



Nebraska State Board of Education

Model Policies

Updated August 21, 2024

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MP 1

Model Policy to Prevent Dating Violence

(School District Name), provides physically safe and emotionally secure environments for all students and staff. Positive behaviors are encouraged in the educational program and are required of all students and staff. Inappropriate behaviors, including but not limited to, dating violence, will not be tolerated and must be avoided by all students and staff.

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

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

Revision History

- Created: 2010
- Reviewed: 2013, 2017, 2021
- Reaffirmed: 04/02/2021

Board Action History

- 02/01/2010 – G20
(NEW.)
- 06/07/2013 – G20
(Reaffirmed.)

Board Action History (cont'd)

- 03/03/2017 – G20(S9)
(Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B] and position statements [S]. G20 is now S9.)
- 05/05/2017 – S9
(Reaffirmed.)
- 04/02/2021 – S9
(Reaffirmed.)
- 12/02/2022 – S9(MP 9)
(Reorganized Board bylaws and policies with new designated letters for categories of position statements [PS], model policies [MP] and resolutions [RS]. S9 is now MP 9.)
- 08/21/2024 – MP 1(MP 9)
(MP 9 is now MP 1.)

Cross-References

- 92 NAC 10 (Rule 10)
- 79-2,140 R.R.S.
- 79-2,141(4) R.R.S.

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MP 2

Model Policy for Pregnant and Parenting Students

Pursuant to LB 427 (2017) (Neb. Rev. Stat. §§ 79-2,149 to 79-2,152), beginning May 1, 2018, each school district shall adopt a written policy related to pregnancy and child care for pregnant and parenting students to be implemented beginning with the 2018-19 school year. The policy shall include provisions and procedures in conformance with standards set forth in any model policy adopted by the State Board OR shall meet the minimum standards set forth in Neb. Rev. Stat. § 79-2,151. This is the State Board's Model Policy for district's use and consideration in that regard.

(School District Name) _____, recognizes that pregnant and parenting students of compulsory school age have the right and responsibility to attend school. This attendance right and responsibility applies to students regardless of their marital or parental status. Further, schools have an obligation to educate pregnant and parenting students and shall provide reasonable accommodations to support and encourage all pregnant and parenting students obtain their high school diploma. No student may be excluded from, denied the benefit of, or discriminated against under any educational program or activity because of pregnancy or parenting responsibilities.

Attendance and Leave of Absences:

Pregnant and parenting students are permitted to attend to their own health care, their child's medical care, or other pregnancy or parenting related appointments with the benefit of having any such absences or tardiness excused. A student must be permitted to take a leave of absence for pregnancy, childbirth, and any other pre and post-natal related medical needs, along with recovery there from for the duration that is deemed medically necessary by the student's licensed health care provider. At the conclusion of the leave of absence, a student shall be immediately enrolled in the school of record at the same grade and status as when the leave began. Pregnant and parenting students shall be allowed to participate in all activities including extracurricular activities throughout the student's pregnancy and thereafter. A pregnant and parenting student may be asked to obtain certification from the student's licensed healthcare provider regarding the student's safe participation in an extracurricular activity when such certification is required of students for other conditions requiring attention of a licensed healthcare provider.

Any absences accumulated due to pregnancy or pregnancy related conditions, or care for an ill child, should not count towards any district policies in effect under Nebraska compulsory attendance

requirements under Neb. Rev. Stat. §§ 79-201 through 79-210. Pregnant and parenting students with excused absences or tardiness shall be treated like all other students with excused absences or tardiness for any other medical reasons.

Pregnant and parenting students will be provided with assignments, classwork and any additional needed support to ensure the student keeps up with class requirements when absent.

Alternative means to complete course work:

At least one alternate method, in addition to traditional classroom instruction, will be available to keep pregnant and parenting students in school. Such accommodations may include accessing coursework on line, home based independent study, or at home tutoring. Alternative methods of instructions or other alternative programs for pregnant and parenting students are voluntary for the student and the student may elect whether to engage in an alternative method of instruction or the traditional methods of instruction available to their peers. Pregnant and parenting students shall be allowed to attend their regular classrooms and complete regular coursework.

Lactation:

Reasonable time and space to accommodate lactating students to express breast milk or breastfeed during the school day will be provided. Such accommodations will be in a location, other than a bathroom or closet, that is private, clean, has an electrical outlet, a chair and is reasonably accessible. Students shall also be provided a food safe refrigerator to store breast milk safely.

Child Care:

If in-school child care is not provided, a list of qualified licensed child care providers will be provided to pregnant or parenting students. Such list shall be updated annually and include providers that participate in the quality rating and improvement system and meet all of the quality rating criteria for at least a step-three rating pursuant to the Step Up to Quality Child Care Act. Nothing in this policy is intended to prohibit or limit any referral for a student or a student's child to an early head start program or any other available community resources.

Privacy and Confidentiality:

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Pregnant and parenting students have the right to have their health and personal information kept confidential in accordance with law. School staff should make every effort to keep personal information and health records confidential and in compliance with Nebraska and federal law.

Information about students' pregnancies and related conditions should not appear in their cumulative record and cannot be used when they are being considered for educational or job opportunities, awards or scholarships.

Other Accommodations:

Pregnant and parenting students shall be notified that they may request additional reasonable accommodations to ensure continued participation and enrollment in school. Accommodation requests will be evaluated on a case-by-case basis. Such accommodations may include but are not limited to: additional frequency allowed for bathroom breaks, additional time allowed in between class periods, a larger desk or additional work space, and adjustments to requirements for physical education as needed.

Bullying and Harassment:

Pregnant and parenting students have the same rights as other students to be free from discrimination, bullying, and harassment. Such school policies are incorporated herein and apply to all students.

Policy Dissemination:

All students, staff, and parents must be informed of this policy at the beginning of each school year and shall be incorporated into the student handbook.

Revision History

- Created: 2017
- Reviewed: 2017
- Approved: 11/09/2017

Board Action History

- 11/09/2017 – S13
(New position statement as the result of LB 427 [2017].)

Board Action History (cont'd)

- 12/02/2022 – S13(MP 13)
(Reorganized Board bylaws and policies with new designated letters for categories of position statements [PS], model policies [MP] and resolutions [RS]. S13 is now MP 13.)
- 08/21/2024 – MP 2(MP 13)
(MP 13 is now MP 2.)

Cross-References

- 79-201 through 79-210 R.R.S.
- 20 U.S.C. §1681
- 34 C.F.R. §106.40
- LB 427 (Nebraska Legislature 2017)

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MP 3

Model Policy for Dress Code and Grooming

_____ School District Dress Code and Grooming Policy

I. PURPOSE:

The _____ School District is dedicated to celebrating the diverse racial and religious backgrounds of our students. The school district champions students' rights to express themselves through their attire practically when associated with race, religion, sex, disability, or national origin, including tribal regalia, natural and protective hairstyles, or adornments. The purpose of this policy is to facilitate and encourage an inclusive and positive learning environment while complying with any applicable health and safety law, rule, regulations or ordinance.

II. GENERAL PRINCIPLES/STANDARDS:

1. Non-Discrimination: The _____ School District dress code and grooming policy prohibits discrimination against students based on race, religion, sex, disability, or national origin.
2. Respect for Individuality: Students are allowed to wear religious attire, adornments, and other attire associated with race, national origin or religion, or tribal regalia. Additionally, students' hair should not be permanently or temporarily altered by school personnel. Altering a student's appearance or removing or altering a student's attire without consent from their parent/guardian/caregiver is not allowed. Additionally, students are permitted to wear natural and protective hairstyles including but are not limited to braids, locks, twists, tight coils or curls, cornrows, Bantu knots, afros, weaves, wigs, or head wraps.
3. Cultural and Religious Attire: Students are allowed to wear religious attire and tribal regalia in accordance with their race, national origin, or religion.
4. Bullying Policy Alignment: The school bullying policy remains in effect and should be consulted where clothing or attire may be an issue.
5. Prohibited Attire: Attire should not promote violence, drugs, alcohol, profanity, or hate speech. The _____ School District reserves the right to request immediate attire changes from students.

III. HEALTH AND SAFETY CONSIDERATIONS:

In school environments where the use of certain chemicals or equipment poses a direct safety hazard, students may be required to wear protective gear, such as lab coats and safety goggles, which could cover clothing and hairstyles. Similarly, in physical education classes or during sports activities, students may need to modify their attire or secure their hair to ensure the safety of themselves and others. In such cases, a good faith effort to reasonably accommodate students will be made to ensure safety without compromising religious beliefs, grooming practices, or requiring students to permanently alter their appearance. Such accommodations must be applied equally and adopted for nondiscriminatory reasons.

1. Proven Need: Any health and safety standard based on characteristics associated with race, religion, sex, disability, or national origin must demonstrate that without implementation of such standard, it is reasonably certain that the health and safety of the student or another individual will be impaired.
2. Least Restrictive Means: health and safety standards should use the least restrictive means necessary to address the identified health and safety concern. Alternative measures that do not discriminate based on these characteristics associated with race, religion, sex, disability, or national origin should be explored and implemented.

IV. ENFORCEMENT:

Enforcement of violations of this dress code and grooming policy should be consistent with our district's overall discipline plan and applied in a consistent manner. Enforcement of this dress code and grooming policy should not target, disproportionately impact, discriminate, or be applied in a discriminatory manner against any students on the basis of race, religion, sex, disability, or national origin.

V. TRAINING AND AWARENESS:

The district will communicate the guidelines and expectations in this dress code and grooming policy with students and families in their preferred language(s). While adopting and/or adapting this dress code and grooming policy, school districts should consult a variety of stakeholders, including a diverse group of parents, guardians, and caregivers. School staff may receive training and guidance on this policy to ensure that they are aware of their responsibilities in accommodating students and communicating effectively with parents, guardians, or caregivers.

VI. CONFIDENTIALITY:

The school will handle all information related to students' race, sex, disability, national origin, or religious characteristics in accordance with the Family Educational Rights and Privacy Act (FERPA). Parental consent must be obtained before sharing any information related to the student's appearance or attire with school staff or outside parties involved in an accommodation process related to this policy.

VII. PARENT CONSENT:

The _____ School District is required to make a good faith effort obtain informed consent from a student's parents, guardians, and/or caregivers in their preferred language, in the case a health and safety standard accommodation need. To respect individual identity and parental authority, our process includes the following steps:

1. Initiate Contact: Make a good faith effort to contact the parent/guardian/caregiver using their preferred communication method (phone, email, or in person), explaining clearly and consistently why adjustments to the student's attire and/or grooming may be necessary to meet health and safety standards.
2. Collaborative Solutions: Work collaboratively with the student and parent/guardian/caregiver to find accommodation options in accordance with the student's race, religion, sex, disability, or national origin while adhering to health and safety standards. Discuss the potential impact of each accommodation option on the student's well-being and educational experience.
3. Parental Consideration: Allow the parent/guardian/caregiver time to privately discuss the situation with their student and/or family members and make an informed decision.
4. Obtain Consent: Once an accommodation is agreed upon, obtain written consent through a signed document or email exchange, clearly stating the accommodation and health and safety standard that required the accommodation. A copy of this written consent should be provided to the parent/guardian/caregiver.
5. Documentation & Follow-up: Keep written records of all communication and decisions made with the parent/guardian/caregiver for transparency and accountability. This record should be treated in accordance with the Family Educational Rights and Privacy Act (FERPA) and added to the student's confidential records for future reference. After implementation, follow up with

the parent/guardian/caregiver within 1-2 weeks to ensure the accommodation was implemented in a satisfactory manner.

VIII. RECORD KEEPING:

The _____ School District establishes a clear and organized process to record efforts made to reasonably accommodate a student's appearance, attire, hairstyle, adornment, or other characteristics associated with race, religion, sex, disability, or national origin. Each record must include:

1. the student's name,
2. federally identified demographic characteristics,
3. date of the occurrence,
4. the health and safety standard relating to the accommodation,
5. nature of the accommodation requested,
6. staff involved,
7. communication with parents/guardians/caregivers, and
8. the outcome of the effort.

Our district regularly reviews the accumulated records to analyze trends, patterns, and the effectiveness of the accommodation process to identify any areas that may require improvement or adjustments to policies.

Definitions:

Grooming: the care of a body and its physical appearance, such as the personal hygiene routine of brushing one's teeth or combing one's hair.

National origin: includes characteristics associated with actual or perceived place of birth, ancestry, or ethnicity including, but not limited to, skin color, natural and protective hairstyles, headdress, tribal regalia, and attire.

Natural and protective hairstyles: include, but are not limited to, braids, locks, twists, tight coils or curls, cornrows, Bantu knots, afros, weaves, wigs, or head wraps.

Race: includes characteristics associated with actual or perceived race, ancestry, or ethnicity including, but not limited to, skin color, natural and protective hairstyles, tribal regalia, and attire.

Religious attire and characteristics associated with religion: includes, but is not limited to, natural and protective hairstyles, tribal regalia, burkas, hijabs, head wraps, yamaka, cross or other headdress, adornments, and clothing garments used to express or observe one's religious beliefs.

Tribal regalia: includes natural and protective hairstyles and traditional garments, jewelry, or other adornments or similar objects of cultural significance worn by members of an indigenous tribe of the United States or another country. Tribal regalia does not include any dangerous weapon or, except in compliance with an appropriate federal permit, any object that is otherwise prohibited by federal law.

Revision History

- Created: 2024
- Approved: 08/02/2024

Board Action History

- 08/02/2024 – MP 3
(NEW.)

Cross-References

- 79-2, 159 R.R.S.

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