



Regular Board of Directors Meeting

Monday, January 21, 2019 at 5:30 PM

Educational Service Unit 7, Oak Room  
2657 44th Avenue  
Columbus, NE 68601-8537

1. Call the meeting to order and Roll Call  
**Speaker(s):** Administrator or Designee  
**Rationale:**

#### **LEADERSHIP • SERVICE • SUPPORT**

Notice of this meeting was given in advance according to State Law 84-1411, by giving notice of the meeting to the public on ESU 7 website [www.esu7.org](http://www.esu7.org) and posted at location of meeting. Notice of this meeting was also given in advance to all members of the Board of Directors. Availability of the agenda and purpose of the hearing was communicated in the advance notice of the meeting and in the notice to the members of this hearing. All proceedings of the Board of Directors were taken while the convened hearing was open to the attendance of the public.

1. Absent Board Members  
**Speaker(s):** Administrator or Designee  
**Rationale:**  
**Recommendation:** Discuss, consider and take action to approve the Board member absences.  
**Recommended Motion(s):**  
Approval of Board Member absences as presented Passed with a motion by Board Member #1 and a second by Board Member #2.

2. Notification of Open Meetings Law  
**Speaker(s):** Administrator or Designee  
**Rationale:**

This meeting has been preceded by reasonable advance notice and is hereby declared to be in open session. A copy of the Open Meetings Act is posted in the meeting room.

3. Pledge of Allegiance

**Speaker(s):** Administrator or Designee

2. Welcome Visitors

**Speaker(s):** Administrator or Designee

3. Public Comment

**Speaker(s):** Administrator or Designee

**Rationale:** The Board has the discretion to limit the amount of time set aside for public participation.

Citizens wishing to address the Board on a certain agenda item must notify the Educational Service Unit Administrator prior to the board meeting. Citizens wishing to present petitions to the Board may do so at this time. However, the Board will only receive the petitions and not act upon them or their contents.

4. Approval of Agenda

**Speaker(s):** Administrator or Designee

**Rationale:**

Administrator Polk will review the meeting agenda format changes.

The sequence of agenda topics is subject to change at the discretion of the Board.

**Recommendation:** Discuss, consider and take any necessary action to approve agenda as presented.

**Recommended Motion(s):**

Agenda as presented Passed with a motion by Board Member #1 and a second by Board Member #2.

5. Consent Agenda

**Speaker(s):** Administrator or Designee

**Rationale:**

Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

If any Board member wishes to discuss an item, it must be removed from the consent agenda at which time the remaining items will be acted upon.

Consent Agenda Includes:

- Minutes from the previous meeting(s)
- Treasurer's Report
- Presentation of the Bills
- Certificated/Classified Hire(s)/Reassignments/Resignation(s)
- Other Routine Agenda Items

**Recommendation:** Discuss, consider and take any action necessary to approve the consent agenda as presented.

**Recommended Motion(s):**

Consent agenda as presented Passed with a motion by Board Member #1 and a second by Board Member #2.

- Minutes  
**Speaker(s):** Administrator or Designee

**Rationale:**

**This is a consent item.**

- Treasurer's Report  
**Speaker(s):** Administrator or Designee

**Rationale: This is a consent item.**

- Presentation of Bills # 68409 through # 68565 totaling \$853,053.38

**Speaker(s):** Administrator or Designee

**Rationale:**

The summary of bills for the current month total: \$853,053.38 - Bills #68409 through #68565

Inservice bills total: \$ 0

SPED Arrears: \$0

TECH Arrears: Schuyler \$1,475.00, Clarkson \$25.00 and Twin River \$100.00

Check #	Amount	Vendor	Description
68422	\$16,710.22	Boone Central Schools	Title 1 Reimbursement
68429	\$13,341.44	Capital One	Admin/Core/Board Travel
68433	\$13,899.36	CDW-G	Tech equipment for Schools/EBHP
68436	\$38,040.00	Close Up Foundation	Migrant Registration/Travel
68441	\$8,274.51	Cross Co. School	Title 1 Reimbursement
68448	\$7,017.77	Eakes Office Solution	Copier Maintenance
68456	\$171,696.35	Fauss Construction, Inc.	EBHP Contractor's first payment
68461	\$16,495.00	Haddock Computer Center	EBHP Tech Equipment
68462	\$6,565.44	High Plains Comm. Schools	Title 1 Reimbursement
68512	\$8,156.37	Streakwave Wireless	EBHP/Tech Equipment

**This is a consent item.**

- Classified New Hires: 3 Paraprofessionals

**Speaker(s):** Administrator or Designee

**Rationale:** Melissa Schwichtenberg, Jenny Brown and Madison Wright will be joining the Cen7ter Team.

Melissa Schwichtenberg is joining our Cen7ter team as a paraprofessional, She is a graduate of Columbus High School. She has a CNA certification and a Medication Aide license. Melissa's work experience includes being a CNA/Medication Aide at Good Samaritan Society and Heritage at Meridian Gardens.

Jenny Brown is joining our Cen7ter team as a paraprofessional. She is a graduate of Columbus High School. She has done course work at UNO and Central Community College. Jenny's work experience includes West Park Elementary School secretary in Columbus and owner of Snaps and Sprouts Photography.

Madison Wright is joining our Cen7ter team as a paraprofessional. She is a graduate of Kearney High School. She has 57 credit hours of college course work at UNK and Metropolitan Community College. She is currently completing online courses from Central Community College. Madison's work experience includes being a special education paraprofessional and CNA/Medication Aide at Brooke Stone Meadows in Elkhorn.

**This is a consent item.**

5. Certified New Hire: 1 Early Childhood Speech Language Pathologist

**Speaker(s):** Administrator or Designee

**Rationale:** Jamie McCray is a Speech Language Pathologist and will be joining our ESU 7 Early Childhood Team. Jamie received her Bachelor's of Science degree in Communication Disorders from University of Nebraska at Kearney and her Master's degree from the University of South Dakota in Speech Language Pathology. Jamie's experience includes being a head teacher at Kidtopia Childcare and a Speech Language Pathology Assistant in a clinic.

**This is a consent item.**

6. Retirement of Early Childhood Coordinator

**Speaker(s):** Administrator or Designee

**Rationale:** Mary Bohning has resigned her position as Early Childhood Coordinator effective the end of the 2018-2019 School Year.

**This is a consent item.**

7. Disposal of Inventory

**Speaker(s):** Administrator or Designee

**Rationale:** Disposal of Inventory will occur in a later Board meeting. See Article III, Section 8 A: Disposal of Property

**This is a Consent Item.**

6. Election of Board Officers

**Speaker(s):** Board President or Designee

1. Election of Board President

**Speaker(s):** Don Ellison or Designee

**Rationale:**

**Recommendation:** Discuss, consider and take any necessary action to elect as President of Board of Directors.

**Recommended Motion(s):**

Election of as President of the Board of Directors Passed with a motion by Board Member #1 and a second by Board Member #2.

2. Election of Vice President of the Board of Directors

**Speaker(s):** Don Ellison or Designee

**Rationale:**

**Recommendation:** Discuss, consider and take any necessary action to

elect as Vice President of Board of Directors.

**Recommended Motion(s):**

Election of as Vice President of Board of Directors Passed with a motion by Board Member #1 and a second by Board Member #2.

3. Election of Secretary of Board of Directors

**Speaker(s):** Don Ellison or Designee

**Rationale:**

**Recommendation:** Discuss, consider and take any necessary action to elect as Secretary of Board of Directors.

**Recommended Motion(s):**

Election of as Secretary of Board of Directors Passed with a motion by Board Member #1 and a second by Board Member #2.

7. Committees, positions, and designations

**Speaker(s):** Board President or Designee

**Rationale:** Budget Committee - Timeline for Completion

Negotiations Committee

Administrator Evaluation Committee

1. Select Treasurer

**Speaker(s):** Don Ellison or Designee

**Rationale:**

**Recommendation:** Discuss, consider and take any necessary action to appoint as Treasurer to the Board of Directors.

**Recommended Motion(s):**

Appointment of as Treasurer to the Board of Directors Passed with a motion by Board Member #1 and a second by Board Member #2.

2. Select Recording Secretary

**Speaker(s):** Don Ellison or Designee

**Rationale:**

**Recommendation:** Discuss, consider and take any necessary action to appoint as Secretary to the Board of Directors.

**Recommended Motion(s):**

Appointment of as Secretary to the Board of Directors Passed with a motion by Board Member #1 and a second by Board Member #2.

3. Designate depository bank(s)

**Speaker(s):** Board President or Designee

**Rationale:** Authorized Depositories, Bonds, Disbursement of Funds requires the ESU 7 Board to annually authorize depositories for ESU 7 Funds. The checking accounts are currently at First National Bank and Trust, Columbus. The Board authorizes the Administrator and Board Treasurer to contact banks in the ESU area to invest money at the best

rate.

**Recommended Motion(s):**

Discuss, consider and take any action necessary to approve the above listed depositories as presented Passed with a motion by Board Member #1 and a second by Board Member #2.

4. Designate Newspapers of Record

**Speaker(s):** Board President or Designee

**Rationale:** The Columbus Telegram is a newspaper of general circulation in all counties in the ESU 7 Area. Legal Notices as required will be reported in the Columbus Telegram.

**Recommended Motion(s):**

Discuss, consider and take any action necessary to designate the Columbus Telegram as the ESU 7 newspaper of record Passed with a motion by Board Member #1 and a second by Board Member #2.

8. Dissemination of Conflict of Interest Forms

**Speaker(s):** Board President or Designee

**Rationale:** Annually, Conflict of Interest and Code of Ethics forms will be disseminated to the Board for signature.

9. Reading of Article III, Section 9, B, Article III, Section 10 C, Article III, Section 10 D, and Article IV, Section 1 A through B as presented

**Speaker(s):** Don Ellison or Designee

**Rationale:**

**Recommendation:** Discuss, consider and take all necessary action to approve Article III, Section 9, B, Article III, Section 10 C, Article III, Section 10 D, and Article IV, Section 1 A through B as presented.

**Recommended Motion(s):**

Article III, Section 9, B, Article III, Section 10 C, Article III, Section 10 D, and Article IV, Section 1 A through B as presented Passed with a motion by Board Member #1 and a second by Board Member #2.

10. Coordinating Agency for ESU 7 Special Education Cooperative

**Speaker(s):** Administrator or Designee

**Rationale:** ESU 7 continues to serve as the coordinating agency for the ESU 7 Special Education Cooperative for 2019-2020.

**Recommended Motion(s):**

Discuss, consider and take any action necessary for ESU 7 to continue to serve as the coordinating agency for the ESU 7 Special Education Cooperative for 2019-2020 Passed with a motion by Board Member #1 and a second by Board Member #2.

11. ESU 7 2019-2020 and 2020-2021 General Calendars

**Speaker(s):** Larianne Polk

**Rationale:**

**Recommendation:** Discuss, Consider and take any necessary action to approve the ESU 7 2019-2020 and 2020-2021 General Calendars as presented.

**Recommended Motion(s):**

ESU 7 2019-2020 General Calendar as presented Passed with a motion by Board Member #1 and a second by Board Member #2.

12. Administrator's Report

**Speaker(s):** Administrator or Designee

1. Facilities Update

**Speaker(s):** Administrator or Designee

**Rationale:** The Administrator will provide a facilities update during this item.

2. Warehouse Remodel Project

**Speaker(s):** Administrator or Designee

**Rationale:** Name for the EBHP Program

An updated construction timeline is attached for review.

Administrator Polk will provide a description of alternative storage solutions to the warehouse side of the remodel project. See Attached drawing for detail.

**Recommendation:** Discuss, consider and take any action to approve the addition of the mezzanine to the Warehouse Remodel Project.

**Recommended Motion(s):**

Discuss, consider and take any action to approve the addition of the mezzanine to the Warehouse Remodel Project Passed with a motion by Board Member #1 and a second by Board Member #2.

3. Educational Service Unit Coordinating Council (ESUCC) Update

**Speaker(s):** Administrator or Designee

**Rationale:** A link to the January 2019 ESUCC Update can be found here.

4. Mileage Reimbursement Rate

**Speaker(s):** Administrator or Designee

**Rationale:** The IRS Mileage rate for 2019 - 2020 is \$0.58 per mile.

Article III, Section 4, D: Coffee Act Policy (Reimbursable Expenses)

Reimbursement of Expenses. The ESU will pay the registration costs, tuition costs, fees or charges for attendance by Board members at such approved functions. The ESU will pay mileage at the rate allowed by law (that is, the rate established by the Department of Administrative Services) or actual travel expense if travel is authorized by commercial or charter means. The ESU will pay meals and lodging at a rate not exceeding the applicable federal rate unless a fully itemized claim is submitted substantiating the costs actually incurred in excess of such rate and such additional expenses are expressly approved by the Board.

For employees and volunteers, the ESU will pay costs and make reimbursements in the same manner as provided above for Board member attendance, unless otherwise established by policy, Board action, contract, or negotiated agreement.

5. ESU 7 Services Report

**Speaker(s):** Administrator or Designee

**Rationale:** The 2019-2020 Services Plan will be approved in the February 18 Board Meeting.

We're Expanding our staff team to offer more services to our School Districts.

6. Legislative Update

**Speaker(s):** Administrator or Designee

**Rationale:** During this item, the Administrator will provide a Legislative Update to members of the Board.

13. Pension Protection Act (PPA) Restatement for Educational Service Unit 7 403(b) Plan Adoption

**Speaker(s):** Administrator or Designee

**Rationale:** As required by the Internal Revenue Service (IRS) in order to keep the Pension Protection Act (PPA) Restatement for Educational Service Unit 7 403(b) Plan in compliance with the current IRS rules and regulations as well as incorporate any law changes, this resolution must be approved.

**Recommendation:** Discuss, consider and take any action necessary to approve the Pension Protection Act (PPA) Restatement for Educational Service Unit 7 403(b) Plan as presented.

**Recommended Motion(s):**

ESU 7 403B Plan Resolution as presented Passed with a motion by Board Member #1 and a second by Board Member #2.

14. Committee Reports

**Speaker(s):** Committee Chair

1. Negotiations Committee Report

**Speaker(s):** Negotiations Committee Chair

**Rationale:** Reports of activities and discussions from the Negotiations Committee will take place during this item.

15. Adjournment

**Speaker(s):** Board President or Designee



## **Regular Board of Directors Meeting**

Educational Service Unit 7, Oak Room

2657 44th Avenue

Columbus, NE 68601-8537

Monday, December 17, 2018 at 5:30 PM

Attendance Taken at 5:35 PM.

Joyce Baumert: Absent  
Marni Danhauer: Present  
Donald Ellison: Present  
Terry Fusco: Present  
Dan Hoesly: Absent  
Doug Kluth: Present  
Richard Luebbe: Present  
Jennifer Miller: Present  
Doug Pauley: Present  
Richard Stephens: Present  
Gary Wieseler: Present  
Jack Young: Present

Present: 10, Absent: 2.

Attendance Update Taken at 5:56 PM.

Jennifer Miller: Absent  
Present: 9, Absent: 3.

Attendance Update Taken at 6:33 PM.

Doug Kluth: Absent  
Present: 8, Absent: 4.

### **1. Call the meeting to order**

**Rationale:**

**LEADERSHIP • SERVICE • SUPPORT**

Notice of this meeting was given in advance according to State Law 84-1411, by giving notice of the meeting to the public on ESU 7 website www.esu7.org and posted at location of meeting. Notice of this meeting was also given in advance to all members of the Board of Directors. Availability of the agenda and purpose of the hearing was communicated in the advance notice of the meeting and in the notice to the members of this hearing. All proceedings of the Board of Directors were taken while the convened hearing was open to the attendance of the public.

**Discussion:** President Don Ellison conducted the meeting.

#### 1.1. Notification of Open Meetings Law

**Rationale:**

This meeting has been preceded by reasonable advance notice and is hereby declared to be in open session. A copy of the Open Meetings Act is posted in the meeting room.

#### 1.2. Roll Call

**Discussion:** Roll call was taken at: 5:34pm

Staff present:

Larianne Polk, Administrator

Linda Shefcyk, Business Manager

Katy McNeil, Secretary to the Board of Directors

Marci Ostmeyer, Professional Development Director

Darus Mettler, Special Education Director

Dan Ellsworth, Network Operations Director

##### 1.2.1. Board Absences

**Rationale:**

**Recommendation:** Discuss, consider and take action to approve the Board member absences.

**Action(s):**

Approval of Board Member absences as presented Passed with a motion by Jennifer Miller and a second by Jack Young.

**Voting Detail:**

Joyce Baumert: Absent

Dan Hoesly: Absent

Marni Danhauer: Yea

Donald Ellison: Yea

Terry Fusco: Yea

Doug Kluth: Yea

Richard Luebbe: Yea

Jennifer Miller: Yea  
Doug Pauley: Yea  
Richard Stephens: Yea  
Gary Wieseler: Yea  
Jack Young: Yea

**Discussion:** Dan Hoesly and Joyce Baumert were absent from the Board Meeting.

### 1.3. Pledge of Allegiance

**Discussion:** All members present participated in the Pledge of Allegiance.

## 2. Public Forum

### 2.1. Welcome Visitors

**Discussion:** No visitors were present.

### 2.2. Public Comment

**Rationale:** The Board has the discretion to limit the amount of time set aside for public participation.

Citizens wishing to address the Board on a certain agenda item must notify the Educational Service Unit Administrator prior to the board meeting. Citizens wishing to present petitions to the Board may do so at this time. However, the Board will only receive the petitions and not act upon them or their contents.

**Discussion:** No public comments provided.

## 3. Approval of Agenda

**Rationale:**

The sequence of agenda topics is subject to change at the discretion of the Board.

**Recommendation:** Discuss, consider and take any necessary action to approve agenda as presented.

**Action(s):**

Agenda as presented Passed with a motion by Doug Pauley and a second by Jennifer Miller.

**Voting Detail:**

Joyce Baumert:	Absent
Dan Hoesly:	Absent
Marni Danhauer:	Yea
Donald Ellison:	Yea
Terry Fusco:	Yea
Doug Kluth:	Yea
Richard Luebbe:	Yea
Jennifer Miller:	Yea
Doug Pauley:	Yea
Richard Stephens:	Yea
Gary Wieseler:	Yea
Jack Young:	Yea

#### 4. **Consent Agenda**

**Rationale:**

Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

If any Board member wishes to discuss an item, it must be removed from the consent agenda at which time the remaining items will be acted upon.

Consent Agenda Includes:

- Minutes from the previous meeting(s)
- Treasurer's Report
- Presentation of the Bills
- Certificated/Classified Hire(s)/Reassignments/Resignation(s)
- Other Routine Agenda Items

**Recommendation:** Discuss, consider and take any action necessary to approve the consent agenda as presented.

**Action(s):**

Consent agenda as presented Passed with a motion by Doug Kluth and a second by Terry Fusco.

**Voting Detail:**

Joyce Baumert:	Absent
Dan Hoesly:	Absent
Marni Danhauer:	Yea
Donald Ellison:	Yea
Terry Fusco:	Yea
Doug Kluth:	Yea
Richard Luebbe:	Yea

Jennifer Miller: Yea  
 Doug Pauley: Yea  
 Richard Stephens: Yea  
 Gary Wieseler: Yea  
 Jack Young: Yea

4.1. Minutes

**Rationale:**

**This is a consent item.**

4.2. Treasurer's Report

**Rationale: This is a consent item.**

4.3. Presentation of Bills #68264 through #68408 totaling \$616,012.91

**Rationale:**

The summary of bills for the current month total: \$616,012.91 - Bills #68264 through #68408  
 Inservice bills total: \$ 0

SPED Arrears: 0

TECH Arrears: Clarkson \$25.00

Check #	Amount	Vendor	Description
68284	\$17,414.61	CDW-G	School Technology Equipment Flow-Through
68301	\$25,700.90	Embassy Suites	CCLC Get Connected Conference Flow Through
68354	\$10,798.72	RVW Inc.	Architect fees for EBHP
68405	\$5,359.31	Stuthman Enterprises	Amanda Stuthman Speech Services

**This is a consent item.**

4.4. Resignation of Technology Secretary/Bookkeeper

**Rationale:** Paulette Wieser is resigning/retiring from her position as Technology Department Secretary/Bookkeeper effective January 31, 2019.

**This is a consent item.**

4.5. Contract for 1 Early Childhood Speech-Language Pathologist and 1 Early Childhood Special Education Teacher

**Rationale: Jamie McCray** is joining our Early Childhood Team as a Speech Language Pathologist. Jamie received her Bachelor of Science in Communication Disorders at UNK and

her Masters Degree in Speech Language Pathology at the University of South Dakota. She has worked as a speech language pathology assistant in a clinic. Jamie was a head teacher at a preschool for 2, 3, and 4 year old students. She looks forward to providing the best individualized education for every student to help them learn in a way that works best for them.

**Jennifer Zysset** is joining our Early Childhood Team as a Special Education Teacher. She received her Bachelor of Arts in Elementary Education and Early Childhood Unified at UNK. Jennifer will received her Masters Degree in Curriculum and Instruction at Doan University in December. She has worked as an Elementary teacher in Doniphan and and Kearney. Jennifer has recently moved to Genoa and has been substitute teaching at Twin River. She feels that to be an effective teacher, you need to utilize all of the resources available to reach all students where they are.

**This is a consent item.**

4.6. 1 Contract for Technology Secretary/Bookkeeper and 2 Contracts for Paraprofessional

**Rationale:** Elizabeth Lawrence joins the ESU 7 Technology Team as Department Secretary. Most recently, Liz worked for Columbus Public as a Special Education Para-Educator. Prior she served Holdredge Public Schools as an Administrative Assistant to the Special Education Director and Elementary Principal. She has operated her own insurance company as well as owned/operated a daycare. Liz recently moved her family to the Columbus area when her husband became the manager at Vishay.

Christine Barber and Lindsay Thomson are re-joining the Cen7ter team as Paraprofessionals.

**This is a consent item.**

## 5. Action Items

5.1. Board Member Resignation

**Rationale:** Board Member Terry Fusco, District 11 has resigned his position effective January 2, 2019.

**Action(s):**

Resignation of Terry Fusco as presented Passed with a motion by Doug Pauley and a second by Gary Wieseler.

**Voting Detail:**

Joyce Baumert: Absent

Dan Hoesly: Absent

Marni Danhauer: Yea  
Donald Ellison: Yea  
Terry Fusco: Yea  
Doug Kluth: Yea  
Richard Luebbe: Yea  
Jennifer Miller: Yea  
Doug Pauley: Yea  
Richard Stephens: Yea  
Gary Wieseler: Yea  
Jack Young: Yea

Appointment of Don Ellison to fill the District 11 vacancy Passed with a motion by Terry Fusco and a second by Richard Stephens.

**Voting Detail:**

Joyce Baumert: Absent  
Dan Hoesly: Absent  
Marni Danhauer: Yea  
Donald Ellison: Yea  
Terry Fusco: Yea  
Doug Kluth: Yea  
Richard Luebbe: Yea  
Jennifer Miller: Yea  
Doug Pauley: Yea  
Richard Stephens: Yea  
Gary Wieseler: Yea  
Jack Young: Yea

5.2. Second Reading of Policies Section 5, H, Article III, Article III, Section 7, A, Article III, Section 7, C, Article III, Section 7, A and Article III, Section 9, A

**Rationale:** The Board requested a second reading for the following policies:

.Section 5 H, Article III - Rebates to Employees or Board Members  
.Article III, Section 7, A - Community Use of ESU Facilities  
. Article III, Section 7, C - Weapons  
.Article III, Section 9, A - Records Management and Disposition

**Recommendation:** Discuss, consider and take any action necessary to approve the second reading of Section 5, H, Article III, Article III, Section 7, A, Article III, Section 7, C, Article III, Section 7, A and Article III, Section 9, A as presented.

**Action(s):**

Approval of second reading of Section 5, H, Article III, Article III, Section 7, A, Article III, Section 7, C, Article III, Section 7, A, and Article III, Section 9, A as presented including proposed changes Passed with a motion by Jack Young and a second by Doug Pauley.

**Voting Detail:**

Joyce Baumert:	Absent
Dan Hoesly:	Absent
Marni Danhauer:	Yea
Donald Ellison:	Yea
Terry Fusco:	Yea
Doug Kluth:	Yea
Richard Luebbe:	Yea
Jennifer Miller:	Yea
Doug Pauley:	Yea
Richard Stephens:	Yea
Gary Wieseler:	Yea
Jack Young:	Yea

5.3. Ratification of Administrator's approval of the AIA A101 and A201 agreements with Fauss Construction

**Rationale:**

Review, consider, and take action ratifying Administrator Polk's approval of the AIA A101 and A201 agreements with Fauss Construction and approve the same.

**Recommendation:** Discuss, consider and take any action necessary to ratify Administrator Polk's approval of the AIA A101 and A201 agreements with Fauss Construction and approve the same.

**Action(s):**

Ratification of Administrator Polk's approval of the AIA A101 and A201 agreements with Fauss Construction and approve the same Passed with a motion by Terry Fusco and a second by Doug Kluth.

**Voting Detail:**

Joyce Baumert:	Absent
Dan Hoesly:	Absent
Jennifer Miller:	Absent
Marni Danhauer:	Yea
Donald Ellison:	Yea
Terry Fusco:	Yea
Doug Kluth:	Yea
Richard Luebbe:	Yea
Doug Pauley:	Yea

Richard Stephens: Yea  
Gary Wieseler: Yea  
Jack Young: Yea

## 6. Discussion Items

### Rationale:

#### 6.1. Educational Behavioral Health Program Updates

**Rationale:** Monthly updates to the Board regarding the status of the Educational Behavioral Health Program will be provided during this item.

Volume 2 of the Soar7Academy Newsletter is attached.

**Discussion:** Administrator Polk and Special Education Director Mettler gave an overview of the progress to date for the EBHP Warehouse Conversion Project. Administrator Polk discussed challenges and discussions related to construction to date. Administrator Polk shared the Soar7Academy Volume 2 and announced a partnership opportunity for a design/branding competition between the school districts. They responded to questions from members of the Board regarding scheduling and curriculum.

#### 6.2. Negotiation Committee Update

### Rationale:

The Board Negotiations Committee met as a team on December 17. This is the second year of a two-year agreement for the Certificated Special Education Staff. Base Salary increased \$622.00 and insurance increased \$324.00 per person. Chairman Kluth will give an update to the Board regarding any additional information.

**Discussion:** Chairman Kluth reported progress being made toward completing Negotiations for the remaining employee groups. The Negotiations Team will meet again in January.

#### 6.3. AESA Conference Report

**Rationale:** Members of the Board will report on their attendance at the 2018 AESA Conference in Colorado Springs.

**Discussion:** Members of the Board discussed their experiences at the AESA conference. Highlights included the keynote speakers and efforts of programs to match what is happening in the classroom to federal guidelines.

#### 6.4. Administrator's Report

### Rationale:

Facilities Update  
ESUCC Update  
Administrator's Goals - Attached for your review  
Administrator's Intent to Extend Contract  
Quarterly Report and Scorecard - Attached for your review.  
Legislative Preview Report  
Ethics Workshop in January - 5pm  
Board Meeting Structure

**Discussion:** Facilities Update - Administrator Polk discussed potential repairs to the gutters and drain spouts in the existing warehouse structure.

ESUCC Update - Administrator Polk updated the Board on ESU Administrator vacancies in ESUs 6, 8 and 13.

Administrator's Intent to Extend Contract - Administrator Polk submitted her intent to extend contract to President Don Ellison on 12/17/2018 as required by her contract.

Quarterly Report and Scorecard - Attached for your review.

Santa visits - Administrator Polk reported statistics related to Santa Visits December 7, 11, 12, and 13th. Thirty-two sessions were filled with approximately 925 students.

Legislative Preview Report - Administrator Polk shared legislative priorities with the Board.

Cen7ter Open House - December 19, 2018 in the Cen7ter 1-2 p.m.

Ethics Workshop in January 21, 2019 beginning at 5 p.m. in the Oak Room.

Board Meeting Structure - Administrator Polk shared there will be a revised agenda structure beginning in January 2019.

Administrator Evaluation was summarized by Doug Pauley and he thanked the Board for their input and their feedback during their evaluation.

## 7. Adjournment

**Discussion:** The Board Meeting Adjourned at: 6:54pm.

Minutes respectfully submitted by Katy McNeil, Secretary to the ESU 7 Board of Directors

December '18 Treasurer Report

<b>Beginning Balance DECEMBER 1, 2018</b>		<b>\$186,315.73</b>	
<b>RECEIPTS</b>			
Property taxes	\$11,672.60		
SPED	\$270,278.05		
General/Flow Through	\$54,125.14		
Grants	\$118,152.00		
<b>TOTAL RECEIPTS</b>	<b>\$454,227.79</b>	<b>\$454,227.79</b>	
		<b>\$640,543.52</b>	
Transfer to Money Market		\$100,000.00	+
<b>Total Funds Available</b>		<b>\$740,543.52</b>	
<b>DISBURSEMENTS:</b>			
General Fund	\$241,407.41		
SPED	\$288,386.05		
Grants	\$86,219.45		
<b>Total DISBURSEMENTS Check #68264 thru #68408</b>	<b>\$616,012.91</b>	<b>\$616,012.91</b>	-
<b>Ending balance, DECEMBER 31, 2018</b>		<b>\$124,530.61</b>	

Checking balance			\$124,530.61
Money Market Deposit Account at First National Bank			\$2,850,000.00
Money Market Deposit Account at First National Bank			\$100,000.00
Money Market Deposit Account at Bank of Clarks			\$100,000.00
Money Market Deposit Account at Columbus Bank & Trust			\$100,000.00
Certificate of Deposit - Great Western Bank			\$200,000.00
Certificate of Deposit - First National Bank-Columbus			\$100,000.00
<b>TOTAL CASH ON HAND (includes cash reserve amount below)</b>			<b>\$3,574,530.61</b>
<b>CASH RESERVE \$1,363,160.35</b>			
<b>Funds that are due to ESU 7</b>			
Grants			(\$937,868.57)
Production/Art Media Accounts Receivable	(\$15,250.65)		
Network Support Accounts Receivable	(\$1,600.00)		
Misc. Flow thru Accounts Receivable	(\$14,714.82)		
Outstanding Receivables			(\$31,565.47)
<b>Total due to ESU 7</b>			<b>(\$969,434.04)</b>

	2017-2018	2018-2019	2017-2018	2018-2019		
	Dollars Spent Per Month	Dollars Spent Per Month	Percentage spent each month	Percentage spent each month		
September	\$186,051.94	\$206,279.45	6.72%	7.85%	Total Budget	\$14,257,166.76
October	\$135,699.77	\$216,310.64	4.98%	8.23%	30% of budget	\$4,277,150.03
November	\$181,102.34	\$184,485.70	6.64%	7.02%	Total budget spent to date	\$1,383,799.52
December	\$173,801.71	\$163,233.94	6.37%	6.21%		
January	\$162,442.48	\$0.00	5.96%	0.00%	<b>NOTES</b>	
February	\$180,022.34	\$0.00	6.60%	0.00%		
March	\$166,747.34	\$0.00	6.12%	0.00%		
April	\$164,639.35	\$0.00	6.04%	0.00%		
May	\$176,837.02	\$0.00	6.49%	0.00%		
June	\$175,469.15	\$0.00	6.44%	0.00%		
July	\$190,589.34	\$0.00	6.99%	0.00%		
August	\$231,502.89	\$0.00	8.49%	0.00%		
<b>2018-19 Approved Total General Budget for Levy \$</b>			<b>\$2,726,407.24</b>	<b>\$2,628,278.46</b>		
<b>2018-19 Total Spent to date</b>			<b>\$2,124,905.67</b>	<b>\$770,309.73</b>		

## A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
10	00068409	100.00	01/20/19	9776 ABBI LINDGREN	C
10	00068410	14.57	01/20/19	10013 ACE HARDWARE	C
10	00068411	542.00	01/20/19	9652 AINSWORTH VISION CLINIC	C
10	00068412	200.00	01/20/19	190428 ALMQUIST, MALTZAHN, GALLOWAY & LUTH, PC	C
10	00068413	2,568.44	01/20/19	10391 AMAZON	C
10	00068413	-2,568.44	01/11/19	10391 AMAZON	CV
10	00068414	460.00	01/20/19	10479 AMERICAN ASSOCIATION OF SCHOOL ADMINISTR	C
10	00068415	240.35	01/20/19	120155 AMY J SLAMA	C
10	00068416	336.27	01/20/19	130180 AMY MAZANKOWSKI	C
10	00068417	240.35	01/20/19	7633 ANA SANTOS	C
10	00068418	30.52	01/20/19	9504 ANNE BAPTISTE	C
10	00068419	1,868.00	01/20/19	10681 APPLE COMPUTER, INC.	C
10	00068420	261.60	01/20/19	8508 APRIL BECKER	C
10	00068421	100.00	01/20/19	9768 BAILEY KLUG	C
10	00068422	16,710.22	01/20/19	20428 BOONE CENTRAL SCHOOLS	C
10	00068423	384.57	01/20/19	20841 BOONE CO ELECTION OFFICE	C
10	00068424	8.75	01/20/19	6700 BROOKE KAVAN	C
10	00068425	267.05	01/20/19	190669 BROOKE KOLIHA	C
10	00068426	100.00	01/20/19	21115 BUTLER CO CLERK	C
10	00068427	175.00	01/20/19	9407 C&J SERVICES LLC	C
10	00068428	28.35	01/20/19	4910 CAPITAL ONE-ELC MAYBERRY	C
10	00068429	13,341.44	01/20/19	30039 CAPITAL ONE BANK (USA), N.A.	C
10	00068430	320.90	01/20/19	30038 CAPITAL ONE-SPED ARNDT	C
10	00068431	165.00	01/20/19	2097 CAPITAL ONE-SPED KASSING	C
10	00068432	100.00	01/20/19	9792 CARA WIESER	C
10	00068433	13,899.36	01/20/19	30192 CDW-G	C
10	00068434	219.00	01/20/19	30235 CENTRAL CITY PUB SCHOOL	C
10	00068435	219.98	01/20/19	30550 CITY OF COLUMBUS WATER & SANIT	C
10	00068436	38,040.00	01/20/19	30628 CLOSE UP FOUNDATION C/O BURKE & HERBERT	C
10	00068437	368.64	01/20/19	30790 COLFAX CO. CLERK	C
10	00068438	5.00	01/20/19	30875 COLUMBUS AREA CHAMBER OF COMMERCE	C
10	00068439	480.00	01/20/19	31023 COLUMBUS OPTIMIST CLUB	C
10	00068440	182.00	01/20/19	31039 COLUMBUS SCREEN PRINTING	C
10	00068441	8,274.51	01/20/19	31462 CROSS COUNTY SCHOOL	C
10	00068442	186.40	01/20/19	4812 CUBBY'S, INC.	C
10	00068443	179.17	01/20/19	80491 DAN HOESLY	C
10	00068444	100.00	01/20/19	9784 DESARAY QUINN	C
10	00068445	22.50	01/20/19	876 DOLLAR GENERAL-MSA 410526	C
10	00068446	949.29	01/20/19	50570 DONALD ELLISON	C
10	00068447	25.12	01/20/19	4456 DOUG PAULEY	C
10	00068448	7,017.77	01/20/19	40725 EAKES OFFICE SOLUTIONS	C
10	00068449	180.00	01/20/19	50060 EAST BUTLER PUBLIC SCHOOL	C
10	00068450	481,847.18	01/20/19	50825 ED SERVICE UNIT 7-PAYROLL	C
10	00068451	212.00	01/20/19	50565 ELLISON ED EQUIPMENT INC	C
10	00068452	1,811.60	01/20/19	70428 EMILY DELP	C
10	00068453	195.82	01/20/19	50630 ERNST AUTO CENTER	C
10	00068454	182.35	01/20/19	7560 HOSTED SERVICES	C
10	00068455	880.00	01/20/19	50652 ESUCC	C
10	00068456	171,696.35	01/20/19	9806 FAUSS CONSTRUCTION, INC.	C
10	00068457	36.17	01/20/19	60056 FIRST NATIONAL BANK	C
10	00068458	294.30	01/20/19	7510 GARY WIESELER	C
10	00068459	28.72	01/20/19	70406 GOTTBURG AUTO COMPANY LLC	C
10	00068460	292.50	01/20/19	7013 GREAT PLAINS COMMUNICATIONS	C
10	00068461	16,495.00	01/20/19	80048 HADDOCK COMPUTER CENTER	C
10	00068462	6,565.44	01/20/19	80390 HIGH PLAINS COMMUNITY SCHOOLS	C

## A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
10	00068463	11.64	01/20/19	4944 HOBBY LOBBY	C
10	00068464	315.00	01/20/19	80543 HOMETOWN LEASING	C
10	00068465	1,308.27	01/20/19	80670 HOWELLS-DODGE CONSOLIDATED SCHOOL DIST	C
10	00068466	1,069.43	01/20/19	80880 HY-VEE	C
10	00068467	64.94	01/20/19	90088 INDOFF INCORPORATED	C
10	00068468	112.88	01/20/19	4294 JACK YOUNG	C
10	00068469	840.94	01/20/19	3387 JENNIFER FISTLER	C
10	00068470	109.00	01/20/19	4618 JENNIFER L. MILLER	C
10	00068471	100.00	01/20/19	7447 JOSELYN SNYDER	C
10	00068472	79.95	01/20/19	6319 JOURNEYED.COM, INC.	C
10	00068473	133.53	01/20/19	4600 JOYCE A. BAUMERT	C
10	00068474	443.09	01/20/19	260092 JUDY A ZADINA	C
10	00068475	758.50	01/20/19	110030 JULIE R KAHLER	C
10	00068476	750.00	01/20/19	110235 KIDDIE CAB	C
10	00068477	266.00	01/20/19	4839 KSB SCHOOL LAW	C
10	00068478	236.25	01/20/19	3352 LAKEFRONT SPRINKLERS & RETAINING WALLS	C
10	00068479	147.15	01/20/19	6718 LAURA PLAS	C
10	00068480	100.00	01/20/19	120223 LEIGH COMMUNITY SCHOOLS	C
10	00068481	502.49	01/20/19	40545 LISA DURANSKI	C
10	00068482	1,974.91	01/20/19	120550 LOUP POWER DIST	C
10	00068483	466.15	01/20/19	1996 MAILPREP ETC.	C
10	00068484	122.08	01/20/19	5410 MARK BRADY	C
10	00068485	807.15	01/20/19	80375 MARLA L BENSON	C
10	00068486	970.30	01/20/19	7501 MARNI DANHAUER	C
10	00068487	89.38	01/20/19	20411 MARY A BOHNING	C
10	00068488	78.31	01/20/19	130378 MENARDS	C
10	00068489	144.20	01/20/19	130547 MNJ TECHNOLOGIES	C
10	00068490	346.19	01/20/19	130905 NANCE COUNTY CLERK	C
10	00068491	240.00	01/20/19	140066 NE ASSOC OF SCHOOL BOARDS	C
10	00068492	4,250.00	01/20/19	140460 NEBRASKA DEPT OF EDUCATION	C
10	00068493	187.09	01/20/19	140570 NEBRASKA TECHNOLOGY & TELECOM.	C
10	00068494	396.64	01/20/19	7366 NICOLE TRAUTMAN	C
10	00068495	52.20	01/20/19	4170 O'REILLY AUTO PARTS	C
10	00068496	958.00	01/20/19	150251 OMAHA WORLD HERALD	C
10	00068497	94.83	01/20/19	418 OTIS PIERCE	C
10	00068498	49.34	01/20/19	160450 PIZZA RANCH	C
10	00068499	495.07	01/20/19	160493 PLATTE COUNTY ELEC COMM	C
10	00068500	88.00	01/20/19	160672 PRESTO-X	C
10	00068501	32.67	01/20/19	170029 QUALITY SOUND	C
10	00068502	53.41	01/20/19	21001 RACHEL BURGESS	C
10	00068503	250.00	01/20/19	9814 RETIREMENT PLAN CONSULTANTS LLC	C
10	00068504	699.29	01/20/19	1260 RICHARD LUEBBE	C
10	00068505	451.26	01/20/19	190888 RICHARD STEPHENS	C
10	00068506	3,575.00	01/20/19	9164 RVW INC.	C
10	00068507	402.07	01/20/19	30268 SANDY CERNY	C
10	00068508	440.91	01/20/19	981 SARAH WACHA	C
10	00068509	979.98	01/20/19	190322 SEARS AUTHORIZED DEALER	C
10	00068510	385.86	01/20/19	8524 SHAYNA CEPEL	C
10	00068511	4,589.80	01/20/19	190850 DAS STATE ACCOUNTING-CENTRAL FINANCE	C
10	00068512	8,156.37	01/20/19	2720 STREAKWAVE WIRELESS, INC.	C
10	00068513	962.14	01/20/19	191085 SUPER SAVER	C
10	00068514	2,183.12	01/20/19	2780 SUSAN PRESLER	C
10	00068515	186.39	01/20/19	60850 TERRY FUSCO	C
10	00068516	112.25	01/20/19	200606 U & I SANITATION	C
10	00068517	1,384.98	01/20/19	10320 VERIZON WIRELESS	C

## A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
10	00068518	386.29	01/20/19	230049 WALMART (SPED)	C
10	00068519	67.80	01/20/19	230048 WAL-MART COMMUNITY/SYNCB	C
10	00068520	139.70	01/20/19	230051 WALMART COMMUNITY - MIG	C
10	00068521	525.00	01/20/19	230292 WEIDENHAMMER SYSTEMS CORP.	C
10	00068522	105.21	01/20/19	240450 YORK COUNTY CLERK	C
10	00068523	444.72	01/20/19	1082 ANGEL D MAYBERRY	A
10	00068524	23.98	01/20/19	250100 ANGELA ARNDT	A
10	00068525	204.92	01/20/19	40709 ANN DUBAS	A
10	00068526	388.04	01/20/19	990 BRANDY ROSE	A
10	00068527	451.81	01/20/19	5940 CASSANDRA OHL	A
10	00068528	569.39	01/20/19	5967 CASSANDRA RUTH	A
10	00068529	812.60	01/20/19	9512 CASSIE KRINGS	A
10	00068530	50.00	01/20/19	230304 CINDY WIESER	A
10	00068531	14.82	01/20/19	7188 CODY NELSEN	A
10	00068532	132.30	01/20/19	70017 CYNTHIA ALARCON	A
10	00068533	21.00	01/20/19	50579 DAN ELLSWORTH	A
10	00068534	377.14	01/20/19	180474 DARLENE RODRIGUEZ	A
10	00068535	146.61	01/20/19	3948 DARUS METTLER	A
10	00068536	50.00	01/20/19	60033 ELISSA HEIBEL	A
10	00068537	638.20	01/20/19	7099 HALEY STROBEL	A
10	00068538	957.02	01/20/19	20135 ISAURA BARRETO	A
10	00068539	301.25	01/20/19	8559 JACLYN TERNUS	A
10	00068540	295.61	01/20/19	9580 JASON TROTTER	A
10	00068541	358.33	01/20/19	9741 JENNIFER ZYSSET	A
10	00068542	781.53	01/20/19	8540 JOLYNN KAHLANDT	A
10	00068543	50.00	01/20/19	6009 JULIANNE WILKE	A
10	00068544	176.58	01/20/19	6459 KAISE RECEK	A
10	00068545	194.02	01/20/19	8516 KATHERINE BOSAK	A
10	00068546	39.99	01/20/19	6205 KATY MCNEIL	A
10	00068547	195.66	01/20/19	100521 KRIS JOHNSON	A
10	00068548	565.45	01/20/19	160636 LARIANNE POLK	A
10	00068549	13.63	01/20/19	190384 LARRY SHEFCYK	A
10	00068550	434.91	01/20/19	7072 LAURA METTLER	A
10	00068551	50.00	01/20/19	190385 LINDA SHEFCYK	A
10	00068552	398.40	01/20/19	190434 LORI SIMANEK	A
10	00068553	724.09	01/20/19	2267 MARCIA OSTMEYER	A
10	00068554	1,087.42	01/20/19	4650 MELINDA VELECELA	A
10	00068555	447.45	01/20/19	8788 NATHALIE VARGAS	A
10	00068556	52.32	01/20/19	160280 PAULA PETERSON	A
10	00068557	38.99	01/20/19	230297 PAULETTE WIESER	A
10	00068558	786.84	01/20/19	5983 RACHEL GARNER	A
10	00068559	324.28	01/20/19	957 RACHEL I DOCKHORN	A
10	00068560	766.82	01/20/19	130708 SHARON M BROWN	A
10	00068561	3,472.00	01/20/19	8567 STUTHMAN ENTERPRISES, LLC	A
10	00068562	1,079.10	01/20/19	6254 VERONICA REYES-HERWIG	A
10	00068563	458.21	01/20/19	230361 WENDY WOLFE	A
10	00068564	1,488.44	01/20/19	10391 AMAZON	C
10	00068565	1,080.00	01/20/19	30039 CAPITAL ONE BANK (USA), N.A.	C

Total Bank No 10

853,053.38

A/P Summary Check Register

FPREG01A

<u>Bank</u>	<u>Check No</u>	<u>Amount</u>	<u>Date</u>	<u>Vendor</u>	<u>Type</u>
				<b>Total Manual Checks</b>	.00
				<b>Total Computer Checks</b>	837,246.39
				<b>Total ACH Checks</b>	18,375.43
				<b>Total Other Checks</b>	.00
				<b>Total Electronic Checks</b>	.00
				<b>Total Computer Voids</b>	-2,568.44
				<b>Total Manual Voids</b>	.00
				<b>Total ACH Voids</b>	.00
				<b>Total Other Voids</b>	.00
				<b>Total Electronic Voids</b>	.00
				<b>Grand Total</b>	853,053.38
				<b>Number of Checks</b>	158

<u>Batch Yr</u>	<u>Batch No</u>	<u>Amount</u>
19	000120	241,019.57
19	000124	26,517.58
19	000125	481,847.18
19	000127	84,357.27
19	000128	16,743.34
19	000132	2,568.44

## Objective

To gain clinical experience that would allow me to use my talent and skills as well as provide excellent opportunities for advancement and personal growth.

## Education

### UNIVERSITY OF NEBRASKA KEARNEY

- Graduation Date: December 2015
- Degree: Bachelor of Science in Education
- Major: Communication Sciences and Disorders

### UNIVERSITY OF SOUTH DAKOTA

- Anticipated Graduation Date: December 2018
- Degree: Master of Arts
- Major: Speech-Language Pathology

## Clinical Experience

### STARR ELEMENTARY SCHOOL-STUDENT CLINICIAN

- Grand Island, Ne- Anticipated 100 hours total by December 2018
  - Planning treatment sessions for articulation, language and AAC
  - Completing progress notes, daily data, and evaluations

### SELECT SPECIALTY HOSPITAL-STUDENT CLINICIAN

- Omaha, Ne- 106 hours
  - Performed direct therapy with Dysphagia, CVA, and Dementia
  - Planned treatment sessions for cognition, language, articulation, voice, AAC, and dysphagia therapy
  - Completed progress notes, evaluations and discharge summaries

### USD SCOTTISH RITE SPEECH, LANGUAGE, AND HEARING CLINICS-STUDENT CLINICIAN

- Vermillion and Sioux Falls, SD
  - Performed direct therapy with Speech Sound Disorders, Language Disorders, and Autism
  - Developed goals, therapy plans, SOAP notes, and progress reports

## Employment History

### BALANCE MOBILITY AND AQUATIC CENTER-SPEECH LANGUAGE PATHOLOGY ASSISTANT

- Assisted speech pathologist in any care that needed to be given
- Carried out plan for patients according to supervisor's directions

### KIDTOPIA CHILDCARE CENTER

- Supervised and positively interacted with children
- Taught students and helped them overcome their life challenges

## Professional Organizations

Member of National Student Speech Language Hearing Association since January 2017

1/7/19



2563 44<sup>th</sup> Ave. • Columbus, NE 68601  
402.564.5753 • FAX 402.563.1121  
[www.esu7.org](http://www.esu7.org)  
Darus Mettler, SPED Director

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Darus, Larianne and Board,

I am writing to submit my resignation effective at the end of the 2018-19 school year. I have enjoyed my 36 years at ESU and am now ready to move on to the next chapter on my life!

Respectfully,

A handwritten signature in blue ink that reads "Mary A Bohning". The signature is fluid and cursive, with a large loop at the end.

Mary A Bohning MS CCC-SLP  
EC Coordinator  
ESU 7

# A - Disposal of Property

## **Article III, Section 8 A Disposal of Property**

The Administrator or designee is authorized and directed to dispose of books, furniture, equipment, real estate and other property which is no longer of use to the ESU. Items which are of little or no value will be discarded or recycled, as appropriate. Items which are discarded remain the property of the ESU until no longer within its control. As such, employees are not to pull discarded items from the trash for personal use without express permission of the Administrator or designee, and proper payment where determined appropriate.

Items to be disposed of which have more than minimal value shall be sold by private sale, auction, trade-in, or by taking bids and selling to the highest or most responsible bidder. The Board shall approve the sale of any items or related grouping of items which have a value in excess of \$5,000.

The following procedures shall be followed for an auction or when taking bids:

1. The intention to sell shall be publicized, via newsletter, an ESU bulletin board or webpage posting, an NSBA, NCSA or similar association webpage or publication, a newspaper advertisement, or other means suitable to the value and nature of the property.
2. Real estate will be sold to the highest bidder, except that a minimum acceptable price may be established prior to bidding.
3. Items shall be sold to the highest offerer subject to

3. Items shall in general be sold to the highest offer or highest bidder. However, where the item or related grouping of items which has a value less than \$5,000, preference may be given to, and a lower offer accepted from, buyers within the following order of priority: an ESU member school, another ESU, another political subdivision within the ESU, a charitable organization active within the ESU boundaries, and another political subdivision.

Items which are offered for sale in an approved manner which are not sold after a reasonable period of time may be considered to have no value and may be disposed of as determined by the Administrator or designee and reported to the Board.

Property that has little or no value shall be discarded or recycled as appropriate. No employee shall take such property for their personal use, even if the item has been placed in the trash, without the express approval of the administration.

Legal Reference:	
Date of Adoption:	November 19, 2018

# D - Complaints Involving Instructional Materials

## Article III, Section 10, D. Complaints Involving Instructional Materials

**The ESU 7 Administrator is authorized to select** instructional materials ~~are to be selected by the ESU administration and approved by the ESU Board~~ in a manner that best meets the educational and instructional objectives of the ESU and the needs of those served by the ESU. Occasional objections to materials may be voiced despite the care taken in selection and qualification of the personnel selecting materials.

The following procedures apply to complaints involving instructional materials:

1. Complaints must be presented in writing to the Administrator. The complaint must specify: the name of the author, title, the publisher, and the objections by page and items; or in case of materials other than printed material, written information specifying the precise nature of the objection shall be given. The statement must be signed and identified in such a way that a proper reply will be possible. The Administrator or designee may develop a specific complaint form for this purpose which shall be used if in existence.
2. The Administrator will acknowledge the receipt of the complaint and answer any questions regarding procedure.
3. The Administrator will then notify the department coordinator and the employee(s) involved. The Administrator will determine whether the complaint should be considered an individual request or if an ESU-wide review committee shall be activated to



reevaluate the material.

4. The use of challenged materials shall not be restricted until final disposition has been made by the appropriate review committee, however, individuals may be excused from using challenged materials.
5. In considering the challenged materials, the review committee shall consider the educational philosophy of the ESU, the professional opinions of teachers or employees of the same subject and of other competent authorities, review of materials by reputable bodies, the complainant's stated objections in using or use of the materials.
6. The ESU review committee shall make a determination on the complaint within a reasonable time period considering the nature of the challenged materials, the current or pending use, scheduling conflicts of committee members, and the complexity of the objections made. The findings of the ESU review committee shall be a matter of written record and transmitted to the Administrator who will determine how interested parties shall be notified.
7. In the event the complainant is not satisfied with the findings of the ESU review committee, the complainant may request that the complaint be reviewed by the ESU Board. The Board will then determine whether to consider the complaint beyond the action of the ESU review committee; if the Board chooses to do so, the Board will proceed to consider the complaint. A decision by the Board (either to not proceed further on the complaint, or to respond as a Board to the complaint) shall conclude the appeal process available within the ESU system.
8. Once resolved, the same or substantially similar complaints involving the same or similar materials need not be reviewed using the foregoing complaint process and instead may be resolved by



the Administrator or designee.

Legal Reference:	
Date of Adoption:	November 19, 2018
Date of Revision	January 21, 2019



## Request for Reconsideration of ESU 7 Materials

Complaint Initiated by: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Complainant Represents (place an X next to response):

Self       Group or Organization

Title of Item(s): \_\_\_\_\_

ESU 7 Catalog number(s) of item(s): \_\_\_\_\_

School at which item(s) in question was/were used: \_\_\_\_\_

Have you, the complainant, had an opportunity to review the entire content of the material (place an X next to response)?

Yes       No

Please state details of objection: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are there other materials recommended to replace this item? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A copy of this document was provided to complainant on \_\_\_\_\_



Dy \_\_\_\_\_.



# B - Student Records

## **Article III, Section 9, B. Student Records**

1. Legal Compliance. Records related to students served by the ESU shall be maintained in compliance with state and federal law.
2. Relationship with Schools Served. Each school district shall be notified as to the nature and types of student data items which are being collected and maintained in ESU files for their students who are being served by the ESU. Written permission to release confidential (non-directory) information from records related to students served by the ESU will be obtained from the appropriate school district before release to persons other than ESU officials or the parent or eligible student, except where the release is required by law.
3. Confidentiality. Student files and other education records shall not be released or divulged except in compliance with state and federal law.

ESU and school officials may have access to only those education records in which they have a legitimate educational interest, unless the parent has given written and dated consent for the access. An ESU employee who violates this restriction shall be subject to disciplinary action up to and including termination.

An ESU or school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility and effectively provide the function or service for which they are responsible.

~~An official who is authorized to have access to education records~~

~~is a person employed by the ESU, or by the school district in which the student is enrolled, as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the ESU Board or the student's school board; a person or company with whom the ESU or the school district has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); and a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another authorized official in performing his or her tasks.~~

To the extent permitted by law, contractors, consultants and volunteers may be permitted to have access to education records where they are performing a function or service that would otherwise be done by an ESU employee or an employee of the school district in which the student is enrolled. Their access is limited to education records in which they have a legitimate educational interest; which means records needed to effectively provide the function or service for which they are responsible.

A parent or guardian of a student or former student, and a student or former student who is eighteen (18) years of age or older, shall be given the opportunity upon request to inspect and review the education records of the student or former student. Non-custodial parents will be provided full and equal access to the education records of his or her child unless there is a court order to the contrary.

4. Separate Disciplinary Files. Student files or records shall be so maintained so as to separate disciplinary matters from academic or other service matters. All disciplinary material in a student's file shall be removed and, upon the ending of ESU services to the student, released to the school district in which the student is enrolled for destruction in accordance with law.
5. Request for Records Amendment. Parents and eligible students (a

student who has reached 18 years of age or is attending an institution of postsecondary education) have the right to challenge any information contained in the records that they believe is inaccurate, misleading or violates the privacy rights of the student. Such a challenge may be made by making a written request to the **School District** Administrator or designee to amend the records. ~~If the record in question is a record generated by the school district in which the student is enrolled, the challenge shall be forwarded to such school district for action. If the record is an ESU education record, the Administrator or designee shall determine whether to amend the education record as requested.~~ If a decision is made not to amend the education records in accordance with the request, the **School District** Administrator or designee shall so inform the parents of the student. The parent shall be advised of the right to a hearing. If a hearing is requested, the **School District** Administrator or designee shall conduct a hearing (or delegate the role to another official who does not have a direct interest in the outcome of the hearing) and provide the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised in conformance with applicable law.

Disposition of Records. Personally identifiable student data generated by or received by the ESU for those students referred from contracting school districts will be considered to be the property of the school district in which the student is or was enrolled. Five years after special education data is no longer needed to provide educational services, the ESU shall return to the appropriate school district all records that have been received or generated by the ESU for disposal in accordance with law.

<p>Legal Reference:</p>	<p>§§ 42-364(4) &amp; 42-381          §§ 79-2,104 &amp; 79-2,105          § 79-539          §§ 84-712 to 84-712.09; §§ 84-1201 to 84-1227</p>
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	20 U.S.C. 1232g (FERPA) NDE Rule 51, section 9.01 State Records Administrator Guidelines: Schedule 10: Records of Local School Districts (Feb. 1989) Schedule 24: Local Agencies General Records (March 2005) Electronic Imaging Guidelines (March 2003)
Date of Adoption:	November 19, 2018
Date of Revision:	January 21, 2018

# B - Equal Opportunity Employment

## **Article IV, Section 1, B. Equal Opportunity Employment**

ESU 7 is an equal opportunity employer. It is the policy of ESU 7 to employ the best qualified applicant for each position without regard to sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status, and to not fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status.

There shall be no discrimination by school officials against any employee because of membership or activity in an employee organization or because of protected free speech activities.

Legal Reference:	Title VI--34 CFR §100 et seq. Title VII--42 U.S.C. §2000e, et seq. Title IX--20 U.S.C §1681; 34 CFR 106.1 et seq. ADEA--29 U.S.C. §621 et seq. ADA-42 U.S.C. §12101 et seq.; 28 CFR §35.101 et seq. Rehabilitation Act of 1973, Section 504--29 U.S.C. §791, et seq.; 34 CFR §104, et seq. Nebraska Fair Employment Practices Act, Neb. Rev. Stat. §§48-1101 to 48-1126; Neb. Rev. Stat § 20-168
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Date of  
Adoption:

January 21, 2019

# A - Recruitment and Selection

## Article IV, Section 1, A. Recruitment and Selection

The administration is to recruit and recommend for employment the best qualified personnel to implement and fulfill the mission, goals and policies of the ESU. All applicants so selected and recommended must satisfy the standards set by the Board and any applicable legal requirements.

All personnel shall be recommended for hiring by the Administrator. **Professional Staff shall have** ~~with the~~ final approval by the Board prior to hiring. The final approval by the Board should generally follow closely the recommendation of the Administrator, but such approval of recommendation is not mandatory on the Board.

**The board delegates to the Administrator the authority to hire, assign and reassign classifies and non-certificated employees.**

Legal Reference:	
Date of Adoption:	January 21, 2019

# C - Comments and Complaints of Parents and Patrons

## **Article III, Section 10, C. Comments and Complaints of Parents and Patrons**

Parents and patrons may file comments/complaints with the Administrator. Forms are available in the office of each building. These forms are intended to help resolve issues, arbitrate disputes, facilitate understanding, recognize achievements, and commend success.

Forms that have been properly filed with the Administrator which directly involve a staff member shall be forwarded to the staff member's immediate supervisor for analysis, discussion, and resolution. The forms shall be retained in a separate confidential file in the office of the staff member's immediate supervisor for a period of three years. At the end of the three year period they may be discarded. Comment forms shall not be placed in the staff member's personnel files unless deemed appropriate by the Administrator or immediate supervisor.

It is the policy of the ESU to encourage communications from parents concerning when a parent believes it to be appropriate for the student to be excused from testing, classroom instruction, surveys and other educational experiences that the parent may find objectionable. **ESU 7 Administrator or designee shall contact the student's School District Administrator regarding the request. The School District Administrator will inform ESU 7 of their subsequent responsibilities.** ~~The Administrator or designee shall make a provision on the complaint form hereinabove described for receiving information from a parent concerning what specific~~

~~testing, classroom instruction, or other educational experience the parent finds objectionable, the basis for the parent's objection and a proposed solution for dealing with the objection that would be satisfactory to the parent.~~ The notifications required by law to be given to parents on matters affecting privacy are to be given by the school district in which the student is enrolled. Complaints concerning such matters shall be resolved consistent with the applicable policies of the school district in which the student is enrolled.

Legal Reference:	§ 79-533 (parental involvement) 20 U.S.C. § 1232h (surveys)
Date of Adoption:	November 19, 2018
Date of Revision:	January 21, 2019

# ESU 7 General Calendar

Schedules 245 Work Days  
September 2019 - August 2020

All Staff Meetings
  Unit Closed
  Princ. Cluster
  Board Meeting
  Agency Team Meetings
  Administrators

September 2019							20	1
S	M	T	W	Th	F	Sa		
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29	30							

October 2019							23	2
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November 2019							19	3
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December 2019							15	4
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January 2020							21	5
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February 2020							20	6
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March 2020							22	7
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April 2020							20	8
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May 2020							20	9
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31								

June 2020							22	10
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July 2020							22	11
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August 2020							21	12
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SPED: Start August 12, 2019  
End: May 19, 2020



Educator Orientation: August 5, 2020  
Clean Up: May 22, 2020

Recognition Dinner : April 20, 2020  
Superintendent Advisory: July 15, 2020

# ESU 7 General Calendar

Schedules 245 Work Days  
September 2020 - August 2021

 All Staff Meetings  
 Board Meeting

 Unit Closed  
 Leadership Meetings

 Princ. Cluster  
 Administrators

September 2020							21	1
S	M	T	W	Th	F	Sa		
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December 2020							16	4
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January 2021							20	5
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February 2021							20	6
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March 2021							23	7
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April 2021							20	8
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May 2021							20	9
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June 2021							22	10
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July 2021							20	11
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August 2021							22	12
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SPED: Start August 10, 2020  
End: May 18, 2021

Educator Orientation: August 5, 2021  
Clean Up: May 28, 2021

Recognition Dinner : April 19, 2021  
Superintendent Advisory: July 14, 2021

# Goals

## Strategic Planning:

1. We will increase our capability to collect, analyze and use data/information as we develop and deploy our services.
2. By June 2017, ESU 7 will communicate from supervisor to staff proactively on a scheduled basis (One time per month or more frequent) and will receive feedback on the process through a survey at the end of December 2016 and follow up in May 2017.
3. Behavioral Mental Health Target (goal in development)
4. Create a process for proactive internal communication within an established timeline and continue to implement and monitor marketing strategies.

## ESU 7 Board:

1. The Board will use data to ensure quality and efficiency of current and future services to its stakeholders (students, educators, parents, and community).
  - Evidence: Scorecard, Staff Surveys, Professional Development Surveys, and Treasurer's Report.
2. Exploration of potential expansion of educational behavioral health offerings.
  - Evidence: Questions/Answers, Timeline.
3. The Board will examine short and long term financial projections to ensure long term financial stability.
  - Evidence: Treasurer's Report, High Dollar Bills Report, Cash on Hand Balance.
4. The Board will work to update and streamline their policy manual.
  - Evidence: Timeline, Recommended Policy Language.

## ESU 7 Administrator:

1. Communicate and market our work being done to Board, Staff, and School Districts.
  - Actively respond to needs/desires of annual SIMPL process
    - Evidence: Quarterly Report, Business, Industry and Education Committee, School Board and Superintendent Visits.
2. The Administrator will ensure budget stability by maintaining cash on hand at 30%.
  - Purposeful budget planning.
  - Re-Coding budget to align with NDE's required changes in 2018.
3. Create timeline for policy revision for completion in 2019-2020.

## Leadership Team:

By June 2017, six ESU 7 public schools will have access to Adviser, will identify the data sources they have access to, will describe those data, will have a process for identifying and correcting any conflicting data, and will write actions plans using those data.

## Departments:

**Administration:** All ESU 7 keys have a home, new hire checklist revision, password hub, streamline annual data collections.

**Cen7ter:** Increase community awareness by adding new businesses as job sites and incorporating new social/educational outings.

**Early Childhood (EC):** 13/13 Members of the PAC team trained in home visits and to meet fidelity by May 2018.

**Grants:** Evaluate Grant language on all outreach materials to accurately reflect populations served.

**Migrant:** Improve School District relationships with those that have migrant students by establishing partnerships with district faculty and staff.

**Production:** Deliver professional development on copyright issues to four ESU 7 Schools and become familiar with two new copyright issues.

**Professional Development (PD):** Develop and implement a PD survey to be administered after PD is delivered offsite.

**Psychology:** To empower school staff to better advocate for and serve all students.

**Speech/Language Pathologists (SLP):** Explore Technology to Improve SLP Services with Students.

**Tech:** Increase our knowledge and create best practices for Lightspeed web filtering and Chromebook Management and continue to update documentation though the WAN sheet and Gantt chart.

**Vision:** Develop a vision checklist to assist in referrals by researching other checklists, determine what will benefit the ESU 7 referral process and revise/create a checklist for the ESU 7 team by May 2018.

## Operational Priorities:

1. Maintain a current technology plan.
2. Continue to expand our capability to participate in, and facilitate collaborative partnerships in our service area.
3. Continue marketing efforts.
4. Continue to assess tech capacity including: Instructional technology, training, infrastructure, bandwidth, software, social media, networking, distance learning, etc.
5. Continue building capacity with the SPED coordinators in ESU 7 and service area
6. Use alternative methods of delivering professional development

**Our Mission:** To provide Leadership and Service Supporting the Improvement of Teaching and Learning.

**Our Vision:** To be the best ESU in the state.



# D - Coffee Act Policy (Reimbursable Expenses)

## Article III, Section 4, D. Coffee Act Policy (Reimbursable Expenses)

1. Workshops. Board members, employees and volunteers of the ESU are expected to maintain effectiveness by being well informed on educational and related issues and are encouraged to diligently perform their required duties, attend educational workshops, conferences, training programs, official functions, hearings or meetings which are necessary to perform required duties, sponsored by the ESU or State and national educational organizations or which are otherwise in the best interests of the ESU.
  - a. Approval to Attend. Board members are hereby given prior approval by the ESU Board to attend such functions within the State which are sponsored by this ESU, the Nebraska Association of School Boards, the Nebraska Council of School Administrators, the Nebraska Rural Community Schools Association, and similar organizations, without additional or further approval by the Board unless otherwise so determined. Upon approval by the Board or, in the case of in-state functions, by the Administrator or the Administrator's designee, Board members are further authorized to attend other similar functions.

Employees and volunteers are authorized to attend such functions upon prior approval by the Administrator or the Administrator's designee.

- b. Reimbursement of Expenses. The ESU will pay the registration costs, tuition costs, fees or charges for attendance by Board members at such approved functions. The ESU will pay mileage at the rate allowed by law (that is, the rate established by the Department of Administrative Services) or actual travel expense if travel is authorized by commercial or charter means. The ESU will pay meals and lodging at a rate

charter means. The ESU will pay meals and lodging at a rate not exceeding the applicable federal rate unless a fully itemized claim is submitted substantiating the costs actually incurred in excess of such rate and such additional expenses are expressly approved by the Board.

For employees and volunteers, the ESU will pay costs and make reimbursements in the same manner as provided above for Board member attendance, unless otherwise established by policy, Board action, contract, or negotiated agreement.

2. Recognition. The Board hereby authorizes the President, Administrator or the Administrator's designee to determine when and to whom plaques, certificates of achievement, flowers or other items of value should be granted to recognize service by Board members, employees and volunteers. The maximum value of any such item to be awarded shall not exceed \$130.00. The Board may alter such maximum, but not more than once in any twelve-month period.
3. Meeting Refreshments. Non-alcoholic beverages may be provided to individuals attending public meetings. Meals may be provided to Board members, employees and volunteers attending joint meetings with other governing bodies. When the President or Administrator determines it to be in the best interests of the ESU and not in the form of a perquisite, because of timing or duration of a meeting or ESU activity, or other factors, the Board authorizes other nutritional refreshments to be provided to persons attending public meetings or in other appropriate or necessary situations.
4. Participants in Board Approved Activities. Non-alcoholic beverages and meals may be provided for individuals while performing or immediately after performing relief, assistance or support activities in emergency situations (including, but not limited to, tornado, severe storm, fire, or accident) and to volunteers during or immediately following their participation in any activity approved by the Board (including, but not limited to, mowing, picking up litter, removing graffiti, or snow removal).
5. Annual Recognition Dinner. One recognition dinner each fiscal year may be held for Board members, employees or volunteers. Such annual dinner may be held separately for Board members, employees of each

department and volunteers, or in any combination. The maximum cost per person for such recognition dinner is hereby established at \$25.00.

6. Spouses. This policy does not authorize the expenditure of public funds to pay for any expenses incurred by a spouse of a Board member, employee, or volunteer unless the spouse is also a Board member, employee or volunteer or unless the expenditure is otherwise permitted by law.
  
7. General. Payment or reimbursement for expenses incurred by Board members, employees or volunteers may be allowed to the extent otherwise specifically permitted by law. The authority necessary to carry out the provisions of this policy should be and is hereby delegated from the Board to the designated officials indicated herein.

Legal Reference:	§§ 13-2201 to 13-2204 § 81-1176 (mileage rate)
Date of Adoption:	September 13, 2018

**Legislative Update to the ESU 7 Board  
2.21.19**

Link to [full summary](#).

Each bill is organized as:

**Bill Number (Senator's last name), Sponsor Committee, One-liner**

**LB 161 (Erdman) Education, Eliminate learning communities**

Dissolves the Learning Community effective July 1, 2020.

**LB 73 (Erdman) Education, Require display of the national motto in schools**

Provides that each school board must prominently display the national motto of the United States, "In God We Trust," written legibly in English, in each classroom or in another prominent place in each school building where each student will be able to see and read it each day school is in session.

**LB 148 (Groene) Government, Change requirements for public hearings on proposed budget statements and notices of meetings of public bodies**

The bill specifies that such hearing must be held separately from any regularly scheduled meeting of the governing body and may not be limited by time.

LB 148 further specifies that at the hearing, the governing body must make a detailed presentation of the proposed budget statement and must make at least three copies of the proposed budget statement available to the public. Under current provisions of the Act, each public body must give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes. LB 148 eliminates any discretion by the governing body in determining the method by which it publicizes notice.

**LB 103 (Linehan) Revenue, Change provisions relating to property tax requests**

In essence, a school district or other political subdivision cannot collect more dollars in property taxes without holding a separate public hearing. For example, if the valuation of property increased within a school district, the district would be required to lower its levy to collect only an equal amount of property tax dollars received the previous year. If the school wished to maintain the levy and keep additional dollars, the school board would need to follow the proposed language and hold a public hearing to explain/discuss the rationale. The school board

would continue to have the final decision on raising, lowering or maintaining the levy. The public hearing may not be held at the same time as the annual budget hearing. Notice of the public hearing must be given at least 30 days before the date of the hearing by the publication of a notice in at least one newspaper of general circulation in such political subdivision and in a prominent public location at which notices are regularly posted in the building where the governing body of the political subdivision regularly conducts its business.

**LR 3CA (Erdman) Revenue, Constitutional amendment to provide income tax credits for property taxes paid**

Similar to a previous legislative attempt, LR 3CA would amend the Nebraska Constitution to provide a refundable credit against the income tax imposed by the State of Nebraska in an amount equal to 35% of the property taxes that were:

- (a) Levied on real property located in this state; and
- (b) Paid by the taxpayer during the taxable year.

The tax credits would be available for taxable years beginning on January 1, 2021. If adopted by the Legislature, the measure would appear on the 2020 General Election ballot.

**LR 5CA (Brewer) Revenue, Constitutional amendment to limit the percentage of funding for schools that comes from property taxes**

Article VII, Section 1 of the Nebraska Constitution requires that the Legislature provide for the free instruction in the common schools of this state of all persons between the ages of five and 21 Years. LR 5CA proposes to amend this section of the Constitution with language stating that no more than 35% of the funding for the free instruction in the common schools may derive from property taxes. The idea behind the constitutional amendment is that the state would need to dramatically increase funding for education.

If adopted by the Legislature, the measure would appear on the 2020 General Election ballot for approval by the voters.

**LB 18 (Briese) Revenue, Adopt the Remote Seller Sales Tax Collection Act**

LB 18 is essentially the same legislation offered by former Senator Watermeier in 2017 (LB 44). Would create the Remote Seller Sales Tax Collection Act. The bill would require remote sellers (online retailer without a physical presence in our state) to collect and remit sales tax if their gross revenue in Nebraska exceeds \$100,000 or their sales in Nebraska consist of 200 or more separate transactions. In 2017 the Nebraska Department of Revenue commented that such legislation would yield anywhere from \$30 million to \$40 million in new revenue for the state.

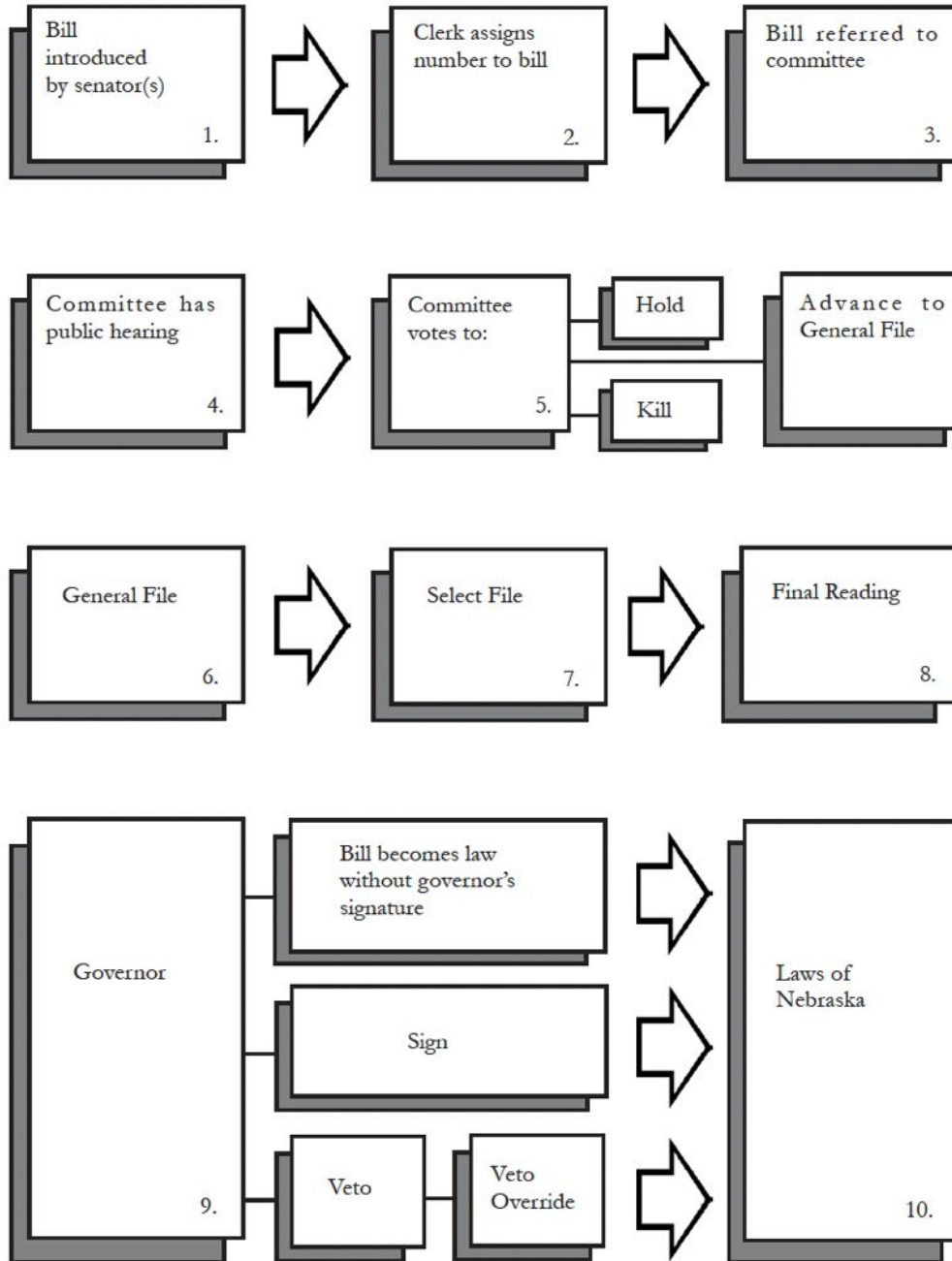
**LB 147 (Groene) Education, Provide for the use of physical force or physical restraint or removal from a class in response to student behavior.**

Amends the Nebraska Student Discipline Act to provide for the use of physical force or physical restraint or removal from a class in response to student behavior.

**LB 165 (Hunt) Education, Adopt the Too Young to Suspend Act**

Creates the Too Young to Suspend Act with the purpose to prohibit early childhood education and kindergarten students from being suspended or expelled from school except in limited circumstances. The intent of the bill is to prevent suspensions or expulsions of difficult young students who may disrupt school activities or willfully defy school authorities, but who are not a danger to other students.

### How a Bill Becomes a Law



(Unicameral Clerk of the Legislature, 2017, p. 281)



**EDUCATIONAL SERVICE UNIT #7  
FORMAL RECORD OF ACTION**

The following is a formal record of action taken by the governing body of Educational Service Unit #7 (the "Company").

With respect to the amendment and restatement of the Educational Service Unit #7 403(b) Plan (the "Plan"), the following resolutions are hereby adopted:

**RESOLVED:** That the Plan be amended and restated in the form attached hereto, which Plan is hereby adopted and approved;

**RESOLVED FURTHER:** That the appropriate officers of the Company be, and they hereby are, authorized and directed to execute the Plan on behalf of the Company;

**RESOLVED FURTHER:** That the officers of the Company be, and they hereby are, authorized and directed to take any and all actions and execute and deliver such documents as they may deem necessary, appropriate or convenient to effect the foregoing resolutions including, without limitation, causing to be prepared and filed such reports documents or other information as may be required under applicable law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EDUCATIONAL SERVICE UNIT #7 403(B) PLAN**

**PLAN DESCRIPTION**

01/01/2019

EDUCATIONAL SERVICE UNIT #7 403(B) PLAN

PLAN DESCRIPTION

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## INTRODUCTION

Your Employer, Educational Service Unit #7 (the Company), has established this 403(b) retirement plan, Educational Service Unit #7 403(b) Plan (the Plan) to assist you and other Employees in saving for retirement. The Plan is governed by the Plan document, which is a complex legal contract that contains all of the provisions required by the Internal Revenue Service (IRS) that the Company must follow when administering the Plan. This document follows specific federal laws and regulations that apply to retirement plans. The Plan document may change when new laws or regulations take effect. The Company also has the right to modify certain Plan features from time to time. When these changes occur, you will be notified about any changes that affect your rights under the Plan.

This document is a Plan Description (PD). It summarizes the important features of the Plan document, including your benefits and obligations under the Plan. If you want more detailed information about specific plan features or have questions about any of the information in the PD, you should contact your Employer via the methods outlined in this PD. You can also request a copy of the Plan document from your Employer.

You will notice that certain terms in the PD are capitalized. These are important terms to understand and they are defined in more detail in the DEFINITIONS section of the PD. Although the purpose of this document is to summarize the more significant provisions of the Plan, the Plan document will prevail in the event of any inconsistency. In addition, the terms of the Plan cannot be modified by written or oral statements made to you by the Plan Administrator or other personnel.

The Plan was originally effective 10/01/2008. This PD describes the Plan as restated effective 01/01/2019. This PD supersedes all previous PDs.

## ELIGIBILITY FOR PARTICIPATION

The Plan document has been amended and/or restated into a new Plan document. If you were eligible to participate in the prior Plan, you will continue to be eligible to participate in this Plan without satisfying any additional age or service requirements.

### **Am I eligible to make Elective Deferrals and Roth Elective Deferrals?**

Once you meet the eligibility requirements below, you will be eligible to make Elective Deferrals unless you fall into one of the following categories.

- The Elective Deferrals you make in a year would not exceed \$200.

### **What eligibility requirements do I have to meet to make Elective Deferrals?**

You will be eligible to make Elective Deferrals immediately upon your hire date.

## CONTRIBUTIONS - EMPLOYEE

### **Does the Plan allow me to make Elective Deferrals?**

Yes. Provided you have met the eligibility requirements and passed the entry date as specified in the section

titled "Eligibility for Participation" you may contribute Elective Deferrals to the Plan.

#### **Do I pay taxes on any Elective Deferrals I make?**

You will have the option to have the Elective Deferrals you make taken out of your pay either before or after taxes are withheld. For those Elective Deferrals you choose to have taken out pre-tax, you will generally pay taxes on this amount when you take it out of the Plan.

For those Elective Deferrals you choose to have taken out after-tax (Roth Elective Deferrals), you will pay taxes on this amount when you contribute them to the Plan. However, provided the distribution is "qualified" the earnings on these amounts will not be taxed when they are removed from the Plan. A Roth Elective Deferral distribution is qualified when (1) it has been at least 5 years since the first Roth Elective Deferrals were contributed to the Plan and (2) you are at least 59 1/2 year of age, become disabled, or have died. Roth Contributions are made in the same manner as pre-tax Elective Deferrals. You must designate how much you would like to contribute on a pre-tax basis (normal 403(b) contribution) and how much you would like to contribute as an after-tax Roth Contribution. You are not required to make any Roth Contributions. You may designate all of your Elective Deferrals as pre-tax contributions.

#### **How do I make or change the amount of the Elective Deferrals being withheld?**

You may make or change your deferral election by returning a deferral election form to the Plan Administrator.

#### **Once I make a deferral election, how often can I change, stop, or re-start the election?**

You may change or re-start your deferral election once a month. You may stop your deferrals at any time.

#### **What are the limits on Elective Deferrals?**

Your Elective Deferrals are subject to the following limits:

- Federal law limits the amount you may elect to defer under this Plan and any other retirement plan permitting Elective Deferrals (including both other 403(b) and 401(k) plans). You are limited to contributing \$19,000 (for 2019) during any calendar year.
- If you are age 50 or over, you may defer an additional amount, called a "catch-up contribution", of up to \$6,000 (for 2019).
- The maximum amount you can defer is 100% of your compensation.

The Plan Administrator may establish additional rules you will need to follow when making your deferral election. Your deferral election is only effective for compensation you have not received yet. The Plan Administrator may also reduce or totally suspend your election if they determine that your election may cause the Plan to fail to satisfy any of the requirements of the Internal Revenue Code.

## **CONTRIBUTIONS - EMPLOYER**

#### **Can the Company make Qualified Non-Elective Contributions?**

Yes. The Company has the discretion to make a Qualified Non-Elective Contributions. The Plan Administrator will determine each Plan Year if this contribution will be made, how much it will be and which Participants are eligible to receive the Qualified Non-Elective Contributions. If you are eligible to receive this contribution you will receive a pro rata portion of the allocation based on your Compensation. This means that all eligible

Participants will get an equal share of the Qualified Non-Elective Contributions as a percentage of their Compensation. For example if your Compensation is equal to 3% of all Compensation earned by all Participants eligible for the Qualified Non-Elective Contributions for that Plan Year you will receive 3% of the Qualified Non-Elective Contributions for that year.

**Can the Company make any other type of contributions to the Plan?**

Yes. The Company may have the discretion to reallocate any forfeitures and to make other contributions as necessary to comply with the IRS' non-discrimination requirements.

**What are the limits on total contributions?**

Your total contributions are subject to the following limits:

- The total amount that may be contributed to the Plan on your behalf in any year may not exceed the lesser of 100% of your compensation or \$56,000 (for 2019).

**Can I move money I have in another retirement plan to this Plan?**

Yes. If you are All employees of the Company you can rollover the money you have in other plans into the Plan. While the Plan Administrator may establish procedures that relate to the requirements for Rollover Contributions, in general rollovers will be accepted from any plan that is eligible to be rolled into the Plan. While there are exceptions this generally includes rollovers from a qualified retirement plan (i.e., 401(k), defined benefit), another 403(b) plan, a governmental 457(b) plan and pre-tax assets held in a traditional IRA.

**Will I receive contributions when I am not working at the Company due to my performing qualified military service?**

If you are re-employed by the Company after performing qualified military service you may be able to make up missed employee contributions and to receive make-up employer contributions. Additionally, if you meet all of the requirements the time you spend on qualified military service may count as Years of Service under the Plan. You can receive more information about your rights under the Uniformed Services Employment and Reemployment Rights Act (USERRA) from the Plan Administrator.

**What happens if I die or become disabled while performing qualified military service?**

If you die or become disabled while performing qualified military service the Company will treat you as if you returned to work on the day before you died or became disabled and then terminated on the date of death or disability when determining any of your benefits under the Plan including contributions.

**VESTING**

**Do I need to work a certain amount of time to keep my Elective Deferrals?**

No. You will always be immediately 100% vested in your Elective Deferrals.

**How is my service with the Company measured to earn a Year of Vesting Service?**

You will earn a year of vesting service when you are still employed on the day before the anniversary of the date you first performed service for the Company (your hire date).

## DISTRIBUTIONS - AFTER TERMINATION FROM SERVICE

### **Can I take a distribution of my account balance after my employment terminates?**

Yes. You can take a distribution of your account balance immediately after your employment terminates.

### **What form can my distribution after termination from service be taken in?**

You can take your distribution after termination from service as a cash distribution.

Your distribution can be taken in a lump sum distribution and as a continuous right of withdrawal.

### **How soon after my death does my Beneficiary have to take distributions?**

Your Beneficiary must take distributions as required by the IRS.

### **What form can the distributions after my death be taken in?**

Your beneficiaries can take distributions as a cash distribution.

Your beneficiary's distribution can be taken in a lump sum distribution and as a continuous right of withdrawal.

### **Who gets my assets in the Plan if I don't designate a beneficiary?**

If you die without designating a beneficiary, your Account will be payable to your spouse, or if you do not have a spouse, to your estate.

### **Can the Company ever force me to take a distribution from the Plan?**

The Plan Administrator will force a distribution of your account balance when you reach your Required Beginning Date (see below for what your Required Beginning Date is).

### **Is there ever a time when I have to take a distribution from the Plan?**

Yes. Once you reach your Required Beginning Date you must start taking distributions from the Plan. These distributions are called Required Minimum Distributions. Failure to take these payments can result in an IRS penalty tax of 50% of the amount that should have been distributed. Your Required Beginning Date is when you actually retire or age 70 1/2, whichever is later.

## DISTRIBUTIONS - IN-SERVICE

### **Can I take a distribution of my account balance while still working if I become disabled (as defined in the Plan)?**

Yes. You can take a distribution of your fully vested account balances if you become disabled (as defined in the Plan).

### **Can I take a distribution of my Elective Deferrals while still working if I am called to active duty?**

Yes. You can take a distribution of your Elective Deferrals while still working if you are called to active military duty for at least 30 days. However, if you are not called to active duty for at least 180 days, you will not be able to have Elective Deferrals withheld from your pay for 6 months from the date of the distribution.

**Can I take a distribution of my account balance while still working if I incur a hardship?**

Yes. You can take a hardship distribution of your fully vested account balances while still working if you incur a hardship.

Under the IRS rules certain assets cannot be taken out in a hardship distribution. These include pre-1989 earnings on Elective Deferrals.

**Are there requirements I must meet to take a hardship distribution?**

Yes. In order to receive a hardship distribution from your accounts eligible for hardship withdrawal you must have an immediate and heavy financial need that cannot be satisfied by other available resources. This determination is made by the Plan Administrator. The following are the only financial needs considered immediate and heavy:

- expenses incurred or necessary for medical care, described in Code section 213(d), for you or your spouse, children, dependents, or Primary Beneficiary;
- the purchase (excluding mortgage payments) of a principal residence for the Participant;
- payment of tuition and related educational fees for the next 12 months of post-secondary education for you or your spouse, children, dependents, or Primary Beneficiary;
- the need to prevent the eviction of you from your principal residence (or a foreclosure on the mortgage on your principal residence);
- payments for burial or funeral expenses for your deceased parent, spouse, children, dependents, or Primary Beneficiary; or
- expenses for the repair of damage to your principal residence that would qualify for the casualty deduction.

In order to have the hardship distribution satisfy an immediate and heavy financial the following also must be true.

- You have obtained all distributions, other than hardship distributions, and all nontaxable loans under all plans maintained by the Company.
- The distribution is not in excess of the amount of an immediate and heavy financial need (including amounts necessary to pay any federal, state or local income taxes or penalties reasonably anticipated to result from the distribution).
- Your Elective Deferrals, if applicable, will be suspended for 6 months after the receipt of the hardship distribution.

**Can I take my pre-tax assets in the Plan and convert them to Roth assets (In-Plan Roth Rollover)?**

Yes. You can convert your fully vested pre-tax assets in the Plan to Roth assets at any time.

**When can I take a distribution of my In-Plan Roth Rollover account balances?**

You can take a distribution of your In-Plan Roth Rollover account balances when the account balances they came from are eligible for distribution. For example, if you completed an In-Plan Roth Rollover of your Non-Elective Contribution account balance those assets could be taken out of the Plan when normal Non-Elective Contributions can be taken out of the Plan.

**Can I use my assets in the Plan to purchase service credit in another plan?**

Yes. You can request to have your assets transferred to another plan to purchase service credit under that

plan.

**What form can my in-service distribution be taken in?**

You can take your in-service distribution as a cash distribution.

Your in-service distribution can be taken in a lump sum distribution and as a continuous right of withdrawal.

**LOANS**

**Am I eligible to take a loan from the Plan?**

Yes. If you are an active employee you may apply for a loan from the Plan. Loans will only be made to persons who the Plan Administrator determines have the ability to repay the loan.

**How many loans can I have outstanding at any one time?**

The maximum number of loans you can have outstanding at any one time is 1. This number will include any previous loans you may have taken that were not paid back in full.

**Is there a minimum amount that I must take out as a loan?**

Yes. The minimum loan amount is \$1,000.

**Is there a maximum amount that I can take out as a loan?**

Yes. Your loan amount is limited to the lesser of:

- \$50,000 minus the highest outstanding balance of loans in the past 12 months, or
- 50% of your vested account balance.

**Is all of my account balance used when determining the amount of my vesting account balance purposes?**

Maybe. The Plan Administrator will determine whether you may receive a loan from your Roth Contribution Account. If the Plan Administrator allows loans from your Roth Contribution Account, the Plan Administrator may specify an ordering rule for loans. The ordering rule will determine whether loans will be made first or last from your Roth Contribution Account or in any combination of your Roth Contribution Account and any other Account.

**How long do I have to re-pay my loan?**

Your loan must be repaid within five years from the date of the loan.

**How often do I have to make loan payments?**

You must repay your loan in accordance with the repayment schedule established at the time the loan is taken. These payment will be at least on a per payroll basis. Prepayment of the full outstanding loan balance is allowed. Partial early loan payoffs are not permitted. If you fail to make loan payments according to the established repayment schedule and you do not correct this failure in a timely manner (as determined by the Plan Administrator) the remaining loan balance will be "deemed distributed". This means that the remaining balance will become a taxable distribution for the year in which it was deemed. However, this does not remove your obligation to repay the loan and the remaining balance plus the interest that has accrued since the loan was deemed will be taken into account when determining the maximum of any

further loan and the deemed loan will count as an outstanding loan. Special repayment rules will apply if you take out a subsequent loan when you have an unpaid deemed loan outstanding.

**Do I have to make my loan payments through payroll deduction?**

No. Your loan payments can be made by check or other method prescribed by the Plan Administrator.

**Can I refinance my loan?**

No. You may not refinance your loan.

**What happens to my loan if I terminate from service with the Company?**

When you terminate from service you must repay the entire outstanding balance on your loan. If you do not repay the loan when you terminate from service you may be subject to tax and penalties on the unpaid portion of the loan.

**Are there any fees associated with taking a loan?**

You may be charged fees related to granting and administration of loans from the Plan. Please contact the Plan Administrator if you would like more information regarding taking a loan from the Plan.

## INVESTMENTS

**Can I direct how my account balances will be invested?**

No, the Plan Administrator will direct how your account balances will be invested.

**What type of accounts can my account balance be invested in?**

Your account balance can be invested in annuity contracts and custodial accounts.

**How often does the Plan Administrator determine how much my benefit in the Plan is worth?**

The Plan Administrator will determine the value of each Participant's benefit under the Plan on each business day. The Plan Administrator may also choose other dates to determine the value of each Participant's benefit under the Plan.

## MISCELLANEOUS

**Domestic Relations Orders**

Under certain circumstances, a court may issue a domestic relations order assigning a portion of your benefits under the Plan to a spouse, former spouse, child or other dependent. The Plan Administrator will determine whether the order is a qualified domestic relations order ("QDRO"). If the Plan Administrator determines that the order is a QDRO, it will implement the terms of the QDRO and divide your Account accordingly. You may obtain, without charge, a copy of the Plan's QDRO procedures from the Plan Administrator.

**Insurance**

The Plan is not insured by the Pension Benefit Guaranty Corporation (PBGC) because it is not a defined benefit pension plan.

**Administrator Discretion**

The Plan Administrator has the authority to make factual determinations, to construe and interpret the provisions of the Plan, to correct defects and resolve ambiguities in the Plan and to supply omissions to the Plan. Any construction, interpretation or application of the Plan by the Plan Administrator is final, conclusive and binding.

**Plan is Not a Contract of Employment**

The Plan does not constitute, and is not to be deemed to constitute, an employment contract between the Company and any employee or an inducement or condition of employment of any employee. Nothing in the Plan is to be deemed to give any employee the right to be retained in the Company's service or to interfere with the Company's right to discharge any employee at any time.

**Waiver**

Any failure by the Plan or the Plan Administrator to insist upon compliance with any of the Plan's provisions at any time or under any set of circumstances does not operate to waive or modify the provision or in any other manner render it unenforceable as to any other time or as to any other occurrence, whether the circumstances are the same or different. No waiver of any term or condition of the Plan is valid or of any force or effect unless it is expressed in writing and signed by a person authorized by the Plan Administrator to grant a waiver.

**Errors**

Any clerical or similar error by the Plan Administrator cannot give coverage under the Plan to any individual who otherwise does not qualify for coverage under the Plan. An error cannot give a benefit to an individual who is not actually entitled to the benefit.

**ADMINISTRATIVE INFORMATION****Plan Sponsor**

The Plan Sponsor is Educational Service Unit #7.

- Employer Identification Number: 47-0499223
- Address: 2657 44th Ave, Columbus, NE 68601
- Phone number: 402-564-5753
- Fax number: 402-563-1121

**Plan Administrator**

The Plan Administrator is a committee appointed by Educational Service Unit #7.

- Address: 2657 44th Ave, Columbus, NE 68601
- Phone number: 402-564-5753
- Fax number: 402-563-1121
- Email: lpolk@esu7.org

**Plan Assets**

Assets of the Plan are held in annuity contracts and custodial accounts.

**Agent for Legal Service**

The agent for legal service for the Plan is As determined by the Board.

- Address: 2657 44th Ave, Columbus, NE 68601
- Phone number: 402-564-5753
- Fax number: 402-563-1121

**Plan Number**

The Plan is a 403(b) plan. The Plan number is 001.

**Plan and Fiscal Year**

The Company's fiscal year ends on 08/31 and the Plan Year ends on 12/31.

## DEFINITIONS

**Account**

Your Account is the sum of all of your amounts in each of your different contribution accounts.

**Beneficiary**

Your Beneficiary is the individual who will get your benefit under the Plan upon your death. You have the right to designate one or more primary and one or more secondary beneficiary.

**Compensation**

Compensation is your wages from the Company that are shown as taxable wages on your IRS Form W-2 measured over the Plan Year. For any self-employed individual, Compensation will mean earned income.

For purposes of Elective Deferrals, Compensation will include any amount you elect to defer on a tax-preferred basis to any benefit plan of the Company.

For purposes of Elective Deferrals, Compensation will include payments of unused accrued bona fide sick, vacation, or certain other leave that are paid to you after you terminate employment.

Compensation will include wages paid during any period in which you are performing service in the uniformed services while on active duty for a period of more than 30 days that represents all or a portion of the wages you would have received if you were performing service for the Company.

For purposes of Elective Deferrals, Compensation will exclude all of the following items (even if includible in your income): reimbursements or other expense allowances, fringe benefits (cash and noncash), moving expenses, deferred compensation, and welfare benefits.

**Disability**

You will be considered Disabled when you suffer from a physical or mental impairment that results in the inability to engage in any occupation comparable to that in which you were engaged at the time of your disability. The permanence and degree of your impairment must be supported by medical evidence.

**Elective Deferrals**

Elective Deferrals are the amount of your Compensation that you chose to deposit into the Plan under a salary reduction agreement you complete with the Company.

Elective Deferrals can be contributed either on a pre-tax basis or an after-tax basis. After-tax Elective Deferrals are referred to as Roth Elective Deferrals.

**Normal Retirement Age**

Normal Retirement Age (NRA) is age 59.5.

**Plan Year**

The Plan Year is the 12 month period ending on 12/31.

**Rollover Contributions**

Rollover contributions are the assets that you moved (rolled over) from another retirement plan to the Plan.

**Termination from Employment**

You will be considered to have a Termination from Employment from the Company when you are no longer employed by the Company or on the day when the Company is no longer eligible to sponsor the Plan.

**Transfer Contributions**

Transfer Contributions are contributions that were transferred over to the Plan from another eligible retirement plan. This is typically done at the Company's discretion as part of a merger or related transaction.

**VENDOR APPENDIX****Approved Vendors**

An approved vendor is an organization who accepts ongoing Plan contributions directly from the Company. Subject to procedures established by the Plan Administrator you may be able to move your Plan assets between the approved vendors listed below:

- Matrix Trust Company
- Vendors approved by the School Board

**FEES APPENDIX**

Your Account may be charged for some or all of the costs and expenses of operating the Plan. Such expenses include the following:

- The Plan may charge all Participants for the expenses of receiving a distribution following termination of employment (if applicable to the Participant) in the following manner: an amount disclosed in the 404(a)(5) participant fee disclosure.
- The Plan may charge all Participants for the expenses of determining required minimum distributions (if applicable to the Participant) in the following manner: an amount disclosed in the 404(a)(5) participant fee disclosure.

- The Plan may charge all Participants for the expenses of receiving a hardship withdrawal (if applicable to the Participant) in the following manner: an amount disclosed in the 404(a)(5) participant fee disclosure.
- The Plan may charge all Participants for the expenses of receiving an in-service withdrawal other than hardship (if applicable to the Participant) in the following manner: an amount disclosed in the 404(a)(5) participant fee disclosure.
- The Plan may charge all Participants for the expenses of processing a domestic relations order (if applicable to the Participant) in the following manner: an amount disclosed in the 404(a)(5) participant fee disclosure.
- The Plan may charge all Participants for the expenses of operating the Plan in the following manner: an amount disclosed in the 404(a)(5) participant fee disclosure.
- If you obtain a loan, the Plan may charge an initial loan processing fee of 75.

**Fees listed above are subject to change. Please check with the Plan Administrator to be sure you have a current fee listing.**