the person in charge of the playground if they need to leave the playground.
2. The track infield defines the boundaries for the playground.
3. All games played are at the discretion of the playground supervisors.
4. Play in sight of the teacher on duty and stay off football and track equipment.
5. Children will not play with sticks, guns, or any sharp objects. Possession of weapons is subject to suspension or expulsion from school.
6. Fighting, pushing, shoving, or carrying anyone on your back is not permitted.
7. No excessively aggressive or rough activities will be allowed.
8. Ball throwing, kicking, or tag games are not allowed on the playground equipment in the playground equipment area.
9. No electronic equipment on the playground, including cell phones.
10. Do not use personal ball gloves or sports equipment during recess.
11. Snow boots are necessary for outside recess when snow is on the ground.

SWINGS: Only one on each swing at a time. No standing up. Jumping off a swing is not allowed. Wait until the swing stops. Children should not stand near moving swings. Swings should not be twisted up.

SLIDES: SIT when you go down the slide. Walking up the slide is not permitted. Objects are to be kept off the slide, feet kept inside, and only one person goes down at a time.

MONKEY BARS: No jumping off.

SNOWY & MUDDY DAYS: Snowball throwing is **not** permitted on the school grounds. Children will be expected to go out at recess during most cold weather, so proper coats, mittens, hats and boots or overshoes should be worn to school during this weather.

TOYS AT SCHOOL: There are to be no toys brought to school, unless approved in advance by the student's teacher for Show and Tell Time.

UNSAFE BEHAVIOR NOT COVERED BY THESE GENERAL RULES SHOULD BE HANDLED BY TEACHERS OR PARAS ON RECESS DUTY.

BUS RULES

1. Previous to Loading:
 - a. If you are not riding, call your driver beforehand or contact the preceding family to load.
 - b. **BE ON TIME** at the designated school bus stops to keep the bus on schedule.
 - c. Stay off the road at all times while waiting for the bus. Bus riders conduct themselves in a safe manner while waiting.
 - d. Do not move toward the front of the bus at the school loading zone until the busses have been brought to a complete stop. Cross in front of the bus only.
 - e. Wait until the bus comes to a complete stop before attempting to enter the school bus.
 - f. Take assigned seat without delay.

BUS CONDUCT

1. Transportation on school buses is a privilege granted by the Board of Education and can be revoked from individual students whose conduct would threaten the safety of others. Authority is given the individual school bus driver to maintain proper conduct on the school bus, as well as to recommend to the superintendent when action should be taken to remove this privilege from an individual student. Student conduct on school buses will be handled as a school discipline problem. Any detrimental behavior which could be a safety hazard may lead to suspension of bus riding privileges .
2. While on the bus:
 - a. Keep hands and head inside the bus at all times after entering and until leaving the bus.
 - b. Assist in keeping the bus safe and sanitary at all times.
 - c. Remember that loud talking and laughing or unnecessary confusion diverts the attention of the bus driver.
 - d. Treat bus equipment as you would valuable furniture in their own home. Damage to seats, etc., must be paid for by the offender.
 - e. Never tamper with the bus or any of its' equipment.
 - f. Leave no books, lunches or other articles on the bus.
 - g. Keep books, packages, coats and all other objects out of the aisles.
 - h. Remain in the bus in case of a road emergency, unless directed by the driver to do

- otherwise.
- i. Do not throw anything out of the bus window.
 - j. Remain in seats while bus is in motion. (NO STANDING).
 - k. Be courteous to fellow pupils, the bus driver and the driver's assistants.
 - l. Keep ABSOLUTELY QUIET when approaching a railroad crossing stop.
 - m. Parents will be notified if there is a continuous misconduct on the bus. Bus riders may be denied the privilege of riding.
 - n. While on the bus, you are in the driver's charge and you must obey him/her or any student that is officially designated as an assistant, promptly and cheerfully.
 - o. Inform driver, if possible, when a rider will be absent.
 - p. All school rules, regulations and policies apply to all students while riding school buses.
3. After leaving the bus:
- a. Cross the road, when necessary, after getting off the bus (at least 12 feet in front of the bus), but only after looking to be sure that no traffic is approaching from either direction.
 - b. Help look after the safety and comfort of small children.
 - c. Be alert to the danger signal from the driver.
 - d. Do not leave the bus at other places other than the regular bus stop, unless proper authorization has been given in advance by a parent and school officials.
4. Extracurricular Trips: (Repeated in Activity Section)
- a. The above rules and regulations would apply to any trip under school sponsorship.
 - b. Students will respect the wishes of a competent chaperone appointed by the school.
 - c. Students riding the bus must return on the bus unless at the activity site the parent or guardian personally signs the Sign-Off Sheet. At each activity the bus driver will have a Sign-Off Sheet which will state that the parents/guardians will assume full responsibility for transporting the student to his/her home. Students are not allowed to ride home with anyone except their parent unless all parents involved have notified in writing the A.D. or principal, 24 hours in advance of the activity.
 - d. Those students not riding the bus to a school sponsored activity will not be able to participate in the activity unless prior arrangements have been made with the sponsor 24 hours prior to the event. If the student becomes ill or an emergency comes up that will not allow him/her to attend the activity, it is the responsibility of the student or parents to inform the sponsor.
5. Change of Bus or Drop or Pickup:
- a. Change of bus or drop or pickup must have prior permission by a parent explanation note to the Principal for a Bus Pass.
6. Unsatisfactory Bus Conduct Report:
- a. Bus drivers will complete Unsatisfactory Bus conduct Reports and turn them into the Principal's office for students who fail to abide by the rules and regulations concerning bus transportation.
 - b. Students will receive appropriate discipline and if riding privileges are in jeopardy, the parents will be notified.