

TO: Roger Breed, Ed. D.
Commissioner of Education

FROM: Freida Lange, Administrator
Rick Moses, Consultant
Dennis McGuire, Consultant
Accreditation and School Improvement

SUBJECT: Request from Banner County Public Schools for Waiver of Rule Regulation

PROPOSED BOARD ACTION

Consider approval of a request from Banner County Public Schools for a modification of Rule 10- 004.02C (prohibiting 6th grade students from participating in athletic contests) for school years 2011-2012 through 2013-2014. This request is in accordance with waiver provisions in Rule 10, Section 013.05.

BACKGROUND INFORMATION

Rule 10-013.05 provides that public school districts which exist in unique circumstances due to population sparsity, geographic barriers, or other similar factors may submit a request to the State Board of Education for a modification of the Rule to better meet the needs of the students.

Banner County Public Schools is requesting a waiver of Rule 10-004.02C for the school years 2011-2012, 2012-2013, and 2013-2014. The anticipated enrollment for the 2011-2012 school year is two boys and ten girls in grade 7 and seven boys and eight girls in grade 8. The option to co-op with another school has been explored, but with some students already spending fifty-two miles per day on a bus from home to school, the extra forty-four miles would not be in the best interest of the students.

The school district has indicated that without this waiver the school would not have enough students to offer junior high activities. Granting this waiver would give students equitable learning opportunities and the skills of team work and responsibility that only a team can build. Attached is the official request from the school.

Estimated Cost

Supporting Documentation Included: Official request from Banner County

For additional information on this item: Call Freida Lange (402) 471-2444 or e-mail: freida.lange@nebraska.gov or Rick L. Moses: rick.l.moses@nebraska.gov

BANNER COUNTY SCHOOL DISTRICT

"Preparing all the Students of Today for the World of Tomorrow"

Box 5, 200 School Street

Harrisburg, Nebraska 69345

Phone: 308-436-5262, Fax: 308-436-5252

Lana Sides
Superintendent

Travis Miller
Principal

Kari Gifford
Activities Director

Mark Keszler
Guidance

Date: May 31, 2011

To: Nebraska Department of Education, Accreditation and School Improvement

From: Banner County Public School Board of Education

The Request

The Banner County Public School Board of Education is requesting a waiver for 6th grade boys and girls to participate in Jr. High Activities for school years 2011-2012, 2012-2013, and 2013-2014. In accordance with Rule 10, Waiver and Plans, section 013.05, "Public school districts which exist in unique circumstances due to population sparsity, geographic barriers, or other similar factors may submit a request to the State Board of Education for a modification of this Chapter to better meet the need of the students."

Banner County Public School is a small class III school with one K-12 building and a current student population of 158 students. The school is located in the unincorporated town of Harrisburg, the only town in the county. The school district is 802.3 square miles, with a population that averages approximately one person per square mile. Like many rural schools in Nebraska, Banner County Public School faces a declining population and the possibility of declining enrollment associated with the demographic shift.

Following is the count of students that finished this school year and will be in seventh and eighth grade for 2011-2012:

Students at the End of the 2010-2011 School Year Going into Grades 7 & 8

Grade 7

2 Boys (1 Boy Verified Limited Participation)

10 Girls

Grade 8

7 Boys (1 Boy Verified Limited Participation)

8 Girls

There could be 7 boys and 18 girls in Jr. High activities, if all participated. In accordance with Rule 10-004.02C, sixth graders do not participate in any kinds of athletic contests. The Board of Education is required by Rule 10-012.01 to offer opportunities for quality learning in equitable opportunities for all students. Without offering Jr. High girls and boys activities, the Board of Education feels that the equitable learning opportunities for all students may be in jeopardy. Our school prides itself in giving all students the opportunity to be successful. We feel that taking away this opportunity could possibly jeopardize the future of our school.

Options to overcome this inequity have been explored. One option could be co-opting our junior high activities with another school. However, there is a distance barrier that consists of twenty-two miles to Gering or twenty-two miles to Kimball. Some of the Banner County Public School students are already riding up to fifty-two miles round trip on the school bus daily just to get to school and home. The Board of Education feels strongly that placing students on a bus for another forty-four miles per day is not in the best interest of the school or the students.

The Proposal

The Banner County Public School Board of Education would propose the modification allowing 6th grade boys and girls to participate in Junior High activities. The Board feels confident that the proposal would make equitable allowances for our Jr. High boys and girls to field a team and be allowed to participate in activities. We feel that without this request being granted our students would suffer the loss of athletic teams and a sense of self-worth and pride. We want to provide opportunities for our students to have the skills of team work and responsibility that only a team can build. Without our school offering this program, we feel that students could opt out of our school and lose the benefits that our small school district has to offer.

NDE Summary of Responses for Waiver Request Provisions of Rule 10-013.05 for the Banner County Public School Request of waiver of Rule 10-004.02C

Rule 10-013.05 provides that school systems, to better meet local goals, may submit a request for a waiver of one or more regulations found in Sections 004 through 012.01C of Rule 10. The waiver request must respond to items in 013.05 (1) through 013.05 (5). The items below provide a summary of responses provided in the formal request by the Banner County Public School Board.

- **013.05 (1) An explanation of the unique circumstances leading to this request.** Banner County Public School is a public school district with a current student enrollment of 158 students in K-12. The predicted 2011-2012 enrollment in 7th grade is two boys (with one boy verified limited participation) and ten girls, and the predicted enrollment in 8th grade is seven boys (with one boy verified limited participation) and eight girls. Therefore, the district would not be able to provide an athletic program for 7th and 8th grade boys next school year.
- **013.05 (2) Proposed modification to better meet the needs of the students.** Modify Rule 10-004.02C for the Banner County Public School for school years 2011-2012, 2012-2013, and 2013-2014 to allow 6th grade boys and girls to participate with 7th and 8th grade boys and girls athletic contests between school districts. For Title IX requirements and equity purposes, the Banner County Public School Board of Education requests that the 6th grade girls, in addition to the 6th grade boys, be allowed to participate in 7th and 8th grade athletic contests between school districts.

Students at the End of the 2010-2011 School Year Going into Grade 6
Grade 6
3 Boys
3 Girls

- **013.05 (3) An explanation of how the modifications will provide quality learning, equity, and accountability.** This modification will provide the opportunity for junior high boys and girls to have equitable opportunities to participate in extra-curricular athletic activities and will support the skills of teamwork, responsibility, self-worth, and pride.

- **013.05 (4) Copy of the local improvement plan.** An abstract of the local school improvement plan is attached. The plan documents efforts of the district to work toward school improvement based on local data and student needs. The extra-curricular activities will also support opportunities for student success.
- **013.05 (5) Procedures for annually reporting to the Commissioner.** The school district will annually report, at the conclusion of each school year, to the Commissioner relative to the implementation of this modification of Rule 10.

Banner County Public School Continuous School Improvement Plan

SIP Goal: All students will demonstrate positive character traits of respect and responsibility within the school community.

Support Data: Perceptual Data: Information from recent surveys and observations from staff on how students are doing

How this Goal will be Measured:

1. Seeing improvement among students on a day to day basis
2. Fewer students on the down list
3. More students being involved in activities

Activities to Implement the Intervention”

1. YEL (Youth Engaged in Learning) group formed
2. Team and unity building activities during Advisory
3. Posters promoting respect/responsibility posted in gym and all K-12 classrooms
4. Consistently promoting courtesies
5. Sportsmanship statement read before all sports activities
6. Instruction in sportsmanship annually to student in grades K-8
7. Participation in NCA Sportsmanship Summit
8. Tours for new students

SIP Goal: All students will work to improve their performance of reading and language arts across the curricular areas.

How this Goal will be Measured:

NWEA Assessment, NES-A-R, NES-A-W, and DIBELS

Activities to Implement the Intervention:

1. ESU #13 training opportunities for teachers
2. Emphasizing reading during school days
3. Accelerated Reader Program for elementary
4. DIBELS Assessment and progress monitoring
5. Allow students opportunities to read individually or as a group during instruction time
6. Read Naturally used with grades K-6, through Schoolwide Title I program
7. Read Across America Day in March – Jr. High and High School read to elementary
8. Research based vocabulary instruction (McREL) – grades K-12

Person(s) Responsible: Principal Travis Miller, SIP Chairpersons Sarah Lease and Jeri Revelle, and all K-12 Teachers

Timeline: Begin August 2006 with Continual Plan

Staff Development:

1. Participation in “Leading Equitable Learning: Data Training through NDE
2. Participation in training from the National Institute for Literacy
3. Training in RtI from NDE
4. Professional Development Day by ESU #13
5. Banner County School Staff In-Service



NEBRASKA DEPARTMENT OF EDUCATION

CDC Consolidated Data Collection Helpdesk (888) 285-0556

[SOSR Main Pg](#)

[Contact Us](#)

[CDC Main Pg](#)

[Logout](#)

2010-2011 STATE OF THE SCHOOLS REPORT FOR BANNER COUNTY PUBLIC SCHOOLS [04-0001-000]

REPORT OF DATA ENTERED:

District Information

Banner County School is located in the unincorporated town of Harrisburg. Harrisburg, the County seat, is located 25 miles north of Kimball, or 22 miles south of Gering on Highway 71, and four miles west on spur 4-A. Students at Banner County have an opportunity for one-on-one relationships with the teachers because it is a small school. This makes it easier to get assistance on school work. The students are also able to be involved in many extra curricular activities. The population of Harrisburg is 88. There is a fire department, courthouse, bank, a post office and a museum. The Flowerfield School sits on the museum grounds to provide a unique opportunity for areas schools to send fourth grade classes to gain an understanding of and to experience pioneer schools.

District School Improvement Goals

1. All students will work to improve their performance in the areas of reading and language arts across all curricular areas. 2. All students will demonstrate positive character traits of respect and responsibility within the school community.

Graduation Requirements - Reading

Number of Years: 4

Courses Required: English

Other Language Arts

Grad Requirements

Comment:

Graduation Requirements - Mathematics

Number of
Years: 3

Courses Required: Algebra

Geometry

Advanced Algebra

Grad
Requirements
Comment:

Students are required to complete 26 units (260 Hours) of high school course work to graduate. You may view specific course requirements at our school web site: www.bannercountyschool.org

Elementary, middle school and high school grade level for reporting student National Assessment Instrument results:

Elementary School: Grade 04

Middle School: Grade 08

High School: Grade 10

District Standards Information

Benchmark Grades	Include English Language Learners	
Science	Yes	No
5, 8, 11	<input type="checkbox"/>	<input checked="" type="checkbox"/>

School Description

AgencyID	School Name	Goals	School Information
04-0001-001	BANNER COUNTY HIGH SCHOOL	All students will improve their performance in the areas of reading and language arts across all curricular areas. All students will demonstrate positive character traits of respect and responsibility within the school community.	Banner County School, a Class III, is located in the unincorporated town of Harrisburg, the county seat of Banner County. The school, classified as very sparse by NDE, has a student enrollment of approximately 175 students, K-12. The school is contained in one building, and functions in a K-6 and 7-12 organizational pattern utilizing a teaching staff of 20 with an FTE 19.5. The staff has been involved in developing the district's assessment program that is built around the NWEA (MAP) and Stars/Scottsbluff ESU13 testing programs.
04-0001-002	BANNER COUNTY ELEMENTARY SCHOOL	To improve student performance in the areas are reading and language arts across the curricular areas. To improve character traits of respect and responsibility within the school community.	Banner County School, a Class III, is located in the unincorporated town of Harrisburg, the county seat of Banner County. The school, classified as very sparse by NDE, has a student enrollment of approximately 175 students, K-12. The school is contained in one building, and functions in a K-6 and 7-12 organizational pattern utilizing a teaching staff of 20 with an FTE of 19.5 The staff has been involved in developing the district's assessment program that is built around the NWEA (MAP) and Stars/Scottsbluff ESU13 testing programs.