

Addendum to Student Handbook 2010-2011

June 2010

1. Notice of Non-discrimination Statement (pg. 4) has been revised to read as follows:

Tri County Public Schools does not discriminate on the basis of race, color, national origin, gender, marital status, disability, or age or in admission or access to, or treatment of employment or educational programs and activities. Any person having inquiries concerning Tri County Public School's compliance with the regulations implementing Title VI, Title IX, or Section 504 is directed to contact Superintendent Russell Finken in writing at 72520 Highway #103, DeWitt, Nebraska 68341 or by telephone at (402) 683-2037. Any person may also contact the Office for Civil Rights, U.S. Department of Education, in writing at 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114-3302 or by telephone at (816) 268-0550, regarding compliance with the regulations implementing Title VI, Title IX, or Section 504.

2. Notice of Parental Rights Pursuant to FERPA; the following sentence has been added to the first paragraph (pg. 4)

Access to student records shall be governed by FERPA and Neb. Rev. Stat. § 79-2,104." Addition of e-mail addresses, cellular telephone numbers, and classroom assignment and/or homeroom teacher to the numbered list of directory information.

3. Desks and Lockers (pg. 17); this section is renamed to:

Desks, Lockers and Other School Property

The first and last sentence has been revised to read:

The school district owns and exercises exclusive control over student lockers, desks, computer equipment, and other such property. They are made available to the students for their convenience."

Lockers, desks, and other school property may be searched by school officials at any time for any reason."

4. Attendance (pg. 20) has been revised to reflect Section 79-201 as follows:

- a. **Attendance.** Except as provided below, 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. For purposes of this section, a child is of mandatory attendance age if the child (a) will reach six years of age prior to January 1 of the then-current school year and (b) has not reached eighteen years of age.
- i. The attendance requirement above does not apply in the case of any child who:
 - ii. (a) Has obtained a high school diploma by meeting the graduation requirements established in section [79-729](#);
 - iii. (b) Has completed the program of instruction offered by a school which elects pursuant to section [79-1601](#) not to meet accreditation or approval requirements;
 - iv. (c) Has reached the age of sixteen years and such child's parent or guardian has signed a notarized release discontinuing the enrollment of the child on a form provided by the school;
 - v. (d)(i) Will reach six years of age prior to January 1 of the then-current school year, but will not reach seven years of age prior to January 1 of such school year, (ii) such child's parent or guardian has signed an affidavit stating that the child is participating in an education program that the parent or guardian believes will prepare the child to enter grade one for the following school year, and (iii) such affidavit has been filed by the parent or guardian with the school district in which the child resides;
 - vi. (e)(i) Will reach six years of age prior to January 1 of the then-current school year but has not reached seven years of age, (ii) such child's parent or guardian has signed an affidavit stating that the parent or guardian intends for the child to participate in a school which has

elected or will elect pursuant to section [79-1601](#) not to meet accreditation or approval requirements and the parent or guardian intends to provide the Commissioner of Education with a statement pursuant to subsection (3) of section [79-1601](#) on or before the child's seventh birthday, and (iii) such affidavit has been filed by the parent or guardian with the school district in which the child resides; or

- vii. (f) Will not reach six years of age prior to January 1 of the then-current school year and such child was enrolled in a public school and has discontinued the enrollment according to the policy of the school board adopted pursuant to subsection (4) of this section.

5. Attendance, Timely Notification (pg. 21) The last sentence should read:

Notification will also be sent to the appropriate authorities as provided in sections 79-201 and 79-209.

6. Immunization Standards (pg. 26) has been revised as follows:

- a. According to the Nebraska Department of Health and Human Services rules and regulations found at NEB. ADMIN. R.& REGS. tit 173, ch 3 (2004), the following immunization standards apply to students:
- b. 3-007 Immunization Standards. Each student to be protected by immunization against the following diseases, unless otherwise exempted from this requirement under the provisions of 173 NAC3-009: Measles, Mumps, Rubella, Polio, Hepatitis B, Diphtheria, Tetanus, Pertussis, Haemophilus Influenza type b (Hib), and Varicella.
- c. 3-007.01 For the purposes of complying with the requirement of immunization against the diseases listed above:
- d. 3-007.01B Students entering 7th grade and all transfer students from outside the school district regardless of the grade they are entering are considered immunized if they have received: 3 doses DTaP, DTP, DT, or Td vaccine with at least 1 dose given no earlier than 4 days before 4 years of age; 3 doses of polio vaccine; 2 doses of MMR vaccine with the first dose given no earlier than 4 days before the first

birthday and the 2 doses separated by at least 28 days; 3 doses of pediatric hepatitis B vaccine, or, if the alternate hepatitis B vaccination schedule is used; 2 doses of a licensed adult hepatitis B vaccine specified for adolescents 11-15 years of age; and the number of doses for varicella is dependent on the age of the child – 1 dose of varicella vaccine before the 13th birthday; or 2 doses of varicella vaccine administered at least 28 days apart if the first dose was given on or after the 13th birthday.

- e. 3-007.01C - All other students are considered immunized if they have received: 3 doses of DtaP, DTP, DT, or Td vaccine; 3 doses Polio vaccine; 2 doses of MMR vaccine given no earlier than 4 days before the first birthday and the 2 doses separated by at least 28 days; 3 doses of pediatric Hepatitis B vaccine, or, if the alternate hepatitis B vaccinations schedule is used, 2 doses of a licensed adult hepatitis B vaccine specified for adolescents 11-15 years of age.
- f. 3-008.01 For purposes of compliance with the immunization requirement, the student's parent or guardian must present an immunization history containing the name of the vaccine, the month and year of administration (the month, day, and year for MMR vaccine and varicella vaccine), the name of the health practitioner, the agency where the immunization was obtained, and the signature of physician, parent, guardian, or of such other person maintaining the immunization history of the student, verifying that the student has received these vaccines.
- g. 3-008.02 Laboratory evidence of circulating antibodies for measles, mumps, or rubella constitutes evidence of immunity against those diseases provided the following information is supplied: name of laboratory, date of test, name of test, test result, signature of laboratory technician performing the test or of the laboratory director, and date of signature. For purposes of compliance with this rule, clinical history of measles, mumps, or rubella without laboratory or epidemiologic confirmation does not constitute evidence of immunity.

- h. 3-008.03 Epidemiologic confirmation of a diagnosis means that the clinical history of measles, mumps, or rubella is corroborated by association with laboratory proven case(s) and that such epidemiologic case(s) have been reported to and counted by the Department.
- i. 3-008.04 A documented history of varicella disease from a parent or health care provider with the year of infection constitutes evidence of immunity to varicella. The documentation must include one of the following:
 - i. 1. Signature of the parent or legal guardian and the date (year) of the child's varicella illness, or
 - ii. 2. Signature of a health care provider and the date (year) of the child's varicella illness, or
 - iii. 3. Laboratory evidence of a child's varicella immunity.
- j. 3-009 Medical and Religious Exemption: Each student must be protected against the diseases listed using the standards described in 3-007 and submit evidence of immunization as described in 3-008. Any student who does not comply with these requirements shall not be permitted to continue in school, except as provided in 3-009.01 through 3-009.03.
- k. 3-009.01 - Immunization shall not be required for a student's enrollment in any school in this state if he or she submits to the admitting official either of the following:
 - l. 3-009.01A - A statement signed by a physician, physician assistant, or nurse practitioner stating that, in the health care provider's opinion, the specified immunization(s) required would be injurious to the health and well-being of the student or any member of the student's family or household; or
 - m. 3-009.01B - A notarized affidavit signed by the student or, if he or she is a minor, by a legally authorized representative of the student, stating that the immunization conflicts with the tenets and practice of a recognized religious denomination of which the student is an adherent or member or that immunization conflicts with the personal and sincerely followed religious beliefs of the student.

- n. 3-009.02 - A student may be provisionally enrolled in a school in Nebraska if he or she has begun the immunizations against the specified diseases prior to enrollment and continues the necessary immunizations as rapidly as is medically feasible.
- o. 3-009.03 - A student may also be provisionally enrolled in a school in Nebraska if he or she is the child or legal ward of an officer or enlisted person, or the child or legal ward of the spouse of such officer or enlisted person on active duty in any branch of the military services of the United States, and said student is enrolling in a Nebraska school following residence in another state or in a foreign country.
- p. Sec. 010 - Time of Compliance - Each student must present documentation as outlined in 3-008 and 3-009 prior to enrollment.

7. Out of State Transfer Students: (pg. 28) The first paragraph has been revised to read:

All transfer students from outside the school district regardless of the grade they are entering are considered immunized if they have received: 3 doses DTaP, DTP, DT, or Td vaccine with at least 1 dose given no earlier than 4 days before 4 years of age; 3 doses of polio vaccine; 2 doses of MMR vaccine with the first dose given no earlier than 4 days before the first birthday and the 2 doses separated by at least 28 days; 3 doses of pediatric hepatitis B vaccine, or, if the alternate hepatitis B vaccination schedule is used; 2 doses of a licensed adult hepatitis B vaccine specified for adolescents 11-15 years of age; and the number of doses for varicella is dependent on the age of the child – 1 dose of varicella vaccine before the 13th birthday; or 2 doses of varicella vaccine administered at least 28 days apart if the first dose was given on or after the 13th birthday.

8. Sexual Harassment Policy (pg. 37) Replace the first paragraph with:

The school district clearly and unequivocally prohibits sexual harassment of students. Sexual harassment of students is defined as:

Unwelcome sexual advances, requests for sexual favors and other verbal or physical misconduct of a sexual nature constitutes sexual harassment when such conduct has the purpose or effect of

unreasonably interfering with an individual's educational opportunities or creates an intimidating, hostile or offensive learning environment.

Any sexual, physical, verbal, or mental (emotional) harassment/intimidation of any student is prohibited. The disciplinary consequences for harassment will depend on the frequency, duration, severity and effect of the behavior and may result in sanctions up to and including expulsion. Students who feel they have been sexually harassed should immediately inform a teacher or the building principal.

9. Suspension, Expulsion, or Mandatory Reassignment Criteria (pg. 53) Addition of Item #16:

#16) Sexting (a combination of sex and texting) - the act of sending sexually explicit messages or photos electronically.

10. Enrollment of Homeless Students (pg. 60) revised to read as follows:

Homeless students generally include children who lack a fixed, regular, and adequate nighttime residence, as further defined by applicable state and federal law.

It is the school's policy not to stigmatize or segregate homeless students on the basis of their status of being homeless. Transportation for homeless students who enroll in the district shall be furnished by the district under the same guidelines applying to other students or if such transportation is necessary for compliance with federal law.

Each homeless child shall be provided services for which the child is eligible comparable to services provided to other students in the school selected regardless of residency. Homeless children shall be provided access to education and other services that such children need to ensure that they have an opportunity to meet the same student performance standards to which all students are held.

If a homeless child registered to attend school in the district is receiving family reconciliation services pursuant to state law, the district will work in cooperation with any county or department of social services in the district to jointly develop an educational program for the child. The district's homeless coordinator is the Superintendent of Schools who may be contacted at 683-2015.

11. The following sections have been added to the 2010-2011 student handbook:

A. PROTECTION OF PUPIL RIGHTS AMENDMENT:

The Protection of Pupil Rights Amendment (PPRA) requires school districts to adopt a number of policies regarding surveys, instructional materials, physical examinations, personal information used for marketing, etc. Parents must be notified of these policies at least annually at the beginning of the school year and within a reasonable time period after any substantial change is made to the policies. 20 U.S.C. § 1232(h) (c) (2) (A). I did not see this notice in the handbook. While the notice can be delivered to the parents separately, it may be more convenient and efficient to incorporate the notice into the handbook. If you have adopted our recommended PPRA policy, you can simply reproduce it in your handbook. Following is our suggested policy.

B. Protection of Student Rights

The Board of Education respects the rights of parents and their children and has adopted a Protection of Pupil Rights policy in consultation with parents to comply with the Protection of Pupil Rights Amendment (PPRA) and the No Child Left Behind Act (NCLB). The policy is available on the district's website or upon request from the district's administrative office. Parents may opt their child out of participation in activities identified by the Protection of Pupil Rights policy by submitting a written request to the superintendent. The approximate dates during the school year when a survey requesting personal information as defined in the Protection of Pupil Rights policy is scheduled are as follows: _____.

Parents may have access to any survey or other material described in the Protection of Pupil Rights policy by submitting a written request to the superintendent.

C. No Child Left Behind.

Staff Qualifications

The No Child Left Behind Act of 2001 gives parents the right to get information about the professional qualifications of their child's classroom teachers. Upon request, the school district will give

parents the following information about their child's classroom teacher:

1. Whether the teacher has met state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under an emergency or provisional teaching certificate.
3. The teacher's baccalaureate degree and major. Parents may also get information about other graduate certification or degrees held by the teacher, and the field of discipline of the certification or degree.

Upon request, the school district will inform parents whether their child is being provided services by a paraprofessional and, if so, the paraprofessional's qualifications. The request for such information should be made to the appropriate building administrator.

The school district will provide timely notice to parents if their child has been assigned to, or has been taught for four or more consecutive weeks by a teacher who does not meet the requirements of the No Child Left Behind Act.

D. Dating Violence.

Dating violence, as that term is defined by Nebraska law, will not be tolerated by the school district. Students who engage in dating violence on school grounds, in a school vehicle or at a school activity or that otherwise violates the Nebraska Student Discipline Act will receive consequences consistent with the Act and the district's student discipline policies.

Matt Uher
Tri County High School Principal

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