



Regular Board of Directors Meeting

Monday, October 19, 2020 at 5:30 PM

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

1. Call the Meeting to Order  
**Speaker(s):** Board President 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 Education of Educational Service Unit 7. 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 Education of Educational Service Unit 7 were taken while the convened hearing was open to the attendance of the public.

1. Notification of Open Meetings Law  
**Speaker(s):** Board President 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.

LB 148 establishes the following additional requirements for a public hearing on a proposed budget statement:

- A detailed presentation of the proposed budget statement must be given

- At least three copies of the proposed budget statement must be made available to the public
- Any member of the public wishing to speak on the proposed budget statement must be given a reasonable amount of time to address the governing body  
LB 148 also adjusts notice requirements for meetings of public bodies. For meetings of governing bodies of all political subdivisions of the State of Nebraska:
- Notice shall be published in a newspaper of general circulation, Columbus Telegram, within the public body's jurisdiction. If available, notice shall also be published on such newspaper's website.
- In addition to the required notice, notice may also be provided by any other appropriate method designated by the public body or advisory committee.

2. Board Member Oath of Office

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

**Rationale:** Dawn Lindsley, District 12 Board Member for ESU 7, will take and sign the oath office as presented below:

I, \_\_\_\_\_, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely and without mental reservations, or for purpose or evasions; and that I will faithfully and impartially perform the duties of the office of member of the Board of Educational Service Unit No. 7, according to law, to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or this State by force or violence; and that during such time that I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or this State by force or violence. So help me God.

3. Roll Call

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

4. Absent Board Members

**Speaker(s):** Board President 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.

5. Pledge of Allegiance

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

2. Approval of Agenda

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

**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.

**Recommended Motion(s):**

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

- 3. Welcome Visitors

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

- 4. Public Comment

**Speaker(s):** Board President 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.

- 5. Consent Agenda

**Speaker(s):** Board President 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)
- 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.

- 1. Minutes

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

**Rationale:**

**This is a consent item.**

- 2. Presentation of Bills #71383 through #71519 totaling \$707,362.41

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

**Rationale:**

The summary of bills for the current month total:\$707,362.41 - Bills #71383 through #71519

Inservice bills total: \$20.00

	Amount	Vendor	Description
71383	\$5,033.70	Leslie Huerta	CCLC Conference audio book order

7139 2	\$9,681.41	Amazon	Tech/PD/SPED/Migrant/Title Grants general supplies/equip.
7139 6	\$5,000.00	Andres Lara	Latino Summit Keynote Speaker
7139 8	\$9,440.67	Bergman Incentives, Inc.	Gaitor masks flow through for schools
7140 1	\$13,626.72	Capital One Bank	Equipment/Travel/Supplies for PD/Tech/SPED/Grants
7140 5	\$12,067.38	Central NE Rehab Services	Early Childhood Professional Contracted Services
7141 2	\$14,119.26	Eakes Office Solutions	Staples and Copier Maintenance
7141 9	\$8,606.36	ESU 2	NNNC Quarterly Invoice
7142 0	\$13,259.00	ESUCC	Master Agreement-Gov. Relation, IMAT, SRS
7145 3	\$7,555.67	MNJ Technologies	Poster Printer and Supplies
7145 4	\$5,588.92	National School Products	Migrant Instructional Supplies
7146 8	\$7,878.80	DAS State Accounting-Central Finance	Network Service Charges

**This is a consent item.**

6. Treasurer's Report  
**Speaker(s):** Board President or Designee  
**Rationale:** Review the breakdown of the Treasurer's Report  
**Recommended Motion(s):**  
Discuss, consider and take any action necessary to approve the Treasurer's Report as presented. Passed with a motion by Board Member #1 and a second by Board Member #2.
7. Reading of Article II, Section 6, A Notice to Public  
**Speaker(s):** Board President or Designee  
**Rationale:**  
Article II, Section 6, A Notice to Public - Removed: ~~The public notice shall be given by a method designated by the Board. The designated methods are publication or posting a reasonable time in advance of the meeting. At least 48 hours advance notice shall be considered sufficient. If notice is given by publication, the notice shall be published in a newspaper of general circulation in the ESU.~~ Added: **The Board will give advance notice of meetings by publishing such notice in a newspaper of general circulation within the ESU's jurisdiction, the Columbus Telegram and, if available, on such newspaper's website. In addition to publishing, the Board may, in its sole discretion, also give advance**

**notice of meetings by posting as an additional means of giving notice to the public.**

**Recommendation:** Discuss, consider and take all necessary action to approve Article II, Section 6, A Notice to Public as presented.

**Recommended Motion(s):**

Discuss, consider and take all necessary action to approve Article II, Section 6, A Notice to Public as presented. Passed with a motion by Board Member #1 and a second by Board Member #2.

8. Reading of Article II, Section 6, D Notice to Board Members

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

**Rationale:**

Added **Article II, Section 6, D Notice to Board Members - Notice of meetings shall be transmitted to all members of the Board. The Administrator shall deliver or otherwise make available the meeting notice, agenda, minutes of the preceding meeting, and such other materials pertinent to the meeting as the President may direct, to the Board Members.**

**For regular meetings, the Board packet shall be mailed or delivered on the Friday preceding each meeting. For special meetings, the Board packet shall be mailed or delivered the later of three days prior to the meeting or the same day that notice to the public is given.**

**Recommendation:** Discuss, consider and take all necessary action to approve Article II, Section 6, D Notice to Board Members as presented.

**Recommended Motion(s):**

Discuss, consider and take all necessary action to approve Article II, Section 6, D Notice to Board Members as presented Passed with a motion by Board Member #1 and a second by Board Member #2.

9. Reading of Article IV, Section 8, A Fair Labor Standards Act (Minimum Wage & Overtime) Policy

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

**Rationale:**

Article IV, Section 8, A Fair Labor Standards Act (Minimum Wage & Overtime) Policy - Removed: ~~The ESU will not terminate or retaliate against any employee for inquiring about or sharing compensation information for the purpose of determining whether the ESU gives equal pay for equal work. However, an employee with authorized access to wage information as part of their job function, who discloses the wages of other employees to those who do not have authorized access to other employees' compensation information, may be disciplined for such disclosure, up to and including termination, unless the disclosure was made in response to a complaint or investigation proceeding, hearing or other similar action.~~

**Recommendation:** Discuss, consider and take all necessary action to approve Article IV, Section 8, A Fair Labor Standards Act (Minimum Wage & Overtime) Policy as presented.

**Recommended Motion(s):**

Discuss, consider and take all necessary action to approve Article IV, Section 8, A Fair Labor Standards Act (Minimum Wage & Overtime) Policy as presented Passed with a motion by Board Member #1 and a second by Board Member #2.

10. Reading of Article IV, Section 5, E Professional Boundaries Between Employees and Students

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

**Rationale:**

Article IV, Section 5, E Professional Boundaries Between Employees and Students - Added:

- **Discussing alcohol, tobacco or other illicit drugs in a non-instructional setting, such as describing a party that the employee attended.**
- **Discussing another student's or employee's personal matters when it is not appropriate outside of the instructional setting.**
- **"Grooming," which includes building trust with a student and individuals close to the student in an effort to gain access to and time alone with the student, with the ultimate goal of engaging in sexual contact or sexual penetration with the student, regardless of when in the student's life the sexual contact or sexual penetration would take place.**

**A staff member seeking an exception must receive advance approval from his or her Administrator. If a staff member is unable to communicate with an Administrator in advance (such as in the event of an emergency), the staff member must notify the Administrator as soon as possible, but no later than 24 hours immediately following the event.**

**Any person who suspects an ESU 7 employee of engaging in any prohibited conduct under this policy, including grooming, should contact the Administrator as soon as practical.**

**An employee who violates this policy may face discipline, up to and including termination of employment, and may be referred to the appropriate certification or credentialing agencies for further discipline.**

**A violation of this policy will result in referral to the Department of Health and Human Services, law enforcement, or both.**

**Legal Reference: LB 1080 (2020)**

**Recommendation:** Discuss, consider and take all necessary action to approve Article IV, Section 5, E Professional Boundaries Between Employees and Students as presented.

**Recommended Motion(s):**

Discuss, consider and take all necessary action to approve Article IV, Section 5, E Professional Boundaries Between Employees and Students as presented Passed with a motion by Board Member #1 and a second by Board Member #2.

11. Board Member Nomination to Appoint

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

**Rationale:** There is one application for the vacancy in District 6 for the ESU 7 Board of Directors. The Board will discuss the application of Bob Arp for appointment to the Board.

**Recommended Motion(s):**

Discuss, consider, and take any action necessary to approve Bob Arp as nominee for appointment to the ESU 7 Board of Directors for the remainder of the District 6 term beginning on November 16, 2020 Passed with a motion by Board Member #1 and a second by Board Member #2.

12. Delegate Assembly/State Education Conference

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

**Rationale:**

The Delegate Assembly will be held Friday, November 13, 2020 at 1:00pm via Zoom. A test connection will be scheduled on Monday, November 9<sup>th</sup> at 1 p.m. central time.

**Recommendation:** Discuss, consider and take any action necessary to approve one Board Member to represent ESU 7 at the Delegate Assembly Friday, November 13, 2020 at 1:00pm via Zoom.

**Recommended Motion(s):**

Selection of \_\_\_\_\_ as the NASB voting member/delegate Passed with a motion by Board Member #1 and a second by Board Member #2.

13. NESUBA Representation

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

**Rationale:**

Should NESUBA meet during the NASB conference as they have in the past, ESU 7 will need to designate one to two representatives.

**Recommendation:** Discuss, consider and take any action necessary to approve \_\_\_\_\_ and \_\_\_\_\_ as ESU 7 representation/voting members for NESUBA.

**Recommended Motion(s):**

Selection of the ESU 7 representative \_\_\_\_\_ NESUBA for the 2020 State Education Conference. Passed with a motion by Board Member #1 and a second by Board Member #2.

14. ESU 7 COVID-19 Pay Resolution

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

**Rationale:** After consultation with legal council it is recommended that the following resolutions be adopted and approved or reviewed every four weeks.

**Recommendation:** Discuss, consider and take all necessary action to approve the ESU 7 COVID-19 Pay Resolution.

**Recommended Motion(s):**

Discuss, consider and take all necessary action to approve the ESU 7 COVID-19 Pay Resolution Passed with a motion by Board Member #1 and a second by Board Member #2.

15. Administrator's Report General

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

**Rationale:** Goals - Attached for your Review

AESA Legislative Call to Action Report

Board Member Mentor

Upcoming Events:

- State Education Conference (Growing Greatness), CHI Health Center Omaha - November 18-20. This year's State Conference will be held November 18-20 in hybrid fashion. That means you will have the opportunity to attend in-person OR virtually. Breakout Sessions form emailed to those attending virtually.

- AESA Annual Conference, fully virtual. December 2-4 from 11:00am-4:00pm.

1. Services Update

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

**Rationale:** SIMPL Update - Coop

October Spotlight - Ann Dubas

2. Facilities Update

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

**Rationale:** Boiler Update

Election Day Update

3. Personnel

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

**Rationale:** Technology Director Dan Ellsworth will discuss with the Board plans for Tech Department growth and expansion.

**Recommended Motion(s):**

Discuss, consider, and take any necessary action to approve the amendment to Cody Nelson's contract Passed with a motion by Board Member #1 and a second by Board Member #2.

4. Legislative Update

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

**Rationale:** Update on Senator attendance at the Superintendent Meeting on 10.9.2020:

Senator Kolterman

Senator Friesen  
Senator Walz  
Senator Moser

16. Committee Reports

**Speaker(s):** Committee Chair

1. Negotiations Committee Report

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

**Rationale:** A report of activities from the Negotiations Committee will be given during this item.

2. Administrator Evaluation Committee Report

**Speaker(s):** Administrator Evaluation Committee Chair

**Rationale: October Timeline:**

Administrator sends digital evaluation and evaluation resources to the Evaluation Committee Chair in the first week of October. The chair then forwards on to full Board for completion by October Board Meeting. Administrator completes Evaluation Tool as self-assessment and sends to Evaluation Committee on or before October 31.

17. Conference Report

**Speaker(s):** Conference Attendees

**Rationale:**

Area Membership Meeting  
AESA Midwest CEO Meetings  
Labor Relations Conference

18. Adjournment

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

Created by: Mindy Reed, Secretary to the ESU 7 Board of Directors

**Article I, Section 3, E Oath of Office**

Board members before taking office shall take and sign the following oath or affirmation:

I, \_\_\_\_\_, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely and without mental reservations, or for purpose or evasions; and that I will faithfully and impartially perform the duties of the office of member of the Board of Educational Service Unit No. 7, according to law, to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or this State by force or violence; and that during such time that I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or this State by force or violence. So help me God.

Legal Reference:	§ 11-101 to § 11-101.03
Date of Adoption:	January 15, 2018



## **ESU 7 Budget Hearing**

ESU 7 Oak Room

2657 44th Avenue

Columbus, NE 68601-8537

Thursday, September 17, 2020 at 5:15 PM

Attendance Taken at 5:20 PM.

Joyce Baumert: Present

Marni Danhauer: Present

Donald Ellison: Present

Dan Hoesly: Present

Richard Luebbe: Present

Jennifer Miller: Absent

Doug Pauley: Present

Richard Stephens: Present

Gary Wieseler: Present

Jack Young: Present

Present: 9, Absent: 1.

### 1. Notification of Open Meetings Law

### **LEADERSHIP • SERVICE • SUPPORT - ESU 7 Mission Statement**

Notice of this meeting was given in advance according to State Law 84-1411, by giving notice of the meeting to the public. 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.

### 2. Roll Call

Roll Call taken at 5:20pm. All present except Jennifer Miller who was absent due to personal reasons.

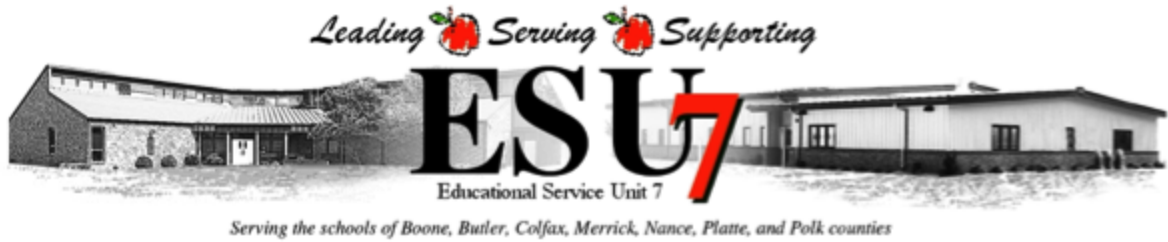
### 3. Budget hearing

Administrator Polk reviewed the snap shot of the budget over the last two years.

Administrator Polk reviewed a break down of the budget and compared the 19-20 budget to the 20-21 budget. The overall budget is down. Valuations have gone up .72%, an additional \$18,000 this year.

### 4. Adjournment

Budget Hearing adjourned at 5:27pm.



## **Regular Board of Directors Meeting**

Educational Service Unit 7, Oak Room

2657 44th Avenue

Columbus, NE 68601-8537

Thursday, September 17, 2020 at 5:30 PM

Attendance Taken at 5:32 PM.

Joyce Baumert: Present

Marni Danhauer: Present

Donald Ellison: Present

Dan Hoesly: Present

Richard Luebbe: Present

Jennifer Miller: Absent

Doug Pauley: Present

Richard Stephens: Present

Gary Wieseler: Present

Jack Young: Present

Present: 9, Absent: 1.

Attendance Update Taken at 6:57 PM.

Richard Luebbe: Absent

Present: 8, Absent: 2.

luebbe left at 6:52pm

### **1. Call the Meeting to Order**

#### **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 Education of Educational Service Unit 7. 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 Education of Educational Service Unit 7 were taken

while the convened hearing was open to the attendance of the public.

Roll call was taken at 5:33pm.

Vice President Gary Wieseler conducted the meeting.

Staff present:

Larianne Polk, Administrator

Linda Shefcyk, Business Manager

Mindy Reed, Secretary to the Board of Directors

Marci Ostmeyer, Professional Development Director

Tami Clay, Special Education Director

#### 1.1. Notification of Open Meetings Law

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

#### 1.3. Absent Board Members

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

Approval of Board Member absences as presented Passed with a motion by Joyce Baumert and a second by Marni Danhauer.

Jennifer Miller: Absent

Joyce Baumert: Yea

Marni Danhauer: Yea

Donald Ellison: Yea

Dan Hoesly: Yea

Richard Luebbe: Yea

Doug Pauley: Yea

Richard Stephens: Yea

Gary Wieseler: Yea

Jack Young: Yea

Yea: 9, Nay: 0, Absent: 1

Jennifer Miller absent due to personal reasons.

Richard Luebbe left at 6:55pm due to personal reasons.

#### 1.4. Pledge of Allegiance

All members present participated in the Pledge of Allegiance.

#### 2. Approval of Agenda

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.

Agenda as presented Passed with a motion by Doug Pauley and a second by Dan Hoesly.

Jennifer Miller: Absent

Joyce Baumert: Yea

Marni Danhauer: Yea

Donald Ellison: Yea

Dan Hoesly: Yea

Richard Luebbe: Yea

Doug Pauley: Yea

Richard Stephens: Yea

Gary Wieseler: Yea

Jack Young: Yea

Yea: 9, Nay: 0, Absent: 1

#### 3. Welcome Visitors

No visitors present.

#### 4. Public Comment

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.

No public comments provided.

## 5. Consent Agenda

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)
- 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.

Consent agenda as presented Passed with a motion by Joyce Baumert and a second by Dan Hoesly.

Jennifer Miller: Absent

Joyce Baumert: Yea

Marni Danhauer: Yea

Donald Ellison: Yea

Dan Hoesly: Yea

Richard Luebbe: Yea

Doug Pauley: Yea

Richard Stephens: Yea

Gary Wieseler: Yea

Jack Young: Yea

Yea: 9, Nay: 0, Absent: 1

### 5.1. Minutes

**This is a consent item.**

### 5.2. Presentation of Bills #71249 through #71382 totaling \$726,035.64

The summary of bills for the current month total:\$726,035.64 - Bills #71249 through #71382

Inservice bills total: \$ 0

Check #	Amount	Vendor	Description
71257	\$17,397.00	Apple Computer	Technology/Equipment for schools flow through
71260	\$9,740.26	Capital One	Equipment/Travel/Supplies for PD/Tech/Admin/Board/Grants
71267	\$5,237.19	Eakes Office Solutions	Copier maintenance
71283	\$19,035.00	Imagine Learning	Title III/Migrant web/cloud based Literacy Software
71285	\$5,600.00	Janelle Chvala	Plexi Dividers (sold to schools)
71307	\$42,702.00	NASB ALICAP	Property/Liability/Auto/Worker's Comp. Insurance
71331	\$8,590.72	Susan Presler	Supervision webinars/Danielson Framework Consultant
71381	\$6,400.00	Marzano Resouces, LLC	Title II Professional Contracted Service

**This is a consent item.**

## 6. Administrator's Report General

### Rationale:

- New Goals - Attached for your Review
- Quarterly Report - Attached for your Review
- ESUCC Update - Canvas, AESA presentation
- NRCSA Update - Goals, LB148, Legislative Targets for 20-21, LB403
- Negotiations Committee Schedule
- **Upcoming Events:**
  - Area Membership Meeting - Virtual. Registered attendees may login anytime between **September 30 and October 14** and view the content at their own convenience.
  - AESA Annual Conference - Fully Virtual (December 2-4, 2020) Registration Fee: \$450/person.
    - 12/02/2020-12/04/2020 12:00 PM to 05:00 PM (Eastern)
    - **Who would like to watch here?**

Administrator Polk explained the attached goals for 20-21 have been updated with Department Goals.

The Quarterly Report has been attached for the Board's review.

ESUCC is in partnership with the Department of Education to help with the expansion of the learning management system called Canvas. There are two people at ESU 7 who will be Canvas Trainers, Otis Pierce, and Director Marci Ostmeier.

The Governor received some money, GEER money, those dollars are being used for a variety of ways. One way the GEER money is being used is to try to close the homework gap, giving students access to the internet. A survey was deployed to public and private schools in July. All of the schools who answered the survey will get an allocated dollar amount per student for a device.

AESA presentation will be pre-recorded.

NRCSA meeting - Administrator Polk attended a NRCSA meeting and provided a summary of topics discussed.

Area Membership Meetings - ESU Board and Administrator will attend the Area Membership Meetings virtually. Members will contact Executive Secretary for registration and location to watch the meeting.

AESA Annual Conference - Members will contact Executive Secretary for registration and location to watch the meeting.

#### 6.1. Services Update

Spotlight with Amy Mazankowski and Amy Slama

SIMPL Update

Fall Superintendent Visits are scheduled

Remote Work Guidance and Expectations

Spotlight presented by Amy Mazankowski and Amy Slama. Please see attached presentation. Amy Mazankowski is the Resource Coach. Her email address is [amymaz@esu7.org](mailto:amymaz@esu7.org). Amy Slama is the Transition Coordinator. Her email address is [aslama@esu7.org](mailto:aslama@esu7.org).

Fall Superintendent visits will all be done by end of October. First one is tomorrow in David City.

Remote work guidance and expectations were reviewed with the Board. Please see attached.

#### 6.2. Facilities Update

Administrator Polk to discuss the gutter project and the back metal siding on the Learning Academy.

Working on the gutter project, the scissor lift has been dropped off.

### 6.3. Personnel

Receptionist position discussion. Not an action item.

The duties of the receptionist have been distributed among four support staff. Contracts for these staff have been adjusted to allow for additional compensation. No questions or concerns from the Board.

### 6.4. Legislative Update

The Legislature has adjourned SINE DIE on August 13th.

LB1080, 881 introduced by Lathrop - Require school policies that prohibit sexual conduct with students and former students. ESU 7 policy related is Article IV, Section 10, D Standards of Ethical and Professional Performance for Professional Employees.

LB1186 - Require salary to be paid to injured school employees as prescribed.

LB1107 - Nebraska Property Tax Incentive Act

- 1. Put more money into Property Relief Fund and put a minimum that will go into that fund each year.
- 2. Income based tax credit. \$300M/ year
- Corporate income tax credits. Imagine Act (Old LB 775)
- \$300M to UNMC

Interim Study

- Administrator Pay
- LR 318 - Retirement Committee

Mike Dulaney has a feeling that health insurance will have low to moderate increase.

LB1080 is a grooming bill and discusses appropriate behavior between staff and students. Changes needing to be updated in the ESU 7 policy will be updated and reviewed in upcoming Board Meetings.

LB1186 - staff who get injured on the job with students are entitled 7 days of injury pay. The 7 days is there because typically Worker's Comp does not kick in until after 7 days.

LB1107 - property tax incentive act. Spending will be a conversation with our Senators. Forecasting Committee is not positive we will get all of this money.

Interim studies

- more toward administrative duties and responsibilities

- retirement committee (manage it)

Negotiations Committee - low to moderate increase for health insurance.

Negotiations Committee to meet at least once time before Nov. 1st. The Negotiations Committee will meet once in October, before the Board Meeting at 4:30-5:00pm to review some of the updated sheets and to look at the info coming from the trainings. At 5:00pm ESUEA will come in.

## 7. Treasurer's Report

Review and approve the Treasurer's Report

Consider, discuss, and take any necessary action to approve the Treasurer's Report as presented. Passed with a motion by Dan Hoesly and a second by Jack Young.

Richard Luebbe: Absent

Jennifer Miller: Absent

Joyce Baumert: Yea

Marni Danhauer: Yea

Donald Ellison: Yea

Dan Hoesly: Yea

Doug Pauley: Yea

Richard Stephens: Yea

Gary Wieseler: Yea

Jack Young: Yea

Yea: 8, Nay: 0, Absent: 2

## 8. Second Reading of the Title IX Procedure for Complaints of Sexual Harassment Policy, now incorporated into Article V, Section 1, A Policy of Non-Discrimination

**Recommendation:** Consider, discuss, and take any necessary action to approve the Title IX Procedure for Complaints of Sexual Harassment Policy, now Incorporated into Article V, Section 1, A Policy of Non-Discrimination

Consider, discuss, and take any necessary action to approve the second reading of the Title IX Procedure for Complaints of Sexual Harassment Policy, now Incorporated into Article V, Section 1, A Policy of Non-Discrimination Passed with a motion by Joyce Baumert and a second by Marni Danhauer.

Richard Luebbe: Absent

Jennifer Miller: Absent

Joyce Baumert: Yea

Marni Danhauer: Yea

Donald Ellison: Yea

Dan Hoesly: Yea

Doug Pauley:       Yea  
Richard Stephens:   Yea  
Gary Wieseler:      Yea  
Jack Young:         Yea  
Yea: 8, Nay: 0, Absent: 2

The Title IX policy is now incorporated into the Non-Discrimination policy per legal counsel recommendation. Special Education Director Tami Clay is the Title IX Coordinator. The complaint form is still the same. Tami Clay, Title IX Coordinator, and her contact information needs to be posted on the ESU 7 website, added to the employment applications, a letter will be sent to ESUEA notifying them of the Title IX Coordinator, the information also has to be put in the handbooks (Staff, Parents, Students). Director Clay will have to have training along with the Investigator, Decision Maker, and the Appellate Decision Maker. Administrator Polk will designate responsibilities for Investigator, Decision Maker, and Appellate Decision Maker. Both KSB and Perry Law Firm are creating Title IX Trainings. The Title IX policy, training modules, and forms have to be posted on the ESU 7 website.

#### 9. ESU 7 COVID-19 Pay Resolution

After consultation with legal council it is recommended that the following resolutions be adopted and approved or reviewed every four weeks.

**Recommendation:** Discuss, consider and take all necessary action to approve the ESU 7 COVID-19 Pay Resolution.

Discuss, consider and take all necessary action to approve the ESU 7 COVID-19 Pay Resolution Passed with a motion by Doug Pauley and a second by Joyce Baumert.

Richard Luebbe:    Absent  
Jennifer Miller:    Absent  
Joyce Baumert:     Yea  
Marni Danhauer:    Yea  
Donald Ellison:     Yea  
Dan Hoesly:         Yea  
Doug Pauley:        Yea  
Richard Stephens:  Yea  
Gary Wieseler:     Yea  
Jack Young:         Yea  
Yea: 8, Nay: 0, Absent: 2

No ESU 7 staff member has been unable to work due to COVID related issues since the beginning of this academic year.

#### 10. 2020-2021 Resolution for Tax Asking and Final Levy

**Recommendation:** Discuss, consider and take any necessary action to approve the 2020-2021 Tax Asking and Final Levy Resolution as presented.

2020-2021 Tax Asking and Final Levy Resolution as presented Passed with a motion by Doug Pauley and a second by Richard Luebbe.

Jennifer Miller: Absent

Joyce Baumert: Yea

Marni Danhauer: Yea

Donald Ellison: Yea

Dan Hoesly: Yea

Richard Luebbe: Yea

Doug Pauley: Yea

Richard Stephens: Yea

Gary Wieseler: Yea

Jack Young: Yea

Yea: 9, Nay: 0, Absent: 1

#### 11. Adoption of the 2020-2021 Budget

**Recommendation:** Discuss, consider and take any action necessary to approve the 2020-2021 Budget as presented.

Adoption of the 2020-2021 Budget as presented Passed with a motion by Richard Stephens and a second by Joyce Baumert.

Jennifer Miller: Absent

Joyce Baumert: Yea

Marni Danhauer: Yea

Donald Ellison: Yea

Dan Hoesly: Yea

Richard Luebbe: Yea

Doug Pauley: Yea

Richard Stephens: Yea

Gary Wieseler: Yea

Jack Young: Yea

Yea: 9, Nay: 0, Absent: 1

#### 12. Board Member Nomination to Appoint

There is one application for the vacancy in District 12 for the ESU 7 Board of Directors. The Board will discuss the application of Dawn Lindsley for appointment to the Board.

Discuss, consider, and take any action necessary to approve Dawn Lindsley as nominee for appointment to the ESU 7 Board of Directors for the remainder of the District 12 term beginning on October 19, 2020 Passed with a motion by Donald Ellison and a second by Doug Pauley.

Richard Luebbe: Absent

Jennifer Miller: Absent

Joyce Baumert: Yea  
Marni Danhauer: Yea  
Donald Ellison: Yea  
Dan Hoesly: Yea  
Doug Pauley: Yea  
Richard Stephens: Yea  
Gary Wieseler: Yea  
Jack Young: Yea  
Yea: 8, Nay: 0, Absent: 2

Administrator Polk discussed the Board Member vacancies during the New Leader Luncheon. This action is to approve the nomination. This will be an appointment until December 31, 2020. A new appointment will be necessary in January 2021.

### 13. Committee Reports

#### 13.1. Budget Committee Report

Reports of Budget Committee activities and discussion will take place during this item.

#### 13.2. Request to recognize ESUEA as exclusive bargaining agent for 22-23

The ESU 7 Education Association requests that the Board representing the Educational Service Unit 7 take action to recognize ESU 7 Education Association as exclusive bargaining agent for the non-supervisory certificated staff for the 2022-2023 contract year.

Consider, discuss, and take any necessary action to recognize ESU 7 Education Association as exclusive bargaining agent for the non-supervisory certificated staff for the 2022-2023 contract year Passed with a motion by Richard Stephens and a second by Jack Young.

Richard Luebbe: Absent  
Jennifer Miller: Absent  
Joyce Baumert: Yea  
Marni Danhauer: Yea  
Donald Ellison: Yea  
Dan Hoesly: Yea  
Doug Pauley: Yea  
Richard Stephens: Yea  
Gary Wieseler: Yea  
Jack Young: Yea  
Yea: 8, Nay: 0, Absent: 2

#### 13.3. Administrator Evaluation Committee Report

A report of activities from the Administrator Evaluation Committee will be given during this

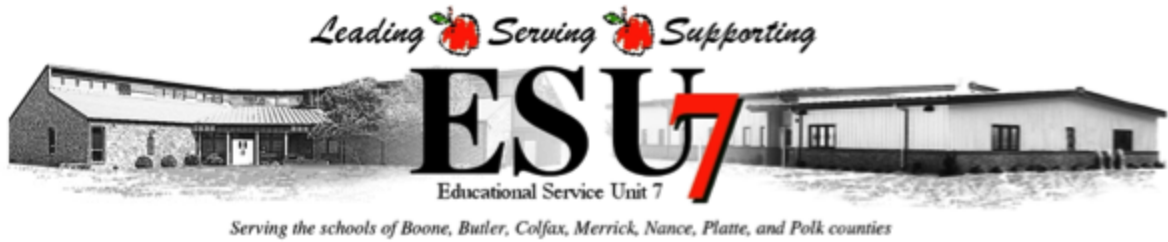
item. A paper copy of the evaluation is provided during the September Board Meeting (attach PDF)

Chair Person Doug Pauley will send out the electronic version of the Administrator Evaluation in October. All Board Members present received a paper copy of the evaluation this month. The electronic version will come from Doug Pauley via email in a survey type format. Please provide any recommendations.

14. Adjournment

Meeting adjourned at 7:41pm.

Minutes respectfully submitted by Mindy Reed, Recording Secretary to the ESU 7 Board.



## **Tax Asking/Final Levy Template**

ESU 7 Oak Room

2657 44th Avenue

Columbus, NE 68601-8537

Thursday, September 17, 2020 at 5:25 PM

Attendance Taken at 5:27 PM.

Joyce Baumert: Present

Marni Danhauer: Present

Donald Ellison: Present

Dan Hoesly: Present

Richard Luebbe: Present

Jennifer Miller: Absent

Doug Pauley: Present

Richard Stephens: Present

Gary Wieseler: Present

Jack Young: Present

Present: 9, Absent: 1.

### 1. Notification of Open Meetings Law

#### **LEADERSHIP • SERVICE • SUPPORT - ESU 7 Mission Statement**

Notice of this meeting was given in advance according to State Law 84-1411, by giving notice of the meeting to the public. 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.

### 2. Call the Hearing to Order and Roll Call

The hearing was called to order at 5:28PM. All present except for Jennifer Miller who was absent due to personal reasons.

3. Tax Asking Hearing/Setting Final Levy

4. Adjournment

The hearing adjourned at 5:32pm.

## A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
10	00071383	5,033.70	09/23/20	11541 LESLIE HUERTA	C
10	00071384	447.00	09/23/20	140063 NASB ALICAP	C
10	00071385	1,517.25	10/02/20	11541 LESLIE HUERTA	C
10	00071386	32.00	10/20/20	10010 AAPC AUTISM ASPERGER PUBLISHING CO	C
10	00071387	27.93	10/20/20	10013 ACE HARDWARE	C
10	00071388	20.00	10/20/20	10060 ADMINISTRATORS IN-SERVICE	C
10	00071389	150.00	10/20/20	10080 AESA REGISTRATION	C
10	00071390	1,371.86	10/20/20	11576 ALICIA LOPEZ	C
10	00071391	513.00	10/20/20	190428 ALMQUIST, MALTZAHN, GALLOWAY & LUTH, PC	C
10	00071392	9,681.41	10/20/20	10391 AMAZON	C
10	00071393	685.98	10/20/20	130180 AMY MAZANKOWSKI	C
10	00071394	600.00	10/20/20	8176 AMY ROTTER	C
10	00071395	405.38	10/20/20	7633 ANA SANTOS	C
10	00071396	5,000.00	10/20/20	11550 ANDRES LARA	C
10	00071397	119.00	10/20/20	10681 APPLE COMPUTER, INC.	C
10	00071398	9,440.67	10/20/20	11525 BERGMAN INCENTIVES INC.	C
10	00071399	59.99	10/20/20	20419 BOMGAARS SUPPLY	C
10	00071400	54.05	10/20/20	190669 BROOKE KOLIHA	C
10	00071401	13,626.72	10/20/20	30039 CAPITAL ONE BANK (USA), N.A.	C
10	00071402	79.79	10/20/20	4553 CAPITAL ONE-SPED CLAY	C
10	00071403	200.00	10/20/20	2097 CAPITAL ONE-SPED KASSING	C
10	00071404	789.60	10/20/20	30192 CDW-G	C
10	00071405	12,067.38	10/20/20	8940 CENTRAL NE REHAB SERVICES	C
10	00071406	514.87	10/20/20	30550 CITY OF COLUMBUS WATER & SANIT	C
10	00071407	405.00	10/20/20	31039 COLUMBUS SCREEN PRINTING	C
10	00071408	217.06	10/20/20	4812 CUBBY'S, INC.	C
10	00071409	348.00	10/20/20	31570 CULLIGAN OF COLUMBUS	C
10	00071410	300.00	10/20/20	40435 DIAMOND HEATING & AIR	C
10	00071411	50.75	10/20/20	876 DOLLAR GENERAL-MSD 410526	C
10	00071412	14,119.26	10/20/20	40725 EAKES OFFICE SOLUTIONS	C
10	00071413	600.00	10/20/20	50060 EAST BUTLER PUBLIC SCHOOL	C
10	00071414	532,944.04	10/20/20	50825 ED SERVICE UNIT 7-PAYROLL	C
10	00071415	292.39	10/20/20	50515 ELECTRICAL ENGINEERING & EQ.	C
10	00071416	639.93	10/20/20	50630 ERNST AUTO CENTER	C
10	00071417	188.82	10/20/20	7560 HOSTED SERVICES	C
10	00071418	2.60	10/20/20	50640 ESU 1	C
10	00071419	8,606.36	10/20/20	50645 ESU 2	C
10	00071420	13,259.00	10/20/20	50652 ESUCC	C
10	00071421	39.03	10/20/20	60056 FIRST NATIONAL BANK	C
10	00071422	81.25	10/20/20	70375 GODFATHER'S PIZZA	C
10	00071423	29.30	10/20/20	70406 GOTTBORG AUTO COMPANY LLC	C
10	00071424	541.83	10/20/20	7013 GREAT PLAINS COMMUNICATIONS	C
10	00071425	765.90	10/20/20	11460 HAYLEY MURPHY	C
10	00071426	66.13	10/20/20	5894 HEIDI ADAMS	C
10	00071427	240.00	10/20/20	80367 OMAHA'S HENRY DOORLY ZOO & AQUARIUM	C
10	00071428	52.89	10/20/20	80390 HIGH PLAINS COMMUNITY SCHOOLS	C
10	00071429	558.00	10/20/20	80543 HOMETOWN LEASING	C
10	00071430	600.00	10/20/20	80860 HUMPHREY PUBLIC SCHOOL	C
10	00071431	93.52	10/20/20	80880 HY-VEE	C
10	00071432	23.70	10/20/20	5223 J.P. COOKE CO.	C
10	00071433	674.48	10/20/20	3387 JENNIFER FISTLER	C
10	00071434	20.93	10/20/20	353 JILLIAN SCHMIDT	C
10	00071435	271.40	10/20/20	260092 JUDY A ZADINA	C
10	00071436	989.00	10/20/20	110030 JULIE R KAHLER	C
10	00071437	59.80	10/20/20	574 KAROL BANKSON-RECKNOR	C

## A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
10	00071438	475.00	10/20/20	2453 KATHLEEN MILLER	C
10	00071439	2,403.00	10/20/20	110235 KIDDIE CAB	C
10	00071440	3,555.00	10/20/20	4839 KSB SCHOOL LAW	C
10	00071441	125.00	10/20/20	120129 LAKEVIEW COMMUNITY SCHOOLS	C
10	00071442	44.74	10/20/20	11568 LANA ROBINSON	C
10	00071443	266.80	10/20/20	6718 LAURA PLAS	C
10	00071444	120.00	10/20/20	120223 LEIGH COMMUNITY SCHOOLS	C
10	00071445	81.62	10/20/20	120314 LINCOLN JOURNAL STAR	C
10	00071446	539.35	10/20/20	40545 LISA DURANSKI	C
10	00071447	2,453.54	10/20/20	120550 LOUP POWER DIST	C
10	00071448	276.44	10/20/20	130060 MADISON HIGH SCHOOL	C
10	00071449	78.13	10/20/20	130070 MAILBOX, THE	C
10	00071450	395.25	10/20/20	1996 MAILPREP ETC.	C
10	00071451	350.00	10/20/20	11320 MATTHEW TOWNSLEY	C
10	00071452	393.37	10/20/20	130378 MENARDS	C
10	00071453	7,555.67	10/20/20	130547 MNJ TECHNOLOGIES	C
10	00071454	5,588.92	10/20/20	10766 NATIONAL SCHOOL PRODUCTS	C
10	00071455	1,285.00	10/20/20	140351 NCSA	C
10	00071456	126.29	10/20/20	140570 NEBRASKA TECHNOLOGY & TELECOM.	C
10	00071457	1,065.05	10/20/20	150290 O'NEILL PUBLIC SCHOOLS	C
10	00071458	102.00	10/20/20	11185 OBRIST	C
10	00071459	600.00	10/20/20	150330 OSCEOLA PUBLIC SCHOOLS	C
10	00071460	162.83	10/20/20	160672 PRESTO-X	C
10	00071461	32.83	10/20/20	170029 QUALITY SOUND	C
10	00071462	484.15	10/20/20	30268 SANDY CERNY	C
10	00071463	13.65	10/20/20	190150 SCHOOL SPEC SUPPLY INC	C
10	00071464	609.50	10/20/20	8524 SHAYNA CEPEL	C
10	00071465	120.00	10/20/20	190390 SHELBY-RISING CITY PUBLIC SCHOOL	C
10	00071466	1,500.00	10/20/20	190557 SOUTHWEST BINDING & LAMINATING	C
10	00071467	454.28	10/20/20	190675 SRA/MCGRAW-HILL	C
10	00071468	7,878.80	10/20/20	190850 DAS STATE ACCOUNTING-CENTRAL FINANCE	C
10	00071469	1,736.54	10/20/20	2720 STREAKWAVE WIRELESS, INC.	C
10	00071470	52.89	10/20/20	11533 SUMMERLAND PUBLIC SCHOOL	C
10	00071471	589.20	10/20/20	191085 SUPER SAVER	C
10	00071472	87.23	10/20/20	160655 SYMMETRY ENERGY SOLUTIONS, LLC	C
10	00071473	1,140.00	10/20/20	9130 THE SUPPORT GROUP	C
10	00071474	2,600.00	10/20/20	10065 THRIVING LEADERS LLC	C
10	00071475	1,400.00	10/20/20	200481 TRI-STATE LAW CONFERENCE/TAESE	C
10	00071476	112.25	10/20/20	200606 U & I SANITATION	C
10	00071477	647.30	10/20/20	210100 ULTRA GRAPHICS	C
10	00071478	1,342.23	10/20/20	10320 VERIZON WIRELESS	C
10	00071479	1,764.45	10/20/20	8702 VISIX, INC.	C
10	00071480	117.10	10/20/20	230049 WALMART (SPED)	C
10	00071481	720.00	10/20/20	230195 WAYNE COMM. SCHOOLS	C
10	00071482	193.95	10/20/20	230249 WEST POINT PUBLIC SCHOOLS	C
10	00071483	983.70	10/20/20	10510 ABBY PFISTER	A
10	00071484	270.25	10/20/20	1082 ANGEL D MAYBERRY	A
10	00071485	192.05	10/20/20	40709 ANN DUBAS	A
10	00071486	288.08	10/20/20	990 BRANDY ROSE	A
10	00071487	703.80	10/20/20	5967 CASSANDRA RUTH	A
10	00071488	450.80	10/20/20	9512 CASSIE KRINGS	A
10	00071489	23.81	10/20/20	7188 CODY NELSEN	A
10	00071490	63.25	10/20/20	180474 DARLENE RODRIGUEZ	A
10	00071491	790.34	10/20/20	10529 DAVID VANDERHEIDEN	A
10	00071492	97.75	10/20/20	60033 ELISSA HEIBEL	A

A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
10	00071493	694.60	10/20/20	7099 HALEY KUNZE	A
10	00071494	665.28	10/20/20	20135 ISAURA BARRETO	A
10	00071495	481.28	10/20/20	8559 JACLYN TERNUS	A
10	00071496	568.10	10/20/20	9580 JASON TROTTER	A
10	00071497	676.78	10/20/20	10952 JENNIFER RIVERA	A
10	00071498	231.15	10/20/20	9741 JENNIFER ZYSSET	A
10	00071499	846.98	10/20/20	8540 JOLYNN KAHLANDT	A
10	00071500	147.20	10/20/20	6459 KAISE RECEK	A
10	00071501	250.70	10/20/20	8516 KATHERINE BOSAK	A
10	00071502	126.50	10/20/20	100521 KRIS JOHNSON	A
10	00071503	59.23	10/20/20	10430 LEANNE BLANCHARD	A
10	00071504	720.48	10/20/20	190434 LORI SIMANEK	A
10	00071505	148.35	10/20/20	2267 MARCIA OSTMEYER	A
10	00071506	32.20	10/20/20	50632 MEGAN KASSING	A
10	00071507	885.50	10/20/20	11479 MEGAN WELCH	A
10	00071508	775.68	10/20/20	4650 MELINDA VELECELA	A
10	00071509	454.83	10/20/20	8788 NATHALIE VARGAS	A
10	00071510	92.00	10/20/20	160280 PAULA PETERSON	A
10	00071511	1,002.80	10/20/20	5983 RACHEL GARNER	A
10	00071512	250.13	10/20/20	10375 RONELLE JACKSON	A
10	00071513	461.15	10/20/20	10960 ROSA WALDROP	A
10	00071514	1,082.73	10/20/20	130708 SHARON M BROWN	A
10	00071515	530.15	10/20/20	10740 SHELLI EICKMEIER	A
10	00071516	111.55	10/20/20	11436 TAMRA CLAY	A
10	00071517	93.73	10/20/20	10774 TRICIA SPIEKER	A
10	00071518	530.15	10/20/20	230361 WENDY WOLFE	A
10	00071519	422.05	10/20/20	10545 YARIBEY RODRIGUEZ	A

Total Bank No 10 707,362.41

Total Manual Checks	.00
Total Computer Checks	691,157.30
Total ACH Checks	16,205.11
Total Other Checks	.00
Total Electronic Checks	.00
Total Computer Voids	.00
Total Manual Voids	.00
Total ACH Voids	.00
Total Other Voids	.00
Total Electronic Voids	.00

Grand Total 707,362.41

Number of Checks 137

Batch Yr	Batch No	Amount
21	000043	447.00
21	000044	5,033.70
21	000045	81,422.43
21	000046	1,517.25
21	000049	61,501.61
21	000053	532,944.04
21	000056	24,496.38

Inservice Account

	Transaction/Explanation	Receipt	Expenditures	Balance
8/9/20	Deposit - Brush	\$5.52		\$7,894.66
9/29/20	Deposit - Memorial	\$20.00		\$7,914.66
10/5/20	Sue Hast (Memorial)		\$20.00	\$7,894.66

Expenditures	\$20.00
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Sept. '20 Treasurer Report

<b>Beginning Balance September 1, 2020</b>				<b>\$56,739.63</b>		
<b>RECEIPTS</b>						
Property taxes			\$519,757.43			
SPED			\$13,324.03			
General/Flow Through			\$134,829.08			
Grants			\$218,445.90			
<b>TOTAL RECEIPTS</b>			<b>\$886,356.44</b>	<b>\$886,356.44</b>		
				\$943,096.07		
Transfer to Money Market				\$150,000.00	-	
Total Funds Available				\$793,096.07		
<b>DISBURSEMENTS:</b>						
General Fund			\$288,217.34			
SPED			\$296,687.84			
Grants			\$146,611.17			
<b>Total DISBURSEMENTS Check #71249 thru #71384</b>			<b>\$731,516.35</b>	<b>\$731,516.35</b>	-	
<b>Ending balance, SEPTEMBER 30, 2020</b>				<b>\$61,579.72</b>		
<b>CASH ON HAND</b>						
Checking balance						\$61,579.72
Money Market Deposit Account at First National Bank						\$3,105,000.00
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>\$3,766,579.72</b>
<b>CASH RESERVE</b>	<b>\$1,304,205.11</b>					
<b>Funds that are due to ESU 7</b>						
Grants						(\$1,255,350.09)
Production/Art Media Accounts Receivable			(\$18,500.60)			
Network Support Accounts Receivable			(\$9,048.37)			
Misc. Flow thru Accounts Receivable			(\$33,018.15)			
Outstanding Receivables						(\$60,567.12)
<b>Total due to ESU 7</b>						<b>(\$1,315,917.21)</b>
<b>BUDGET PERFORMANCE</b>						
	<b>2019-2020</b>	<b>2020-2021</b>	<b>2019-2020</b>	<b>2020-2021</b>		
	<b>Dollars Spent Per Month</b>	<b>Dollars Spent Per Month</b>	<b>Percentage spent each month</b>	<b>Percentage spent each month</b>		
September	\$233,847.34	\$219,458.69	9.03%	8.41%	Total Budget	\$13,640,055.21
October	\$75,569.32	\$0.00	2.92%	0.00%	30% of budget	\$4,092,016.56
November	\$202,501.62	\$0.00	7.82%	0.00%	Total budget spent to date	\$731,516.35
December	\$164,982.58	\$0.00	6.37%	0.00%		
January	\$177,711.62	\$0.00	6.86%	0.00%	<b>NOTES</b>	
February	\$170,936.81	\$0.00	6.60%	0.00%		
March	\$162,892.28	\$0.00	6.29%	0.00%		
April	\$168,956.78	\$0.00	6.52%	0.00%		
May	\$159,258.47	\$0.00	6.15%	0.00%		
June	\$180,820.12	\$0.00	6.98%	0.00%		
July	\$185,558.73	\$0.00	7.17%	0.00%		
August	\$220,767.89	\$0.00	8.52%	0.00%		
<b>Approved Total General Budget for Levy \$</b>			\$2,589,759.94	\$2,608,410.23		
<b>Total Spent to date</b>			\$2,103,803.56	\$219,458.69		
Dollars approved from cash reserve				\$0.00		

## Section 6 - Notice of Meeting

### Article II, Section 6, A Notice to Public

Reasonable advance publicized notice shall be given for meetings that are subject to the Open Meetings Act. The notice shall give the time and place of the meeting and contain an agenda of subjects known at the time of the notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of ESU 7 during normal business hours and on the ESU 7 Website.

~~The public notice shall be given by a method designated by the Board. The designated methods are publication or posting a reasonable time in advance of the meeting. At least 48 hours advance notice shall be considered sufficient. If notice is given by publication, the notice shall be published in a newspaper of general circulation in the ESU.~~ **The Board will give advance notice of meetings by publishing such notice in a newspaper of general circulation within the ESU's jurisdiction, the Columbus Telegram and, if available, on such newspaper's website. In addition to publishing, the Board may, in its sole discretion, also give advance notice of meetings by posting as an additional means of giving notice to the public.** If notice is given by posting, the notice shall be posted on the front door of the principal office of the ESU and ESU 7 Website.

For an emergency meeting, notice shall not be required to be given; however, the Board will complete minutes for such an emergency meeting as required by law.

The Board meetings that are subject to the notice requirement include all regular, special, or called meetings, formal or informal, of the ESU for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the ESU.

The notice requirement does not apply to:

1. Chance meetings or attendance at or travel to conventions or workshops of members of the Board at which there is no meeting of the Board intentionally convened, if there is no vote or other action taken regarding any matter over which the Board has supervision, control, jurisdiction, or advisory power.
2. Meetings of subcommittees unless a quorum of the Board attends or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of the Board.
3. Judicial or quasi-judicial proceedings, such as termination hearing proceedings.

Legal Reference:	§ 84-1409; § 84-1410 (5); 84-1411 (5)
Date of Adoption:	March 19, 2018
Date of Revision:	

**Article II, Section 6, D Notice to Board Members**

**Notice of meetings shall be transmitted to all members of the Board. The Administrator shall deliver or otherwise make available the meeting notice, agenda, minutes of the preceding meeting, and such other materials pertinent to the meeting as the President may direct, to the Board Members.**

**For regular meetings, the Board packet shall be mailed or delivered on the Friday preceding each meeting. For special meetings, the Board packet shall be mailed or delivered the later of three days prior to the meeting or the same day that notice to the public is given.**

Legal Reference:	§ 84-1411 (1)
Date of Adoption:	

## **Section 8 - Fair Labor Standards Act (Minimum Wage & Overtime)**

### **Article IV, Section 8, A Fair Labor Standards Act (Minimum Wage & Overtime) Policy**

Work week: The work week for overtime purposes shall be 12:00 a.m. Monday until 11:59 p.m. Sunday. The Administrator may establish a different 7-day period workweek from time to time for specified employees or employee groups.

Nursing Break: Educational Service Unit 7 will provide reasonable break time for an employee who wishes to express breast milk for her nursing child in a place other than a bathroom which is shielded from view and free from intrusion from co-workers and the public for one year after the child's birth.

Overtime: Overtime will be paid to non-exempt employees as required by law; that is, when a non-exempt employee works more than 40 hours in a work week. Compensatory pay in-lieu of overtime pay may be implemented in accordance with law. A non-exempt employee shall not work overtime without the express approval of the employee's supervisor.

Deductions from Salary: The ESU's policy is to not permit improper deductions from the salary of exempt employees who are required to meet a "salaried basis" test in order to be exempt from overtime. (Note: Teaching professionals are not subject to the salaried basis test). An employee who feels an improper deduction affecting exemption status has occurred may submit a complaint to the Administrator or the Administrator's designee, who shall promptly investigate the complaint. Reimbursement shall be made and a good faith commitment to comply in the future will be given in the event it is determined that an improper deduction affecting overtime exemption has been made.

Wage and Deduction Information: Within ten working days after a written request is made by an employee, the Administrator or designee shall furnish the employee with an itemized statement listing the wages earned and the deductions made from the employee's wages for each pay period that earnings and deductions were made. The statement may be in print or electronic format.

The ESU's policy is to authorize unpaid disciplinary suspensions of a full day or more for infractions of workplace conduct rules and to apply such policy uniformly to all similarly situated employees, including exempt employees who are required to meet a "salaried basis" test in order to be exempt from overtime. Unpaid disciplinary suspensions of a partial day or of a full day or more may be implemented for infractions of safety rules of major significance. Deductions of pay of a partial day or of a full day or more may be made for FMLA leaves and in the first and last weeks of employment. In addition, based on principles of public accountancy,

[Return to Table of Contents](#)

deductions from pay of a partial day or of a full day or more will be made for absences for illness, injury or personal reasons when accrued leave is not used or not available, and for absences due to any budget-required furlough.

~~The ESU will not terminate or retaliate against any employee for inquiring about or sharing compensation information for the purpose of determining whether the ESU gives equal pay for equal work. However, an employee with authorized access to wage information as part of their job function, who discloses the wages of other employees to those who do not have authorized access to other employees' compensation information, may be disciplined for such disclosure, up to and including termination, unless the disclosure was made in response to a complaint or investigation proceeding, hearing or other similar action.~~

Legal Reference:	Fair Labor Standards Act, 29 U.S.C. § 201 et seq.; 29 CFR §§ 541.303; 541.602-03; 541.710; 553.20-28; 771.105 Neb. Rev. Stat. § 48-1230 <del>LB 217 (2019)</del>
Date of Adoption:	May 20, 2019
Date of Revision(s):	October 21, 2019

#### **Article IV, Section 5, E Professional Boundaries Between Employees and Students**

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of professional boundaries will be regarded as a form of misconduct and may result in disciplinary action.

The following non-exclusive list of actions will be regarded as a violation of the professional boundaries that employees are expected to maintain with a student:

- Using email, text messaging, instant messaging or social networking sites to discuss with a student a matter that does not pertain to school or ESU related activities; such as the student's homework, class activity, school sport or club, or other school or ESU sponsored activity. Electronic communications with students are to be sent simultaneously to multiple recipients, not to just one student, except where the communication is clearly school-related and inappropriate for persons other than the individual student to receive (for example, emailing a message about a student's grades).
- Engaging in social-networking friendships with a student on Instagram, Facebook, or other social networking site. Material that employees post on social networks that is publicly available to those in the school community must reflect the professional image applicable to the employee's position and not impair the employee's capacity to maintain the respect of students and parents or impair the employee's ability to serve as a role model for children.
- Engaging in sexual activity, a romantic relationship or dating a student or a former student within one year of the student graduating or otherwise leaving the student's residing District.
- Making any sexual advance – verbal, written, or physical – towards a student.
- Showing sexually inappropriate materials or objects to a student.
- Discussing with a student sexual topics that are not related to a specific curriculum.
- Telling sexual jokes to a student.
- Invading a student's physical privacy (e.g., walking in on the student in a restroom).
- Hugging or other physical contact with a student that is initiated by the employee when the student does not seek or want this attention.
- Being overly "touchy" with a specific student.
- Allowing a specific student to get away with misconduct that is not tolerated from other students, except as appropriate for students with an IEP or 504 Plan.
- Discussing with a student the employee's problems that would normally be discussed with adults (e.g., marital problems).
- Giving a student a ride in the employee's personal vehicle without express permission of the student's parent, ESU Administrator, or school administrator unless another adult is in the vehicle.

- Taking a student on an outing without obtaining prior express permission of the student’s parent or school administrator.
- Inviting a student to the employee’s home without prior express permission of the student’s parent, ESU Administrator, and school administrators.
- Going to the student’s home when the student’s parent or a proper chaperone is not present.
- Giving gifts of a personal nature to a specific student.
- **Discussing alcohol, tobacco or other illicit drugs in a non-instructional setting, such as describing a party that the employee attended.**
- **Discussing another student’s or employee’s personal matters when it is not appropriate outside of the instructional setting.**
- **“Grooming,” which includes building trust with a student and individuals close to the student in an effort to gain access to and time alone with the student, with the ultimate goal of engaging in sexual contact or sexual penetration with the student, regardless of when in the student’s life the sexual contact or sexual penetration would take place.**

Appropriate exceptions are permitted to the foregoing for legitimate health or educational purposes and for reasons of familial relationships between employees and their children **who are students. A staff member seeking an exception must receive advance approval from his or her Administrator. If a staff member is unable to communicate with an Administrator in advance (such as in the event of an emergency), the staff member must notify the Administrator as soon as possible, but no later than 24 hours immediately following the event.**

**Any person who suspects an ESU 7 employee of engaging in any prohibited conduct under this policy, including grooming, should contact the Administrator as soon as practical.**

**An employee who violates this policy may face discipline, up to and including termination of employment, and may be referred to the appropriate certification or credentialing agencies for further discipline.**

**A violation of this policy will result in referral to the Department of Health and Human Services, law enforcement, or both.**

Legal Reference:	LB 1080 (2020)
Date of Review:	
Date of Adoption:	February 18, 2019



2657 44<sup>th</sup> Avenue, Columbus, NE 68601    (402) 564-5753    FAX: (402) 563-1122

Thank you for your interest in serving on the Educational Service Unit 7 Board of Education as the District 6 representative. This term will expire on December 31, 2020.

Board meetings are held at the ESU 7 building in Columbus on the 3<sup>rd</sup> Monday of each month beginning at 5:30pm.

In order to select the best candidate for this vacancy, please complete the following questionnaire and return it via email to [mreed@esu7.org](mailto:mreed@esu7.org) or mail to:

Mindy Reed  
 Secretary to the Board  
 2657 44<sup>th</sup> Avenue  
 Columbus, NE 68601

**ESU 7 BOARD CANDIDATE QUESTIONNAIRE**

<u>Arp</u>	<u>Bob</u>	<u>9/24/20</u>
Last Name	First Name      MI	Date
Home Address: <u>3269 37th Ave</u>	<u>Columbus NE 68601</u>	County: <u>Platte</u>
How long have you lived in that county? <u>36 yrs.</u>	Telephone: <u>402-750-6115</u>	
In which school district do you live? <u>Columbus Public</u>		
<u>NA</u>		
Business Address: _____	Telephone: _____	
Occupation: <u>Retired</u>		

Do you have children in elementary or secondary school?     Yes     No (please check one)

If yes, what grade(s) are your children in? \_\_\_\_\_

Why do you want to be a member of the ESU 7 Board?

Was asked to consider it.

Have you worked on any school committees or participated in any school activities?

Yes  No  (please check one) If yes, please list and indicate years of participation:

More than I can remember in 35 years of education! 3 in Dodge, NE; 7 in Wahoo, NE; 5 at Scotus Central Catholic, and 20 at Lakeview

Other community or business activities:

Again, more than I can list here. Highlights might be TeamMates, Lions Club, Federated Church, United Way, Arts Council, Friends of Music.

What is your basic understanding of the Educational Service Unit 7 purpose?

To provide a unified source of information and resources to assist area schools in providing the best and most complete array of services and learning programs for ALL students.

What should the role of the ESU 7 Board be in the fulfillment of that purpose?

Provide the most knowledgeable support staff and equip them with the latest and best resources to be most effective.

Please describe what the relationship between the Board members and the Administration should be in handling service unit matters:

The board should be a sounding board for the administration. The administration and other unit employees are the experts. The board is there to support and in essence be cheerleaders for the team.

In what areas of function as a Board member would you have a particular interest or skill (public relations, budget, negotiations, evaluation, long-range planning, facilities, policy, etc.)?

public relations, negotiations, facilities

If you have an opportunity in the future to make a judgement regarding effectiveness of the service unit in carrying out its purposes, what do you see as the strengths of ESU 7?

Quality staff and efficiently run programs.

In what areas do you think ESU 7 could improve services or provide additional services in?

Not sure at this point.

**Article I, Section 3, B Filling Vacancies**

Whenever a vacancy occurs on the Board, the remaining members of the Board shall appoint an individual residing within the election district for which the vacancy exists who meets the qualifications for the office to fill such vacancy for the balance of the unexpired term.

A “vacancy” may occur when, unless excused by a majority of the remaining members of the Board, a member is absent from the geographical boundaries of ESU 7 for a continuous period of sixty days at one time or from more than two consecutive regular meetings of the Board.

In all cases, the Board member must notify the Administrator or Board President, prior to the Board Meeting, with the reason for absence in order to be considered for an excused absence.

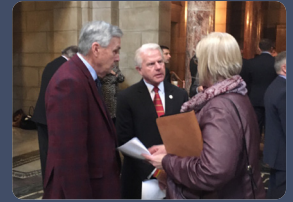
Legal Reference:	§ 79-1217(2)
Date of Adoption:	January 15, 2018



# NASB'S ADVOCACY HANDOUT

OF PROPOSED CHANGES TO THE STANDING POSITIONS & LEGISLATIVE RESOLUTIONS

FOR YOUR APPROVAL AT THE 2020 (VIRTUAL) DELEGATE ASSEMBLY



NASB'S LEGISLATIVE & LEADERSHIP INITIATIVES FOR THE 2021 SESSION

NASB (VIRTUAL) DELEGATE ASSEMBLY | NOVEMBER 13, 2020 | 1:00 PM CT

LEADERSHIP

INNOVATION

VISION

ENGAGEMENT

#liveNASB

The Nebraska Association of School Boards provides programs, services and advocacy to strengthen public education for all Nebraskans.

# IN PREPARATION FOR THE 2020 (VIRTUAL) DELEGATE ASSEMBLY

## HAVE THIS HANDOUT WITH YOU DURING THE DELEGATE ASSEMBLY!

This Handout lists of all items to be considered by this Delegate Assembly, which will shape NASB's 2021 legislative and leadership agenda. Underlines (add to) and strike-throughs (delete) are added when a current position is proposed for amendment. Items without any marks are either new submissions or proposed to be continued unchanged. The Delegate Assembly will be held on November 13, at 1:00 PM CT via Zoom online connection. The enclosed positions will be presented to the Assembly. If there are no objections or amendments to a given item, the proposal will automatically become a position of the Association. Amendments or motions to kill proposals require a motion that is supported by a two-thirds vote of the Assembly. There will be a vote on the proposals only when a change is desired, or an attempt is made to kill a particular proposal. Please consult the "Rules of Procedure" in the back of this Handout.

## AGENDA FOR FRIDAY, NOVEMBER 13, 2020

1. RESOLUTION
2. REPORT OF CREDENTIALS COMMITTEE, RULES OF PROCEDURE & AGENDA
3. LEGISLATIVE RESOLUTIONS & STANDING POSITIONS
4. NEW BUSINESS
5. ADJOURNMENT

## GOVERNMENT IS RUN BY THE PEOPLE WHO SHOW UP (LOG ON!)

### WHO IS YOUR DELEGATE?

*While any board member is welcome to attend the Delegate Assembly, each board should select one member to represent the district or ESU as the voting delegate.*

Each district and ESU should select a board representative for the Delegate Assembly prior November 13.

ONE DISTRICT. ONE VOICE.  
MAKE SURE YOUR DISTRICT'S VOICE IS HEARD!

If you have questions, you may reach us at 800-422-4572



# TABLE OF CONTENTS

DELEGATE ASSEMBLY AGENDA	2
KEY LEGISLATIVE DATES	3
YOUR NASB LEGISLATION COMMITTEE	4
ADVOCACY	5
PROPOSED 2020 RESOLUTION & NASB BELIEFS	6
LEGISLATIVE RESOLUTIONS	7
STANDING POSITIONS	8-14
DELEGATE ASSEMBLY RULES OF PROCEDURE	15

## MARK YOUR CALENDARS | KEY LEGISLATIVE DATES

November 3, 2020	Nebraska General Election
NOVEMBER 13, 2020	VIRTUAL DELEGATE ASSEMBLY
January 6, 2021	2021 Legislative Session begins The 107th Legislature - First Session
January 20, 2021	Day 10: All bills must be introduced by this date Committee Hearing take place through mid-March
January 31, 2021	NASB Legislation Committee Meeting
January 31-February 1, 2021	Legislative Issues Conference   Cornhusker Marriott - Lincoln
June 10, 2021	Final day of the 90-Day Legislative Session
July 1, 2021	Call for Legislative Submissions for 2022 consideration due <a href="http://www.nasbonline.org/registrations/ProposedResolution.aspx">http://www.nasbonline.org/registrations/ProposedResolution.aspx</a>

\*All dates subject to change. At the beginning of the 2021 Legislative Session, the newly elected Speaker will publish the permanent session calendar, which may differ from the current calendar.

# YOUR NASB LEGISLATION COMMITTEE



Brad Wilkins, Chair  
NASB President-Elect  
Ainsworth



Stacie Higgins  
NASB President  
Nebraska City



Kim Burry  
NASB Vice President  
Bayard



Member 1  
Lou Ann Goding  
Omaha



Member 2  
Shavonna Holman  
Omaha



Member 3  
Marque Snow  
Omaha



Member 4  
Connie Duncan  
Lincoln



Member 5  
Kathy Danek  
Lincoln



Member 6  
Linda Poole  
Millard



Member 7  
Sarah Centineo  
Bellevue



Member 8  
Beth Morrisette  
Westside



Member 9  
Skip Altig  
North Platte



Member 10  
Patti Gubbels  
Norfolk



Member 11  
Laura Schneider  
Hastings



Member 12  
Ryne Seaman  
Seward



Member 13  
Suzanne Sapp  
Ashland-Greenwood



Member 14  
Lisa Wagner  
Central City



Member 15  
Steve Koch  
Hershey



Member 16  
Jim Vlach  
Lyons-Decatur



Member 17  
Christopher Waddle  
Giltner



Member 18  
Ron Pearson  
ESU 3



Appointed Member  
Lisa Albers  
Grand Island



Appointed Member  
Jayson Bishop  
Perkins County



Appointed Member  
Linda Richards  
Ralston



Appointed Member  
Stephanie Summers  
David City



Appointed Member  
Annette Weise  
Tri County

# ADVOCACY

With your help, NASB is an advocate for public education and local school governance ...  
and YOUR collective voice in the Legislature

As NASB represents the state's 260+ member districts and ESUs, relationships and communication are the keys to the success of the Association's advocacy work. NASB advocates for the standing positions and legislative resolutions approved by delegates all from member boards at the annual NASB Delegate Assembly held in conjunction with the State Education Conference each November. It is here, and throughout the year where our focus is to work for and with you on all of the issues that impact public education.

Can YOU really make a difference?  
YES YOU CAN!

You are an elected official and a community leader. As a school board member, you are in an excellent position to educate and influence the legislative process, and are seen as a key resource on education policy for your district.

We encourage all boards to include a legislative update as a part of each meeting, and to discuss/share key legislative information with other board members and key individuals in the community. Advocacy is year-round, although much of the attention is garnered during the session itself.

Bookmark the Government Relations page of [www.NASBonline.org](http://www.NASBonline.org) for updates and information, and make sure to utilize *Legislative Notes*, summarizing all of the pertinent items related to public education in Nebraska.

Another great resource is [www.NebraskaLegislature.gov](http://www.NebraskaLegislature.gov).

**NO ONE IS MORE QUALIFIED TO TALK ABOUT YOUR SCHOOL DISTRICT, YOUR COMMUNITY,  
AND YOUR NEEDS RELATED TO PROVIDING A QUALITY EDUCATION THAN YOU!**

**Advocacy is on-going. Stay up to speed on the Legislature year-round.**

- ✓ Become Familiar With Your Senator & Their Staff -- Don't take for granted the access we have as Nebraskans to our Senators & Federal Representatives. It is not like that everywhere. Take advantage of it! Be involved. Build the relationship. Be ENGAGED!
- ✓ Have a "legislative update" agenda item at each board meeting, and share key legislative information with your board, and your community
- ✓ Pass board policy specific to how you deal with legislative issues
- ✓ Utilize NASB's Legislative links, communication, the *Legislative Notes* newsletter, track specific bills, follow along on social media, and study the annual Advocacy Handbook
- ✓ Reach out to NASB's Legislative Team, and/or a member of the NASB Legislation Committee. Attend the various Legislative Lunches throughout the year across Nebraska.
- ✓ Stay up to speed with your local newspaper, social media, senator emails/newsletters, etc.

**ASK YOURSELF: WHAT ARE YOU DOING FOR YOUR DISTRICT?**  
The Legislature needs to know school board members want to be involved!

NASB LEGISLATIVE TEAM: JOHN SPATZ, COLBY COASH, MATT BELKA & VICKI WALTER-WINTERS

# PROPOSED 2020 RESOLUTION

## 2020 NEBRASKA ASSOCIATION OF SCHOOL BOARDS DELEGATE ASSEMBLY

WHEREAS, the Covid-19 global pandemic has had a major impact on the educational community in 2020;

WHEREAS, as a result of Covid-19 the NASB Board of Directors have had to adjust its board calendar and postpone many learning opportunities;

WHEREAS, due to the uncertainty created by the pandemic and because of the necessity in having the 2020 NASB Delegate Assembly conduct its business, the NASB Board of Directors is recommending to the 2020 NASB Delegate Assembly it meet virtually;

WHEREAS, the current officers of the NASB Board of Directors are:

President – Stacie Higgins, board member, Nebraska City Public Schools

President-elect – Brad Wilkins, board member, Ainsworth Community Schools

Vice President – Kim Burry, board member, Bayard Public Schools

Past President – Steve Blocher, board member, West Point Public Schools

WHEREAS, the NASB Board of Directors met virtually in August and voted to forward to the 2020 Delegate Assembly a resolution recognizing the current four officers for an additional year in their current positions;

NOW THEREFORE, with a quorum present and a majority of its members voting in favor, the 2020 NASB Delegate Assembly duly adopts the following Resolution:

- 1) All NASB Bylaws requiring the NASB Delegate Assembly to meet in person are suspended for the year 2020, and all required NASB business and action may be done virtually in 2020; and
- 2) All NASB Bylaws addressing the election of officers and terms are suspended for one year and the current four officers, Stacie Higgins, Brad Wilkins, Kim Burry, and Steve Blocher will have their current terms renewed through the 2021 NASB Delegate Assembly.

## #liveNASB

### School Boards Make Nebraska a Great Place to LIVE!

Through Leadership, Innovation, Vision and Engagement Nebraska's School Boards are making a difference for students across the state.

**LEADERSHIP:** NASB will provide leadership to groups, individuals, and organizations and facilitate efforts to improve student achievement.

**INNOVATION:** Through innovation of programs and services, NASB will add value for our members and generate revenue to support growth.

**VISION:** NASB will develop a vision with other groups, individuals, and organizations to address how we fund schools and provide opportunities to bring a quality education to all children.

**ENGAGEMENT:** With engagement of its board and members, NASB will provide opportunities for school boards to be advocates for public education.

# LEGISLATIVE RESOLUTIONS

*... as approved by the Legislation Committee on July 18, 2020  
... and approved by the Board of Directors on August 20, 2020  
... and submitted to the Delegate Assembly on November 13, 2020*

Resolutions are statements of intended and desired legislative action on items of current needs or problems. Resolutions are in effect for one year and direct the organization and its staff in their legislative efforts with each annual session of the Legislature. All resolutions submitted are presented for consideration and action. The Delegate Assembly shall receive, consider, and act upon legislative resolution proposals submitted to it by the Legislation Committee and the Board of Directors.

- If no action is taken on a given proposal, it becomes a Legislative Resolution of NASB.
- Any such proposal may be amended or rejected only by an affirmative vote of two-thirds of the delegates present and voting.
- No Legislative Resolution proposal, which has not been approved by the Legislation Committee, shall be adopted except on an affirmative vote of two-thirds of the delegates present and voting.
- Resolutions from the floor require a two-thirds supporting vote of the Delegate Assembly for adoption.
- Rationale is for the delegates' reference only and will not be shown in future publications of NASB's Legislative Resolutions.

Members with questions concerning the Legislative Resolutions are urged to call NASB before the Delegate Assembly.

## PROPOSED LEGISLATIVE RESOLUTIONS FOR 2021

LEADERSHIP    INNOVATION    VISION    ENGAGEMENT    #liveNASB

### R-1 — CREATING A VISION FOR NEBRASKA'S FUTURE:

NASB will lead and support the creation of a vision that revises tax policy and invests state resources for Nebraska's future.

### R-2 — EDUCATION PROGRAM OPPORTUNITIES

NASB believes that each student should have access to a challenging instructional program which is relevant and prepares him or her for work or further education.

### R-3 — EXPAND USE OF QUALIFIED CAPITAL PURPOSE UNDERTAKING FUND

NASB supports the expansion of the Qualified Capital Purpose Undertaking Fund to include modifications for student and staff security including cyber security.

### R-4 — HEALTHY CULTURES & RESILIENCY IN SCHOOLS

NASB will support leveraging its infrastructure and resources to support a healthy culture in schools. NASB will align with others to develop "resilient" school districts with programs to support both staff and students.

### R-5 — MENTAL & BEHAVIORAL HEALTH

NASB will support legislative efforts to provide services related to mental and behavioral health to school-age children across Nebraska.

### R-6 — SUPPORT OF EARLY CHILDHOOD PROGRAMS IN THE COMMUNITY

NASB will support early childhood education programs at the community level, which may include redefining economic development programs to include early childhood infrastructure development for communities and will support early childhood programs as an element in community comprehensive plans.

### R-7 — SUPPORT THE COLLECTION AND USE OF RELEVANT DATA

NASB encourages boards to use data to support its district strategic plan and goals. NASB supports collaborating with the state and other organizations in the collection and use of relevant data. NASB will identify data it can capture to help inform boards and, if necessary, support legislation to create data sources.

# STANDING POSITIONS

*... as approved by the Legislation Committee on July 18, 2020*  
*... and approved by the Board of Directors on August 20, 2020*  
*... and submitted to the Delegate Assembly on November 13, 2020*

Standing positions are statements of policy and purpose which are developed and maintained over time. They are considered annually by the Delegate Assembly, and remain in effect until they are actively removed.

- The Delegate Assembly shall receive, consider, and act upon position statement proposals submitted to it by the Legislation Committee and the Board of Directors.
- If no action is taken on a given proposal, it becomes a standing position of NASB. Any such proposal may be amended or rejected only by an affirmative vote of two-thirds of the delegates present and voting.
- Position statement proposals from the floor require a two-thirds supporting vote of the Delegate Assembly for adoption.
- Rationale is provided for the delegates' reference only and will not be shown in future publications of NASB standing positions.

**Members with questions concerning the Standing Positions are urged to call NASB before the Delegate Assembly.**

## PROPOSED CHANGES TO NASB'S STANDING POSITIONS

LEADERSHIP    INNOVATION    VISION    ENGAGEMENT    #liveNASB

### P1 - VOUCHERS & TAX CREDITS

NASB opposes any attempt to amend or circumvent the Nebraska and United States Constitutions to permit the use of public funds for the support, either direct or indirect, of schools not controlled by the public at large. NASB opposes any state or federal legislation allowing either tax credits or vouchers for children, or the parents or guardians of children attending nonpublic schools, or donors to scholarship funds for non-public education. (prior to 1995, amended 2020)

**Rationale:** This is a current Standing Position being edited

**Legislation Committee Action:** Advanced to Delegate Assembly

### P2 - SPECIAL BUILDING FUND TAX LEVY EXCLUSION

NASB supports amending the Nebraska Statutes that address budgeting and spending lid restrictions to allow school districts the ability to utilize up to ~~seven~~ fourteen cents of the Special Building Fund tax levy outside of the budgeting and spending lid restriction so that districts can plan for and fund capital improvement projects, building repairs and upgrades, and school district infrastructure needs. (2007, amended 2020)

**Rationale:** This is a current Standing Position being edited

**Legislation Committee Action:** Advanced to Delegate Assembly

### P3 - COOPERATION WITH HHS

NASB supports legislation which mandates cooperation and consultation with school districts as it relates to the placement of children under the custody of DHHS. Comprehensive information about a child's educational needs should be shared with a school district prior to the placement of a student in a new school district. - This relates to LB 759.

**Rationale:** This is a newly proposed Standing Position

**Legislation Committee Action:** Advanced to Delegate Assembly

# PROPOSED CHANGES TO NASB'S STANDING POSITIONS

## P4 - E-MEETINGS - FULLY-IMPLEMENTED OR PARTIAL ALLOWABLE ATTENDANCE

NASB supports legislation which allows for school board members to participate in school board meetings via electronic means while still maintaining a quorum when necessitated for the health and safety of the board and public. Virtual meetings cannot impede the public's ability to participate.

**Rationale:** This is a newly proposed Standing Position

**Legislation Committee Action:** Advanced to Delegate Assembly

## P5 - PUBLICATION OF MINUTES, RECEIPTS, & EXPENDITURES

NASB supports removing the requirement to publishing hearing notices and meeting minutes in public newspapers and supports the use of alternative means to communicate board activity.

**Rationale:** This is a newly proposed Standing Position

**Legislation Committee Action:** Advanced to Delegate Assembly

## P6 - USE OF ACCOUNTABILITY DATA FOR SCHOOL IMPROVEMENT

NASB supports using school accountability data to determine potential strategies/resources for helping schools improve. We support the concept of growth or learning mindset which suggests that school effectiveness is assessed as an improvement process. Our perspective is that all schools in Nebraska are important and have opportunities to become more effective as quality educational systems.

**Rationale:** This is a newly proposed Standing Position

**Legislation Committee Action:** Advanced to Delegate Assembly

## P7 - EMPLOYEE SUPPORT

NASB recognizes the need to support district employees with their health and supports initiatives that provide for the physical and mental wellness of all school employees.

**Rationale:** This is a newly proposed Standing Position

**Legislation Committee Action:** Advanced to Delegate Assembly

# NASB'S STANDING POSITIONS

## BELIEF STATEMENTS FOR AN EFFECTIVE BOARD

### S-1 — BOARD DEVELOPMENT

NASB encourages boards of education to take part in board in-service and development programs and to budget funds for such programs. (1995)

### S-2 — BOARD RECOGNITION

NASB believes the service of school boardsmanship is fundamental to participatory democracy and deserves recognition collectively and individually from state and local communities. (prior to 1995)

### S-3 — BUSINESS AND EDUCATION PARTNERSHIPS

NASB encourages boards of education to develop mutually beneficial partnerships with business to ensure mutual understanding and cooperation. (1995)

### S-4 — COLLABORATIVE SERVICES TO YOUTH

NASB urges collaborative linkages between schools and other public and private agencies that serve children. (prior to 1995)

### S-5 — LEADERSHIP TEAM

NASB believes that each board of education should create an administrative leadership team, which should include all supervisory and managerial employees including the superintendent and board members. (prior to 1995, amended 2007)

### S-6 — PARENT INVOLVEMENT

NASB urges boards of education to support partnerships between parents and schools that encourage parent involvement in the education process. (1997)

# NASB'S STANDING POSITIONS

## S-7 — POLICY

NASB considers it imperative that boards of education adopt clearly defined, flexible policies after input from the administration, parents, employees, and other interested parties. Policies, based on a clear understanding of the education process, should be thoroughly reviewed annually. The execution of policy is the responsibility of professional administrators and staff. (prior to 1995)

## CONDITIONS OF CHILDREN

### S-8 — ABUSE OF ALCOHOL, TOBACCO, & OTHER DRUGS

NASB supports efforts by boards of education and state and national officials to strictly enforce policies regarding the sale, use or possession of illegal drugs including methamphetamine, marijuana, THC products and synthetic equivalents of THC and marijuana, alcohol, tobacco, nicotine products, vapor products (including e-cigarettes), and any products intended by appearance or effect to replicate tobacco products on school property. The designation of “drug free zones” near schools is also urged. (prior to 1995, amended 2015)

### S-9 — AT-RISK STUDENTS AND THE ACHIEVEMENT GAP

NASB recognizes that there are many children and youth who are experiencing special difficulties in achieving high education standards. NASB supports increased funding to help close the gap in educational opportunity and educational achievement, and urges boards of education to work with, and obtain increased funding from the state Legislature, as well as state and federal education agencies to assist at-risk children and youth in making adequate educational progress. (prior to 1995, amended 2009)

### S-10 — EARLY CHILDHOOD EDUCATION

NASB supports quality early childhood education programs accessible to all children and advocates programs that provide age-appropriate activities to prepare children for school. (prior to 1995)

### S-11 — ENROLLMENT OPTION; HOMEBOUND STUDENTS

NASB supports legislation stating that when an option student becomes homebound, the school district in which the student resides assumes full responsibility for educating the student. (1998, amended 2016)

### S-12 — ENROLLMENT OPTION LIMITATION

NASB supports legislation returning option students to the resident school district if the option district must contract with another school district or agency for the educational services needed by the student. (1996, amended 2016)

### S-13 — LIABILITY FOR MEDICATION ADMINISTRATION

NASB supports legislation that would limit the liability of a school district and school district representatives for the administering of prescription medication to students. (1999, amended 2013, 2016)

### S-14 — NUTRITION EDUCATION/STUDENT WELLNESS

NASB believes that wellness programs for schools should emphasize healthy lifestyles and eating habits, mindful of all eating disorders, as well as obesity. (2004)

### S-15 — SAFE SCHOOL ENVIRONMENT

NASB supports efforts to provide a school environment that is free from weapons, harassment, bullying, violence, drugs (including alcohol and tobacco), and other factors which threaten the safety of students and staff. (1997, amended 2012)

### S-16 — STATEWIDE POVERTY/TRAUMA FUNDING

NASB recognizes the growing number of public school students across the state that are living in impoverished conditions and/or with traumatic experiences. NASB supports the use of research-based science to strengthen policy, program design and funding that targets those impacted by persistent poverty and/or trauma. (2017)

### S-17 — STUDENT DISCIPLINE

NASB opposes legislative mandates related to student discipline. NASB supports student discipline as an essential, mutual responsibility of parents, teachers, and administrators, with final responsibility resting with school boards. (1999, amended 2019)

## CURRICULUM & INSTRUCTION

### S-18 — ACCESS TO EQUAL EDUCATION OPPORTUNITIES

NASB supports equal educational opportunities for all students, regardless of their race, wealth or family circumstance, and urges the Legislature, the State Department of Education, and boards of education to remove all barriers that may prevent any child from having full access to such education opportunities. (1995, amended 2009)

### S-19 — ACHIEVEMENT TEST SCORE USE

NASB opposes the use of test scores for the comparison of school districts or for the ranking of schools. (1998)

### S-20 — ASSESSMENT OF STUDENT LEARNING

NASB supports multiple approaches to assess student learning, with decisions on assessment made at the local district level, and opposes a single “high-stakes” testing procedure. (2001)

### S-21 — CULTURAL DIVERSITY

NASB urges all boards of education to support and implement curriculum which recognizes cultural diversity and enhances the knowledge of students about various ethnic and cultural backgrounds. (prior to 1995)

### S-22 — CURRICULUM ADOPTION

NASB opposes legislative mandates addressing curriculum and testing. NASB supports the adoption of curriculum by local school boards and the State Board of Education. (2019)

# STANDING POSITIONS

## S-23 — RESPONDING TO SPECIAL EDUCATION COSTS

NASB supports legislative efforts to give school districts that incur unforeseeable additional special education expenses assistance to alleviate cash flow problems. (2005)

## S-24 — STUDENT EXPRESSION

NASB supports the authority of the local boards of education and school administration to regulate the content of school-sponsored publications and curriculum. (1997, amended 2009)

## S-25 — TECHNOLOGY

NASB supports equal access to current technology for all school districts so they may engage all students in the curriculum, to equip them for an increasingly technological society and job market, and to provide them greater access to education services. (prior to 1995)

## FUNDING & FINANCE

## S-26 — ACCOUNTING OF FUNDS

NASB supports transparent accounting and full disclosure of all funds received and expended for public education consistent with federal regulations. (2005)

## S-27 — BUDGET LID: GROWTH FACTOR

NASB supports legislation which would establish an education expenditures “growth factor” which reflects the actual cost of providing a public education for school districts, learning communities, and ESUs. (2001, amended 2008)

## S-28 — COMPENSATION FOR STATEWIDE STANDARDS & ASSESSMENTS

NASB supports adequate funding to compensate school districts/ESUs for the cost of implementing and managing the statewide learning standards and assessments. (2008, amended 2009, 2013)

## S-29 — ELIMINATION OF BUDGET RESERVE LIMITS

NASB supports legislation that eliminates reserve limitation in the Tax Equity and Educational Opportunities Support Act and in debt service funds. (2000, amended 2001)

## S-30 — ELIMINATION OF EXPENDITURE LIMITATION

NASB supports legislation eliminating the limitation on general fund expenditures. (2000, amended 2011)

## S-31 — ESU CORE SERVICES FUNDING

NASB supports legislation to adequately fund Educational Service Units in a manner that allows successful implementation of statewide educational initiatives that are developed by law in conjunction with the Nebraska Department of Education. (2009, amended 2015)

## S-32 — FINANCING CAPITAL IMPROVEMENTS

NASB supports adequate funding for school districts and ESUs for maintenance or replacement of our rapidly deteriorating facilities. (1997, amended 2015)

## S-33 — FISCAL POLICY

NASB believes the Governor and Legislature must work together to create fiscal policy that will adequately fund public education statewide based upon the needs of students and not driven by a pre-set allocation of funds for education regardless of need. Nebraska demographics and student needs are dynamic, as are the changing education standards required to be competitive nationally and internationally. To meet this challenge, fiscal policy would be built upon a broad base with the lowest possible rates to provide stability in the tax base and revenue stream, provide local government with the tools to generate adequate financial resources, yet equalize financial support among taxpayers, and assure the principle of uniform assessment. (prior to 1995, amended 2009)

## S-34 — FOR-PROFIT ENTITIES OPERATING IN TAX-EXEMPT ZONES

NASB supports legislation to ensure equitable tax payments by for-profit business ventures operating on publicly owned or otherwise exempt property. (2003)

## S-35 — FUNDING OF MANDATED PROGRAMS

NASB urges full funding by the state and federal governments at statutory levels of all programs, standards, activities, and services mandated to public schools and ESUs by the Legislature and Congress, and further urges that any unfunded mandates allow authority for supplementary appropriations or outside levy lid funding. (1997, amended 2012, 2017, 2019)

## S-36 — FUNDING: SCHOOL DISTRICT INFRASTRUCTURE, SITE PURCHASES AND BUILDING OPERATING EXPENSES

NASB supports legislation that would provide an alternative to property taxes for financing facility development, maintenance, and operation. (2003)

## S-37 — GENERAL FUND RESERVE LIMIT EXCEPTION

NASB supports legislation that would not allow school districts to be penalized or state aid to be adjusted, to a school disadvantage, when any type of error or correction is made in calculating the state aid formula. (1999, amended 2016)

## S-38 — INCLUDING GIFTS, DONATIONS, OR FOUNDATION FUNDS AS RECEIVABLES

NASB opposes the inclusion of gifts, endorsements, donations, or foundation expenditures that are not regular operating expenses in the calculation of receivables in the state aid formula. (2000)

# STANDING POSITIONS

## S-39 — K-12 SCHOOL TRUST LAND AND PERMANENT SCHOOL FUND

NASB opposes reduction of any assets of the school trust or diversion of the Permanent School Fund. (prior to 1995, amended 2010)

## S-40 — LEGISLATION IMPLEMENTATION

NASB supports the concept that any legislative bill that limits financial resources, or requires additional financial resources, is done within a timeframe that will not negatively affect the school's ability to prepare their budget. (1997, amended 2015, 2017, 2019)

## S-41 — LEGISLATIVE REVIEW OF STATUTORY DEADLINES

NASB urges legislative review of the conflicting mandatory deadlines that affect school revenues and expenditures. (2011)

## S-42 — PROPERTY TAX REFORM/RELIEF

Any legislative discussion on property tax and distribution of state aid should include participation from school board and ESU board members. (2015)

## S-43 — REVENUE REDUCTIONS FOR SCHOOL DISTRICTS AFFECTED BY PROPERTY VALUATION LOSSES

NASB supports legislation that would create a hold harmless effect for districts which experience a decrease in valuation. (2004)

## S-44 — SCHOOL DISTRICT OPTIONS IN DEALING WITH LARGE, UNANTICIPATED REVENUES

NASB supports legislation giving school boards options in dealing with large, unanticipated revenue increases in order to minimize fluctuations in state aid. (2000)

## S-45 — STATE FUNDING SYSTEM

NASB supports a stable, predictable, equitable, and adequate statewide education funding system that honors the Legislature's commitment to provide for free instruction in the common schools of this state, as guaranteed by the Nebraska Constitution, by prioritizing education funding in the state budget, and that:

- Invests in the education of all Nebraska public school children;
- Establishes a state fund or funding mechanism that assists Nebraska public schools with the costs of maintaining and constructing facilities;
- Reduces our dependence on local property taxes by drawing revenue from multiple funding sources;
- Promotes the responsibility of locally elected school boards to make sound, transparent school budget decisions;
- Provides funding in a timely and predictable manner;
- Includes the principle of equalization;
- Funds the total excess allowable costs for special education and support services; and
- Recognizes that a long-term solution to education funding will require an ongoing, collaborative effort to execute a

vision and strategic plan to grow and diversify our economy. (1997, amended 2009, 2018)

## S-46 — USE OF A UNIFORM VALUATION CALCULATION TO DETERMINE LOCAL RESOURCES AND STATE AID

NASB supports a property tax assessment system that utilizes uniform accounting practices to determine the property valuation number from which local and state officials can calculate both the local resources available to fund schools from property taxes, and the resulting calculation of state aid payments to school districts. (2003)

## GOVERNANCE & STRUCTURE

### S-47 — ACCOUNTABILITY

NASB believes that boards of education are accountable to students, parents, taxpayers, and employees for providing education programs, striving for education excellence, identifying education needs, adopting clearly defined written policies, measuring the success of instruction programs, and interpreting and disseminating information to the public through a public relations plan. (prior to 1995)

### S-48 — ALLIED SCHOOLS

NASB opposes legislation that would mandate the formation of an allied system of school districts. (2014, amended 2016)

### S-49 — AMEND OPEN MEETINGS ACT FOR EVALUATIONS

NASB supports legislation to allow boards to go into executive session to discuss superintendent evaluations and/or for the narrowing down of superintendent candidates. (2017)

### S-50 — AUTHORITY OF SCHOOL BOARDS

NASB supports the authority of boards of education to effectively govern and execute their statutory responsibilities. (1997, amended 2015)

### S-51 — CHARTER SCHOOLS

NASB believes that any charter schools, or the like, involved with any aspect of K-12 education be authorized by a public school district, be located within the boundaries of such public school district and be accountable to the authorizing district for their student achievement, finances and operations. (1998, amended 2015)

### S-52 — DUTIES OF SCHOOLS

NASB believes that the primary function of Nebraska schools should be the education of students and that the Legislature should be discouraged from placing duties on school districts which are not directly related to education. (prior to 1995)

### S-53 — EDUCATIONAL SERVICE UNIT GOVERNANCE

NASB supports governance of ESUs by elected boards and supports local determination of specific mechanisms of that governance. (2005)

# STANDING POSITIONS

## PROFESSIONAL STANDARDS & EMPLOYEE RELATIONS

**S-54 — EDUCATIONAL SERVICE UNIT REORGANIZATION**  
NASB supports the continuation of ESUs as an effective means of delivering educational services to school districts and their students. Any reforms would provide for a statutory hold harmless provision in the distribution formula for Core Service funding when an Equity Unit reorganizes with any other ESU, and must be mindful of ESUs' essential role of delivering direct services and being responsible to the local school districts they serve. (2004, amended 2005)

**S-55 — INTERACTIVE REMOTE COMMUNICATION TECHNOLOGY (TELEVIDEO)**  
NASB urges the legislature to provide updated rules and procedures so patrons are able to readily testify at legislative hearings via televideo (interactive remote communication technology) on a regular, ongoing basis to allow for a more equitable opportunity for the public to participate in the legislative process. (2017)

**S-56 — ORGANIZATION**  
NASB opposes legislation that would mandate consolidation of districts or administration. NASB favors cooperation between school districts as well as ESUs to remove all barriers and penalties to promote orderly and voluntary reorganization into more efficient governing and administrative units to best serve the educational needs of Nebraska's children. (prior to 1995, amended 2008, 2015, 2017, amended 2019)

**S-57 — PERSONAL LIABILITY**  
NASB opposes unnecessary laws which make individual members of a governing board of a political subdivision personally liable for damage judgements which result from lawsuits filed against the political subdivision. (prior to 1995, amended 2015)

**S-58 — RESTRICTION OF RESOURCES AND BOARD RESPONSIBILITIES**  
NASB supports legislation allowing local boards to function as elected officials and to continue to establish policies, including finance policies, as representatives of the constituents who elected them. (1997)

**S-59 — SCHOOL ACTIVITIES**  
NASB supports direct involvement by boards of education in the governance and activities of the Nebraska School Activities Association. (prior to 1995)

**S-60 — SCHOOL CALENDARS**  
NASB opposes state mandated uniform opening and closing dates for local school districts. (prior to 1995)

### S-61 — ACTIVITY ASSIGNMENTS

NASB opposes legislation that would require a separate written employment contract for coaching or any other activity assignment that would require that a person be notified by a specified date of the termination of an assignment for the following year. (1999)

### S-62 — COMPENSATION

NASB will support a concept of compensation for teachers which is not based solely upon the experience and education attainment of teachers as found on standard salary schedules. (1995)

### S-63 — CRIMINAL BACKGROUND CHECKS

NASB supports legislation which would aid public schools and ESUs in obtaining criminal background history information on prospective and current employees, and personnel provided through any contract service provider or anyone working on school property. (1999, amended 2006)

### S-64 — EMPLOYEE BONUSES AND INCENTIVES

NASB supports legislation creating a comprehensive plan to recruit, retain and reward highly qualified individuals for teaching professions throughout the state, including offering incentives to encourage employees to sign a contract of employment. (2001, amended 2015)

### S-65 — MEDICAL INSURANCE

NASB supports the concept of exploring alternatives to the costs of health insurance for the purpose of assuring the greatest allocation of our financial resources to education programs and services for children. (prior to 1995, amended 2003)

### S-66 — RECOGNITION

NASB urges local school boards to develop and implement programs which recognize individuals for significant accomplishments and community service, experience, and competency. (prior to 1995, amended 2014)

### S-67 — RETIREMENT

NASB supports legislation to assure a retirement system that is sound, adequate, and sustainable for school districts and ESUs. (prior to 1995, amended 2012)

### S-68 — SCOPE OF BARGAINING

NASB believes negotiations with employees should be limited to matters of employee salaries and fringe benefits, and opposes any attempt to broaden the scope of negotiations to include matters of policy and management rights. (prior to 1995)

# STANDING POSITIONS

## S-69 — STAFF DEVELOPMENT AND EVALUATION

NASB supports in-service training, enrichment programs, and continuing education for professional staff. Regular evaluations of performance, competency in the subject areas, and demonstrated ability to instruct or manage, in part as shown through student performance, should be conducted to promote professional growth. (1995)

## STATE POLICY

### S-70 — ADVISORY GROUPS

NASB requests that there be board of education representatives on all government commissions, councils, and committees which could have an impact on local school district policy or finance. (1995)

### S-67 — CHOICE AND AFFILIATION

NASB supports the concepts of choice and affiliation among public schools as a means to maximize education opportunity. NASB believes any such program should result in the least amount of disruption and uncertainty for the affected school districts. (1995)

### S-68 — CONSTITUTIONAL RIGHTS AND RESPONSIBILITIES

NASB, and school board members, fully supports the U.S. Constitution and the rights and responsibilities embodied within it. NASB therefore supports education and behavior that teaches and models expression of these rights and responsibilities. (2009, amended 2015)

### S-69 — CORPORATE SPONSORSHIPS IN SCHOOLS

NASB opposes restrictions on school districts' ability to exercise their best judgment in entering into corporate sponsorship agreements. (2004)

### S-70 — EDUCATIONAL SERVICE UNITS

NASB supports Educational Service Units as an effective and efficient means to provide educational services to local school districts. ESUs should be responsible to the local school boards they serve. (1997)

### S-71 — GUIDING THE P-16 EFFORT: 21ST CENTURY SKILLS

NASB urges state and local policymakers to forge a new working relationship in redesigning Nebraska's public education system for the 21st century, with a focus on improving student achievement and holding each level of the system accountable, from preschool through post-secondary education or training, in a manner that:

- a) Promotes multi-level communication and interaction between all P-16 partners to enhance student academic success;
- b) Offers all students a rigorous developmentally-appropriate curriculum designed to provide opportunities and choice, regardless of the post-secondary path they choose;
- c) Engages the assets of the full community;
- d) Utilizes data and technology to individualize education for students and to incorporate new learning into the design;
- e) Closes the achievement gap by focusing on quality teaching and learning opportunities;

f) Implements standards-based education fully in a seamless curriculum, so one level of the system builds on the next and the end result is known and understood from the beginning;

g) Provides sufficient resources that are adequate and sustainable at every level of the system to meet the challenge, resisting unfunded or underfunded mandates; and

h) Preserves the ability of local school boards and their communities to address local needs and challenges in a flexible manner using a variety of options. (2009, amended 2016)

### S-72 — INDEPENDENT SCHOOL DISTRICTS

NASB supports the independence of established PK-12 school districts and also supports the cooperation and equalization of opportunity among school districts within learning communities. NASB believes that any legislation introduced impacting school districts or learning communities should seek to give districts and learning communities equalized resources. Any legislation should also allow these independent districts to maintain their right to governance, district curriculum, and the allocation of resources. (2006, amended 2013)

### S-73 — LOCAL CONTROL FOR PUBLIC PK-12 SCHOOLS

NASB believes public PK-12 systems should be organized to serve communities throughout Nebraska without arbitrary size limits or a single model, which would not fit our state's varied communities. NASB opposes legislating arbitrary size limits and will work to remedy such limits currently in statute. (2006, amended 2013)

### S-74 — LOCAL DISTRICT ADVOCACY

NASB supports the right and obligation of local school districts to advocate for legislative action that impacts their individual interests. (1996)

### S-75 — NDE AUTHORITY

NASB opposes attempts by the legislature to preempt the statutory authority of the Nebraska State Board of Education to be the policy-forming, planning and evaluative body for Nebraska schools. (2017)

### S-76 — NONPUBLIC SCHOOLS STANDARDS

NASB believes that nonpublic schools should have the same state standards as the public schools, including school approval, accreditation, teacher certification and endorsement, and safety standards. (prior to 1995)

### S-77 — POLICY LEADERSHIP & VISION ON THE FUTURE OF NEBRASKA'S PK-12 SCHOOLS

NASB supports efforts to bring policy makers of the executive and legislative branches, educators, school boards, learning community coordinating councils, and ESU boards, and citizens together to determine the best course for the future delivery of PK-12 education to the students of the state. NASB boards emphasize increasing student achievement through governance structures that are clear, efficient, and controlled by the local district. (2003, amended 2008, 2010, 2013)

# DELEGATE ASSEMBLY RULES OF PROCEDURE

## I. SPEAKING PROCEDURES

- A. Voting delegates must be connected via Zoom link and visual during the virtual Delegate Assembly.
- B. Delegates wishing to speak on a topic will use the Raise Hand option in Zoom. Once you have raised your hand, please wait for President Higgins to address you so you can address the assembly.
- C. A voting delegate will only be able to speak for 3 minutes at one time on any question under discussion and only twice on the same question.
- D. All motions will be entered into the Chat Box located within Zoom so the assembly can see the motion presented.
- E. No resolution and/or standing position may be open for discussion for more than 30 minutes and President Higgins will choose the order to which delegates can speak once the Raise Hand option is selected by a delegate.

## II. STANDING POSITIONS

- A. Standing positions are statements of policy and purpose of NASB.
  1. Standing positions, once adopted, remain in effect until repealed or amended, and direct the ongoing goals and objectives of the Association.
  2. Standing positions may be submitted by member boards or by any director of the Association to the Legislation Committee.
  3. The Committee shall study all proposals submitted and make recommendations regarding such proposals to the NASB Board of Directors.
  4. The Committee recommendations, forwarded by the Board, shall be distributed to the membership prior to the annual meeting of the Delegate Assembly.
- B. Proposed standing positions which are not submitted in accordance with these provisions of NASB, or which have been submitted but are not recommended by the Board of Directors, may be considered by the Delegate Assembly if two-thirds (2/3) of the delegates present and voting vote to consider such proposed standing positions.

## III. RESOLUTIONS

- A. Resolutions are statements of intended and desired legislative action on items of current needs or problems.
  1. Resolutions are in effect for one (1) year, or until the next annual Delegate Assembly, and direct the organization and its staff in their legislative efforts with each annual session of the Legislature.
  2. Resolutions shall be formulated by the Legislation Committee at least ninety (90) days prior to the annual Delegate Assembly.
  3. Resolutions may be submitted by member boards or by any director of the Association to the Legislation Committee.
  4. The Committee shall study all proposals submitted and make recommendations regarding such proposals to the NASB Board of Directors.
  5. The Committee recommendations, when approved by the Board of Directors, shall be distributed to the membership at least thirty-five (35) days prior to the annual meeting of the Delegate Assembly.
- B. Proposed resolutions which are not submitted in accordance with these provisions of NASB, or which have been submitted but are not recommended by the Board of Directors, may be considered by the Delegate Assembly if two-thirds (2/3) of the delegates present and voting vote to consider such proposed resolutions.



# Important COVID-19 terms cheat sheet

Along with extended school closures, the COVID-19 pandemic has brought along many new terms that are not only used in the school context, but everyday life. Although you may have heard these terms before, it's important to understand exactly what these terms mean, especially with the reopening of schools in SY 2020-21.

**1. COVID-19** is the abbreviation for the disease caused by the novel coronavirus (SARS-CoV-2) first identified in Wuhan, China in late 2019. Symptoms tend to appear up to 14 days after exposure to the virus and may include fever, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, and gastrointestinal issues. The highly contagious nature of the disease, combined with its rapid spread and potentially deadly impact on certain populations, prompted districts across the country to end school-based instruction and switch to distance learning in the spring of 2020.

**2. Epidemic** means a widespread occurrence of an infectious disease that affects many people at the same time. If an epidemic escalates, it may become a pandemic.

**3. Pandemic** means a global outbreak of serious illness in people. A pandemic may be caused by a virus or other pathogen that most people have no natural immunity to and can easily be spread from person to person.

**4. Self-isolation** means the separation of a person who believes she has been exposed to a communicable disease, but is not yet symptomatic, from others who have not been exposed to prevent the possible spread of the communicable disease. Self-isolation may be voluntary or compelled by a federal, state, or local public health order.

**5. Social distancing** means a practice which is intended to stop or slow the spread of communicable diseases and is recommended by health-care officials. Under this practice, individuals avoid group settings, avoid mass gatherings, and stay approximately 6 feet away from others when possible.

**6. Cloth face covering** means a washable and reusable piece of cloth worn over the nose and

mouth and secured with ties around the head or loops over the ears. Cloth face coverings are a public safety measure intended to reduce the spread of the virus that causes COVID-19. The term includes face coverings made with a sewing machine, no-sew face coverings made of folded fabric and elastic loops, and handkerchiefs or bandanas tied around the back of the head. It does not include surgical masks or N95 respirators. According to the Centers for Disease Control and Prevention, cloth face coverings should not be worn by children under the age of 2, individuals who have trouble breathing, or individuals who cannot remove a face covering without assistance.

**7. N95 respirator** means a tight-fitting disposable mask worn over the nose and mouth that reduces exposure to large droplets and small particle aerosols, including the virus that causes COVID-19. N95 respirators are commonly used by medical professionals.

**8. Surgical mask** means a loose-fitting disposable mask intended to give the wearer protection against large droplets, splashes, or sprays of bodily fluids. It does not protect the wearer against airborne particles, but it may protect others from exposure to the virus that causes COVID-19. Although they can be purchased by the general public, surgical masks are most commonly worn by medical personnel.

**9. Distance learning** means generally the transmission of educational or instructional programming to geographically dispersed individuals and groups via telecommunications or a computer network.

**10. Teleservices** is a general term to describe services, including speech therapy services, school health services, and occupational therapy services, provided via telecommunications technology, including the Internet, when the provider and student are in different locations. It may also refer to consultation services provided via such technology when the provider and consulting staff member are in different locations. The term does not include audio-only telephone calls, email messages, or fax transmissions. ■

RESOLUTION

WHEREAS, Educational Service Unit Number 7 (“ESU 7”) anticipates that it may need to temporarily close its operations at some point for health and safety reasons; and,

WHEREAS, if ESU 7 closes on a temporary basis, then ESU 7 employees who work on an hourly, exempt and/or non-exempt basis may not be able to work at ESU 7; and/or

WHEREAS, after advisement from local health departments, ESU 7’s hourly, exempt and/or non-exempt employees are asked to self-quarantine; and

WHEREAS, it is in the best interests of ESU 7 to pay ESU 7’s hourly, exempt and/or non-exempt employees while ESU 7 is temporarily closed for a variety of reasons, namely: to ensure that said ESU 7 employees do not leave employment during the temporary closure, to avoid the spread of any illness to other employees, for staff morale, to comply with its own and school district obligations under the federal CARES Act, and for other legitimate reasons.

NOW, THEREFORE, BE IT RESOLVED that, in the event of the temporary closure of ESU 7 or any of its member schools to which it provides services, and/or during a health department recommended self-quarantine when another negotiated agreement provision or contract leave isn’t applicable, the ESU 7 Administrator is hereby authorized to provide paid leave due to COVID-19 closure to ESU 7 hourly, exempt, and/or non-exempt employees in an amount that the ESU 7 Administrator deems fair and reasonable, but not to exceed such employee’s customary and regular pay, for up to eight (8) weeks during the self-quarantine/temporary closure.

If the ESU 7 operations continue to be closed after four (4) weeks, then the Board shall reconvene and determine what authority, if any, the ESU 7 Administrator has to continue paying ESU 7 hourly, exempt and/or non-exempt employees during the temporary self-quarantine/closure.

The foregoing Resolution having been read in its entirety, Member \_\_\_\_\_ moved for their passage and adoption. Member \_\_\_\_\_ seconded same.

After discussion and on roll call vote the following members voted in favor of passage and adoption of the above Resolution:

\_\_\_\_\_.

The following members voted against the same:

\_\_\_\_\_.

The following members were absent or not voting:\_\_\_\_\_.

The above Resolution having been consented to by a majority of the quorum of the Board, it was declared as passed and adopted by the President at a duly held and lawfully convened meeting in full compliance with the Nebraska Open Meetings law.

DATED this 19th day of October, 2020.

EDUCATIONAL SERVICE UNIT 7

ATTEST:

BY: \_\_\_\_\_  
President

\_\_\_\_\_  
Secretary



# ESU 7 Goals

## Board of Directors

- Goal 1: Use of Data for Quality and Efficiency: The Board will use data to ensure quality and efficiency of current and future services to its stakeholders (students, educators, parents, and community).
- Goal 2: Behavioral Health Programming: The Board will explore the potential expansion of educational behavioral health programming.
- Goal 3: Financial Projections: The Board will examine short and long term financial projections to ensure long term financial stability.
- Goal 4: Updates to Policy Manual: The Board will work to update and streamline the policy manual.

## Administrator

- Goal 1: Develop and deploy a Board Self-Assessment tool to use in establishment of Board goals.
- Goal 2: Establish partnerships with local media to assist in communicating ESU 7 services and supports to school districts in the ESU 7 area.
- Goal 3: Engage in strategic communication efforts to and among staff and stakeholders regarding programs and services.

## Agency Team

- Goal 1: During the 20-21 school year, the Agency Team will revise and implement the Return to Services/School Plan to address concerns presented by our staff and schools.
- Goal 2: Implementing processes

## Departments

- Administration: Communication - By May 2021 the Admin Team will have a communication system in place and will use it effectively. Common Invoicing System - By May 2021 will have similar or combined invoicing systems agency wide.
- Cen7ter: The jobsite component of the Cen7ter program will be reorganized to be accessible and beneficial for all Cen7ter staff by May 2021.
- Early Childhood: Our department selected staffing and retaining staff as our goal, so we can maintain a fully staffed EC team. By May 2021 we will have 3 things our Team can do to encourage new team members to stay and 3 things we can share with the Agency team to encourage retention for employees.
- Grants: By May 2021, the Grants Team will devise a plan to describe and disseminate individual services which are provided by the grant dept.



*Serving the schools of Boone, Butler, Colfax, Merrick, Nance, Platte, and Polk counties*

- Learning Academy: During the 36 weeks of instruction, Learning Academy staff will improve our ability to identify and meet student academic, behavioral, and mental health needs.
- Mental Health: To strengthen the foundation and awareness of the Mental Health Department by clarifying therapeutic roles, exceptions and ways to support districts needs through the MTSS framework
- Migrant: Increase the percentage of eligible migrant students receiving instructional services during the regular school year.
- Production: Create a process to eliminate the need for multiple teacher interactions for clarifying ordering and picking up materials.
- Professional Development: By May of 2021, develop and implement a procedure for hosting hybrid professional development sessions.
- Psychology: During the 2020-21 academic year, we will work as a department with our school districts to complete valid, reliable, and ethical evaluations.
- Speech: By the end of the 2020-2021 school year, the SLPs will create individual plans for service delivery by meeting 4/4 objectives at a proficient or distinguished level.
- Technology: During the 20 - 21 school year, the technology department will work toward equalizing technology knowledge and abilities among team members.
- Vision: By May 2021, the vision team will create a google document with each team member providing 1 resource monthly of ideas to provide students with visual impairments services when in-person instruction is not an option.



## COVID-19 Funding and FY21 Funding

*We have two sets of federal funding talking points: one specific to the next COVID package and what schools will need, and one specific to the annual appropriations for federal fiscal year 2021 (FY21).*

### COVID-19 Emergency Funding

As part of our ongoing advocacy related to the federal response to the COVID pandemic and federal support for schools, AESA has a very clear policy and funding priorities for the emergency appropriations package, which are outlined below.

#### **Talking Points**

- Congress must include \$200 billion in funding dedicated to K12 education, funding that will be critical in the ability of school districts to educate students this fall safely. The funding should retain the flexibility of the CARES Act funding, with broad uses spanning from health and safety for staff and students to staff retention and PPE. This funding could be split between \$175 billion for state education stabilization funds and \$25 billion for categorical programs like Title I and IDEA.
- Urge Congress to include \$4 billion in funding to and through the E-Rate program to help ESAs and school districts address the homework gap and to ensure all students have equitable access to affordable internet at home, a critical need in an era of remote and blended learning.
- Ensure the inclusion of State maintenance of effort language to prevent states from cutting state education funding and using federal emergency funding to backfill the gaps.

### FY21 Appropriations

The federal fiscal year 2021 (FY21) will start October 1, 2020, and represents federal dollars that will be in the nation's schools for the 2021-22 school year. FY 2021 is the last year that there are caps on discretionary spending, stemming from the Budget Control Act of 2011. The overall budget for FY21 was set as part of a two-year budget in 2020. With the overall budget numbers set, the detail right now lies with process and politics. For our slice of the funding pie (the Labor Health Human Services, LHHS, bill) there is next to no additional money, and even that allocated increase has been spent/accounted for related to other (non-education) costs, setting up a very real scenario where level funding of our key programs is a win. Neither chamber was able to complete their funding work on time, and they have agreed to—and the House has passed—a continuing resolution to fund the government through December 11. It is level funding for education. Critically, it does include nearly \$8 billion for two nutrition provisions that are essential to feeding kids and families during the COVID-19 pandemic: The bill expands Pandemic EBT and extends it through the end of the current school year and the bill gives the USDA the authority and funding to extend waivers that give schools and community organizations much-needed flexibility for how they serve meals during the pandemic. This legislation removes the last roadblock to USDA extending these waivers through the end of the current school year.

#### **Talking Points**

- Thank your members of Congress for the final FY20 package, which included modest increases to the U.S. Department of Education, a critical investment that worked to restore the continued pressure of recession cuts.
- We oppose any effort to direct public dollars to private education. We oppose all vouchers and privatization schema. We ask Congress to continue to prioritize investment in critical formula programs designed to level the playing field, including IDEA, Title I, and Title IV.
- Education is a continual investment. Investing in education builds a stronger nation. We need a well-trained and educated workforce ready to compete in a global economy and support our military.



## **Education Technology/Homework Gap**

The COVID-19 pandemic has blown wide-open one of the nation's worst kept secrets: the inequity with which students are not able to access the internet at home – known as the "homework gap." Even before the COVID-19 pandemic, the homework gap was experienced by up to 12 million K-12 students who couldn't finish their schoolwork from home because they lacked internet access. COVID-19 has created a new reality; schools have physically closed their doors and moved classes online, leaving students without the internet behind.

The inequity among students experiencing the homework gap is stark. According to Pew Research: 37% of rural Americans do not have broadband internet access at home; 35% of students from households with annual incomes below \$30,000 do not have access to high-speed internet at home, and 25% of African-American households and 23% of Hispanic households with school-age children do not have access to high-speed internet at home.

E-Rate is a longstanding, bipartisan universal service program that provides more than \$4 billion in discounts annually on broadband and Wi-Fi to K-12 public and private schools and public libraries. E-Rate does not support home Internet access service and distance learning technology currently, but a 2010 FCC pilot allowed home Internet access service. E-Rate's funding does not come from federal appropriations but through the universal service fund, which is funded via fees assessed on consumer interstate and international phone calls. The FCC's E-rate program is uniquely positioned, as the only federal program that supports schools and public libraries with connectivity, to be used to quickly and efficiently address the homework gap.

The E-rate operates under strong guardrails that ensure the program integrity that funds are accurately and appropriately disbursed.

### ***Talking Points***

- Nearly 12 million students are unable to engage in remote learning because they lack internet access. Congress must address this homework gap in its next COVID package.
- Congress must invest \$4 billion in funding to and through the existing E-Rate program to best support equitable access to affordable internet.
- The FCC can quickly and easily make changes to help get appropriate emergency E-rate funds out specifically for the homework gap to connect students to the internet while their school buildings are closed.
- It is both efficient and expedient to move federal dollars through an already existing proven program. It is much easier to use an existing program than "start from scratch" during an emergency. Schools and libraries know the E-rate. Introducing a new program during this COVID-19 emergency saddles them with more bureaucracy and delay – the opposite of what is needed.



## IDEA Flexibility

The CARES Act created the opportunity for the U.S. Department of Education to recommend that Congress enact specific IDEA flexibilities for districts providing special education services during COVID-19. Unfortunately, the DeVos Administration only chose to recommend one flexibility to Congress related to Part C to Part B transition and stated they did not believe any additional flexibility regarding timelines, financial requirements, or due process was necessary. This unfortunate response, coupled with the overwhelming and well-organized response by the disability community to oppose any flexibility—regardless of merit—since the pandemic began, poses significant challenges to our advocacy on Capitol Hill.

Without some practical and necessary flexibility for districts to meet both the core and administratively burdensome tenets of IDEA—ranging from the least restrictive environment mandate to meeting initial evaluation timelines—districts will be exposed to considerable litigation from parents who will be able to successfully argue that the district is out of compliance with IDEA.

### ***Talking Points***

- It is critical that Congress provide practical, narrow flexibility in how ESAs and the districts they serve meet some of the requirements under IDEA and to ensure that school personnel who are unable to meet every timeline provide the same quality and quantity of services to students virtually and meet other administrative requirements in the law during the pandemic, are not automatically subject to potential litigation for failure to fully implement this complex and underfunded federal law.
- ESAs and Districts need pandemic-specific liability protection that ensures that as long as school personnel document that they have made reasonable and measurable efforts to provide FAPE to students and have not engaged in discrimination, bad faith, or gross misjudgment that they not be sued for their inability to meet IDEA.
- Congress should also provide districts with a local waiver to reduce IDEA spending. Unlike Title I, IDEA has a 100% maintenance of effort requirement and no opportunity for a local waiver due to a precipitous decline in financial resources. This is hitting districts in two ways:
  - During the 2019-2020 school year, some districts redirected money that they had budgeted to spend on special education towards other sudden, emerging needs like technology purchases and food delivery, therefore not spending everything they intended to spend for special education programming.
  - Many districts are anticipating that local revenue losses will be severe and coupled with state declines that they will be unable to spend the exact same amount of funding they did on special education and related services in the 2020-2021 school year as they did in the 2019-2020 school year.
    - As long as budget cuts for special education spending are proportional to other program cuts in the district, districts must be allowed to reduce their special education spending by up to 20%.



## Child Nutrition

In the face of nationwide school closures due to the Coronavirus pandemic, education service agencies have spent their time on the front lines providing critical services for their local communities. One of the most notable examples of this work has been our public school systems' continued operation of the federal School Lunch and Breakfast Programs.

To ensure that our families and students have a reliable source of food security throughout this pandemic and that their needs are being met as communities continue to strategize on how to reopen, ESAs and the districts they serve have implemented innovative fiscal and policy solutions (e.g., meal delivery, off-school pop-up sites, and alternative meal feeding patterns) in an effort to meet the breadth of this unprecedented moment. While we appreciate and acknowledge that this would not have been feasible without Congress' quick action in passing the Families First Coronavirus Response and CARES Acts, we implore Congress to take the actions listed below to prevent our districts from tapping into fund balances and drawing upon lines of credit to sustain their foodservice operations.

### **Talking Points**

- We appreciate the House's bi-partisan efforts to include nearly \$8 billion for two nutrition provisions that are essential to feeding kids and families during the COVID-19 pandemic: pandemic EBT and extending child nutrition waivers through the end of the 2020-21 school year (*for more detail, see appropriations talking points*). As such, we urge the Senate to immediately pass the continuing resolution as drafted to ensure students and families can access meals for the duration of the pandemic.
- Given the rise in unemployment and poverty, education service agencies must be given the flexibility to qualify for the Community Eligibility Provision (CEP) based upon student free and reduced-price lunch data from the past three years. By including this provision in the next COVID-19 relief package, Congress will be able to ensure the program's integrity and incentivize greater participation in CEP by school districts.
- Congress must dedicate \$2.6 billion to mitigate a portion of the estimated financial loss that school nutrition programs experienced between March to June of 2020. Allocating these funds will be a critical step in making school nutrition programs financially solvent and to maintain the integrity of essential food security programs as the recovery process begins.



## **Liability Protection**

The multi-faceted nature of reopening the nation's schools this fall, post-COVID is well documented: beyond the obvious health and safety concerns, districts have to rethink and revamp virtually all aspects of district operations, from transportation and sanitation to classroom instruction and attendance and staffing patterns. This means that school will look—and feel—very different for staff, students, and families.

Facing immense pressure, and rising to the challenge and doing their best to reopen schools in a manner consistent with Center for Disease Control (CDC) guidance and other state/local health agency recommendations, schools need temporary and targeted liability relief legislation related to the COVID-19 pandemic, allowing them to do the important work of reopening without fear of excessive liability. Such protections will be critical to businesses, non-profit organizations, and healthcare providers and facilities, as we work to recover from this pandemic.

As school systems prepare to help the country with this major step in emerging from the pandemic, they are also concerned that despite doing their best to follow applicable state and federal health guidelines, they will be forced to defend against an onslaught of frivolous lawsuits. The prospect of such litigation and significant related costs are a very real concern. Any such litigation of this manner would disrupt the school district's budget, a budget likely to have already been cut and squeezed in response to the pandemic and related state and local funding cuts. Absent a targeted safe harbor for those that work to follow applicable guidelines, the fear and uncertainty from unlimited liability threatens to impede our country's social and economic recovery. In the wake of prior crises, Congress came together to pass timely and targeted liability protections for employers with strong bipartisan support because lawmakers understood the acute economic threat of lawsuits at moments of maximum economic vulnerability. School districts need similar liability protection.

### ***Talking Points***

- As Congress moves forward in its efforts to enact temporary liability protections for employers that work to follow applicable public health guidelines against COVID-19 exposure claims, that public school systems, including ESAs and other educational institutions, be included in such protections.
- In asking for these liability protections, we think they should be limited in scope and preserve recourse for those harmed by truly bad actors who engage in egregious misconduct.
- Now is the time for Congress to take strong action to stop a growing wave of lawsuits from getting in the way of what we all want and need: healthy citizens and a strong economy.



### **COVID Funding for Private Schools and Vouchers**

AESA recognizes the hardship many students and families are currently facing because of the COVID-19 pandemic regardless of the type of school they attend. But during this challenging time, it is imperative that the federal government focus on providing more resources to our public schools, which serve the vast majority of our nation's students, particularly students from under-resourced communities and students of color, rather than siphoning limited resources to private schools.

All three Republican bills that have been introduced in the Senate contain unprecedented levels of direct aid for private schools. In the CARES Act, Congress has already provided private schools with billions of dollars in relief funds, including wealthy schools with high tuition, large endowments, and affluent students. These bills would give even more money to private schools by setting aside 10% of the public school funding for direct grants to private schools. According to the analysis of the data released by the Treasury Department that cataloged PPP recipients of loans over \$150,000, at least 5,678 private schools have received funding totaling between \$2.67 billion and \$6.47 billion. In contrast, public schools, which are excluded from accessing PPP funding, have only received \$13 billion in direct aid under the CARES Act despite educating more than 50 million students

In addition, Republicans support additional federal emergency relief funding to existing state tax credit voucher programs. They also support creating a new federal tax credit voucher program funded at \$5 billion a year for two years that would provide funding to parents to homeschool their child or attend a private school if the pandemic has impacted their child's education. They also support amending the 529 college savings program to allow parents who homeschool their children to receive tax benefits.

Private school voucher programs undermine our nation's public schools by diverting desperately needed resources away from the public school system to fund the education of a few, select students in private, often religious schools. Furthermore, this scheme is not designed to address pressing issues schools and students are facing due to COVID-19, such as assisting schools to reopen their buildings safely; instead, the proposal is merely exploiting the pandemic in an attempt to pass a federally funded voucher program that Congress would otherwise be unable to pass as a standalone bill.

#### **Talking Points**

- Public schools now face mounting costs to ensure that students can safely and appropriately receive the education and services they need, while at the same time, these schools are facing significant revenue loss at the state and local levels as a result of the economic recession.
- Congress should not direct funding away from our public schools to fund private schools. If we do not sufficiently fund our public schools, there is no fallback.



- States cannot create brand new voucher programs and dilute state tax revenue to support existing voucher programs. While there can be disagreement on the merit of school vouchers, the pandemic is not the time to build these programs when capacity is at an all-time low.



2019-20

## Nebraska ESUCC Cooperative Purchasing Sales & Savings By ESU

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<u>ESU #</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
00	\$373,975.43	\$276,505.70	\$93,600.02
01	\$2,448,045.42	\$1,988,015.76	\$476,909.14
02	\$2,263,947.99	\$1,796,642.40	\$477,814.02
03	\$2,758,633.69	\$2,146,083.08	\$638,676.03
04	\$972,687.35	\$733,737.32	\$238,159.32
05	\$846,973.34	\$688,998.67	\$161,307.97
06	\$2,217,166.72	\$1,704,946.06	\$549,330.85
07	\$1,494,536.53	\$1,131,289.33	\$358,682.73
08	\$1,040,456.13	\$781,694.95	\$255,243.10
09	\$890,002.54	\$680,360.86	\$219,834.88
10	\$2,663,715.15	\$1,977,240.72	\$694,904.41



2019-20

## Nebraska ESUCC Cooperative Purchasing Sales & Savings By ESU

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<u>ESU #</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
11	\$934,515.02	\$716,108.95	\$213,232.51
13	\$1,057,164.66	\$771,792.83	\$281,014.43
15	\$269,239.76	\$187,190.85	\$79,132.86
16	\$405,868.98	\$297,710.50	\$105,644.01
17	\$326,460.54	\$240,153.80	\$83,609.40
18	\$70,657.30	\$50,439.25	\$20,218.05
19	\$388,234.39	\$301,538.88	\$85,792.63
20	\$275,490.60	\$219,898.03	\$66,450.28
CC	\$27,022.22	\$22,402.35	\$4,025.94
<b><u>Grand Totals</u></b>	<b><u>\$21,724,793.77</u></b>	<b><u>\$16,712,750.28</u></b>	<b><u>\$5,103,582.59</u></b>

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2019-20

## Nebraska ESUCC Cooperative Purchasing Sales & Savings By Program

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<u>Program</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
AEPA	\$177,455.66	\$132,445.79	\$43,098.11
Annual Buy	\$372,287.69	\$255,752.38	\$111,686.31
Annual Buy Punch Out	\$458.70	\$341.68	\$117.02
Custodial Buy	\$232,454.68	\$154,775.37	\$80,529.96
Extended Buy	\$3,912.04	\$3,129.63	\$782.41
Food Buy	\$371,824.44	\$320,181.85	\$51,382.52
Paper Buy	\$165,671.70	\$145,791.10	\$19,880.60
Special Buy	\$170,471.62	\$118,871.53	\$51,205.80
<b><u>Grand Totals</u></b>	<b><u>\$1,494,536.53</u></b>	<b><u>\$1,131,289.33</u></b>	<b><u>\$358,682.73</u></b>



**ESUCC Cooperative Purchasing  
Sales & Savings By School  
ESU # 07**

	<u>Customer Name</u>	<u>City</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
12-0701	Aquinas & St Mary's Catholic Schools	David City	34,081.46	23,961.67	9,456.77
06-0001	Boone Central Schools	Albion	114,740.46	90,045.88	24,453.72
07-16	Central City Public Library	Central City	1,709.83	1,220.67	471.82
61-0004	Central City Public Schools	Central City	141,443.56	109,798.13	32,360.44
07-17	Central Nebraska Community Action	Schuyler	5,499.62	4,709.52	790.10
71-0711	Christ Lutheran Elementary School	Columbus	1,535.40	1,080.78	454.62
19-0058	Clarkson Public Schools	Clarkson	23,401.93	16,972.72	6,260.81
71-0001	Columbus Public Schools	Columbus	173,320.69	121,530.23	50,930.07
72-0015	Cross County Community Schools	Stromsburg	73,179.09	54,963.82	18,241.40
12-0056	David City Public Schools	David City	66,311.71	55,094.12	11,172.94
12-0502	East Butler Public Schools	Brainard	83,516.45	63,870.67	19,196.23
00-0007	Educational Service Unit 07	Columbus	144,471.40	112,105.96	30,342.04
63-0001	Fullerton Public Schools	Fullerton	52,292.89	37,868.59	14,206.75
72-0075	High Plains Community Schools	Polk	4,693.36	2,425.06	2,268.30
71-0706	Holy Family Catholic School	Lindsay	4,918.02	3,736.63	1,181.39
19-0704	Howells Community Catholic School	Howells	8,952.17	7,232.06	1,720.11
19-0070	Howells-Dodge Consolidated Schools	Howells	8,343.84	5,491.48	2,852.36
71-0067	Humphrey Public Schools	Humphrey	43,216.43	33,747.74	9,390.49
71-0708	Humphrey St Francis Schools	Humphrey	2,431.57	2,067.96	349.57
71-0701	Immanuel Lutheran Elementary	Columbus	13,999.89	9,787.79	3,787.92
71-0005	Lakeview Community Schools	Columbus	123,258.89	98,462.23	26,302.30
19-0039	Leigh Community Schools	Leigh	13,010.20	9,433.18	3,355.85
72-0019	Osceola Public Schools	Osceola	17,828.09	12,111.79	5,965.12
61-0049	Palmer Public School	Palmer	75,426.63	63,435.89	11,954.02
19-0123	Schuyler Community Schools	Schuyler	179,708.96	133,288.02	45,135.34
71-0705	Scotus Central Catholic	Columbus	20,544.66	13,300.63	7,403.21
72-0032	Shelby-Rising City Public Schools	Shelby	12,996.16	8,972.88	4,023.28
71-0702	St Anthony Elementary School	Columbus	144.47	127.13	17.34
71-0703	St Bonaventure Catholic Elementary School	Columbus	6,262.61	4,559.08	1,664.43



**ESUCC Cooperative Purchasing  
Sales & Savings By School  
ESU # 07**

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	<u>Customer Name</u>	<u>City</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
06-0017	St Edward Public Schools	St Edward	20,733.55	14,792.67	5,649.12
71-0704	St Isidore School	Columbus	7,487.39	5,469.50	1,900.59
19-0703	St John Neumann School	Clarkson	1,713.63	1,322.19	391.44
71-0710	St John's Lutheran School	Columbus	1,172.58	860.50	312.08
06-0701	St Michael's School	Albion	9,055.76	6,300.74	2,728.98
07-88	Stromsburg Public Library	Stromsburg	62.99	32.99	30.00
63-0030	Twin River Public Schools	Genoa	3,070.24	1,108.43	1,961.81
	<b><u>Grand Totals</u></b>		<b><u>\$1,494,536.53</u></b>	<b><u>\$1,131,289.33</u></b>	<b><u>\$358,682.73</u></b>

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## Nebraska ESUCC Cooperative Purchasing Sales & Savings By Vendor

<u>Vendor</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
ACCO Brands USA LLC (Annual Buy) (ESUCC-AB-	\$8,254.09	\$5,777.86	\$2,476.23
Aluminum Athletic Equipment Co (Annual Buy) (ESUCC-AB-	\$78.57	\$55.00	\$23.57
Articulate 360	\$647.59	\$595.78	\$51.81
Biofit Engineered Products	\$3,306.00	\$1,818.30	\$1,487.70
Blick Art Materials	\$2,194.10	\$1,775.30	\$418.80
Blick Art Materials (Annual Buy) (ESUCC-AB-Blick)	\$9,720.34	\$6,804.24	\$2,916.10
BSN Sports LLC (Annual Buy) (ESUCC-AB- BSN Sports)	\$8,867.93	\$6,207.55	\$2,660.38
CDW-G	\$37,026.08	\$31,040.73	\$4,286.35
Computers Etc (Annual Buy) (ESUCC-AB- Comp Etc)	\$990.31	\$693.22	\$297.09
Daktronics	\$9,975.00	\$9,016.00	\$959.00
Egan Supply Company (Annual Buy) (ESUCC-AB- Egan SC)	\$10,322.46	\$7,225.72	\$3,096.74
ETA hand2mind	\$41.54	\$37.39	\$4.15
Flinn Scientific Inc (Annual Buy) (ESUCC-AB-FlinnScientific)	\$1,414.57	\$990.20	\$424.37
Infobase Learning	\$36.47	\$31.00	\$5.47
Innovative Office Solutions	\$321.44	\$225.01	\$96.43
Innovative Office Solutions (Annual Buy) (ESUCC-AB-IOS)	\$129,133.88	\$90,447.08	\$38,686.80
IXL Learning Inc	\$599.00	\$449.00	\$150.00
JourneyEd	\$80,323.32	\$52,417.96	\$27,905.36



2019-20

## Nebraska ESUCC Cooperative Purchasing Sales & Savings By Vendor

<u>Vendor</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
Mackin	\$7,157.09	\$6,679.66	\$477.43
Midwest Technology Products	\$2,673.80	\$2,406.42	\$267.38
Midwest Technology Products (Annual Buy) (ESUCC-AB-	\$648.87	\$454.21	\$194.66
MNJ Technologies	\$18,216.10	\$16,120.23	\$2,095.87
Movie Licensing USA	\$10,866.67	\$7,498.00	\$3,368.67
National Art & School Supplies (Annual Buy) (ESUCC-AB- Natl	\$65,520.50	\$45,864.35	\$19,656.15
National Business Furniture	\$8,423.01	\$5,530.92	\$2,892.09
Paper 101	\$165,671.70	\$145,791.10	\$19,880.60
Parco Scientific Company (Annual Buy) (ESUCC-AB- Prco	\$2,507.91	\$1,755.54	\$752.37
Partac Peat Corp (Beam Clay)	\$68.26	\$48.26	\$20.00
Pitsco Education	\$324.30	\$317.82	\$6.48
Pyramid School Products (Annual Buy) (ESUCC-AB-	\$80,765.59	\$51,746.54	\$24,170.05
Quill	\$29,060.71	\$18,167.62	\$10,849.71
Rapids Wholesale (Annual Buy) (ESUCC-AB-RapidsWholesale)	\$7,795.47	\$5,456.83	\$2,338.64
Really Good Stuff	\$2,263.02	\$2,195.13	\$67.89
Riddell / All American (Annual Buy) (ESUCC-AB-Riddel AA)	\$420.80	\$294.56	\$126.24
S&S Worldwide (Annual Buy) (ESUCC-AB- SS Wrldwd)	\$3,286.41	\$2,300.49	\$985.92
School Health Corporation (Annual Buy) (ESUCC-AB- Sch	\$16,007.43	\$11,286.64	\$4,720.79

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## Nebraska ESUCC Cooperative Purchasing Sales & Savings By Vendor

<u>Vendor</u>	<u>List Price</u>	<u>Member Cost</u>	<u>Savings</u>
School Specialty	\$59,031.21	\$39,524.53	\$19,337.30
School Specialty (Annual Buy) (ESUCC-AB- Sch Spclty)	\$12,710.10	\$8,897.07	\$3,813.03
Scott Electric (Annual Buy) (ESUCC-AB- Scott Elec)	\$114.29	\$80.00	\$34.29
Securly	\$396.39	\$329.00	\$67.39
Staples	\$41,168.71	\$30,198.55	\$10,575.87
Sysco Foods	\$371,824.44	\$320,181.85	\$51,382.52
The Home Depot Pro	\$232,454.68	\$154,775.37	\$80,529.96
Troxell Communications	\$3,615.19	\$3,142.47	\$472.72
Troxell Communications Inc (Annual Buy) (ESUCC-AB-	\$6,916.76	\$4,841.73	\$2,075.03
Virco Inc (Annual Buy) (ESUCC- AB- Virco)	\$10,723.44	\$7,703.18	\$3,020.26
Voss Lighting	\$15,995.23	\$12,390.67	\$3,604.56
World Book	\$13,851.15	\$9,003.25	\$4,847.90
Wyebot, Inc	\$804.60	\$700.00	\$104.60
<b><u>Grand Totals</u></b>	<b><u>\$1,494,536.53</u></b>	<b><u>\$1,131,289.33</u></b>	<b><u>\$358,682.73</u></b>

# School Psychology Department

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Board of Education Meeting  
October 19, 2020



# Department Statistics

- 6 School Psychologists
  - 4.5 FTE
- 1 Board Certified Behavior Analyst
  - 0.8 FTE
- Years of experience: 54
- ESU 7 Alums: 3

# Department Statistics

## Districts Served 2020-21

- East Butler
- Shelby-Rising City
- St. Edward
- Humphrey
- Lakeview
- Fullerton
- Twin River
- Palmer
- Cross County
- High Plains
- Leigh
- Clarkson
- Howells-Dodge

# Education and National Shortage:

- Specialist Level ( EdS)
  - >60 graduate hours
  - 3 or more years
    - Includes 1 year full time internship
- National shortage of School Psychologists
  - Number of quality applicants
  - Room in graduate programs
  - Rural areas chronically underserved
  - ESU's hiring for 2020-21: 4,7,8,9,11,13

# What Do School Psychologists Do?

- Conduct assessments, counseling, and other mental health and academic services
- Work with children individually and in groups
- Collaborate with parents, teachers, and administrators
- Help schools, families, and communities provide successful outcomes for children

# What Do School Psychologists Do?

- Help ALL students, parents and teachers
- Learning difficulties
- Behavior and attention concerns
- Problems with peers
- Depression and other mental health issues
- Coping with crisis and trauma
- Family issues (divorce, death, substance abuse, military deployment)
- Poverty, violence, homelessness, foster youth, loss, grief

# Primary Functions:

- Legal Compliance
  - Special education evaluations
  - Timelines
  - Functional Behavior Assessments
  - Behavior Intervention Plan
- Problem-Solving
- Consultation
- Social skills: small groups or individuals

# Primary Functions:

- Student Behavior
  - Consultation with school teams
  - Develop intervention strategies
  - Set up data collection systems
  - Develop Behavior Plans and follow up
  - Classroom observations
  - Rating scales
  - Collaborate with other service providers
  - Collaborate with parents and outside providers

# ESU Collaborators

- Mental Health Practitioners
- Speech Language Pathologists
- Learning Academy/Cen7ter
- Resource Coach
- Transition Coordinator
- ASD Coordinator
- Early Childhood team
- Vision and Hearing teams

# Evaluation Statistics 2019-20

Special Education Evaluations completed

Guesses???

**397!**

Average: 84.5/year for full-time Psychologist

# Quotes From the Field:

*“Our district benefits greatly from school psychologist services that are contracted from ESU 7. The testing and support they provide our school helps us implement the proper interventions for student improvement.” -Principal, East Butler*

*“Our School Psychologists are always available for consultation when we need them. They are quick to answer questions and come up with solutions to our concerns. I work at East Butler, and the staff always has great things to say about their knowledge and ability to relate to staff.” - SLP, East Butler*

# Quotes From the Field:

*“Our School Psychologists are always available for consultation when working on unique cases. I appreciate their assistance with investigative steps to discover how we can best serve our students.”*

*-Counselor, East Butler*

*“Jackie and Brandy are helpful to bounce ideas off of. I can share a situation I am having with a student and use their guidance to come up with strategies to support the students. Jackie and Brandy have helped create behavior intervention plans, positive behaviors plans, and find ways to document student behavior. They have created google documents for data collections. They have presented strategies at meetings to parents regarding behavior and strategies to help students.”*

*-Resource Teacher, East Butler*

# Quotes From the Field:

*“Our School Psychologist does a great job of supporting our district! She is great with our students and is willing to do whatever she can to help them be successful.”*

*“Jackie helps S-RC students and teachers deal with student disabilities, behavioral issues, and academic problems. She works closely with parents and teachers to help develop effective ways of handling disruptive behavior. She also assists teachers in dealing with ways to meet academic concerns of students in the classroom. She is an amazing resource for our school and is always willing to help in any way she can. In the rare instances that she doesn’t know the answer to a question, she will seek sources to provide the answers needed. She is a valuable asset to our District.”*

*-Principals, Shelby-Rising City*

# Quotes From the Field:

*“I have taught elementary special education for 11 years but this is my first year as a High School special education teacher. Jackie has shared information about students who have graduated but attend other programs. She has also helped guide me with questions about transition and information to help write goals or get to know current students. She is a great resource for intervention ideas, when you have struggling students.”*

*-Resource Teacher, Shelby-Rising City*

*“Jackie is an amazing school psychologist and addition to the Shelby-Rising City Public Schools staff. Jackie comes in to participate in PLCs, MDTs, IEPs, observe students in the classroom, and even offers suggestions and support for SAT referrals. Jackie is a positive, energetic person that is easy to collaborate with and is very knowledgeable. She is willing to support our staff and students in any way possible.”*

*-Counselor, Shelby-Rising City*

# Quotes From the Field:

*“Jackie supports students and staff by giving individualized plans and input on students learning and behavior. She ensures that SRC students are able to succeed academically, socially, behaviorally, and emotionally within all settings. She joins our weekly PLC group to analyze data with our team, so we ensure that no student is left behind. Jackie brings joy to our school while sharing her expertise.”*

*Speech Pathologist, Shelby-Rising City*

# Quotes From the Field:

*“I’ve worked with ESU7 over twenty years, Every school psychologist that I’ve worked with has been a wealth of information and support. We, the special education staff, depend on them to keep us up to date on the newest information and guidelines concerning our special education students. We would be lost without them. Not only do they assess students, but they deliver direct service to our toughest students. Knowing that they are an email or voicemail away is invaluable.”*

**-SLP, High Plains Community**

# Quotes From the Field:

*“Our school psychologist, Mrs. Kunze, has established herself as a positive, active team member who does not hesitate to go above and beyond to assist us in meeting the needs of our students and staff. Her follow through with job assignments is timely and appreciated.”*

*-Principal/SPED Director, Palmer*

*“JoLynn brings great ideas to help assist with problem solving for our kiddos. Whenever we have a question about how to help a behavior student, she is our go to person! She is assisting with our Social Emotional MTSS framework.”*

*-Resource Teacher, Humphrey*

# Quotes From the Field:

*“I owe many thank you’s to both Brandy and Hayley for all they do! They have been able to answer so many questions that I have had since we have had to adjust how we complete our paperwork due to COVID. Hayley will go out of her way to find out an answer whenever I pose a question to her. Brandy has been a wonderful support helping me with a student with extreme behavior issues. She helped set up a Google Form for ABC data for this particular student. She adjusted the form as staff was using it to make it more user friendly for us. They are a wonderful resource and work well as a team to help support the educational and emotional needs of our students.”*

- Resource Teacher, Howells-Dodge

# Quotes From the Field:

*“Hayley always has a smile on her face when I see her in the hall. She is very good about letting us know what day she will be at our school. She is new to our school but she fits right in as though she has been here for a while. She also keeps us updated with information from the ESU. We are lucky to have her and enjoy her.”*

- Resource Teacher, Clarkson

*“We use the school psychologist in many different ways, not only as someone who helps us with our testing process. We use them to help consult on ideas such as dealing with behaviors, social and emotional help for our students and also resources in helping our teachers deal with the different needs of our students.”*

- Principal, Clarkson

*“Hayley has been an asset to our school district. She is professional and thorough on her Multi Disciplinary Team reports. She provides useful support and knowledge when asked questions or in conversation.”*

- SLP, Clarkson

# Quotes From the Field:

*“I have just met Hayley. Until recently, I really did not have much contact with her, due to I do not have any re-eval or initial evals right now. The last 2 weeks I have had more contact with her as she is helping me through a process with a behavioral student. She has been helpful in advice and if she doesn’t know the answer to the question I have asked, she is more than willing to find out. She has also given some good ideas to try.”*

- Resource Teacher, Clarkson

*“Our school psychs are always there to help us brainstorm, problem solve and meet student needs.”*

- SLP, Shell Creek

# Quotes From the Field:

*“Our school psychologist is always there to brainstorm and give suggestions on how to best support our students. They are a fresh set of eyes that provide new insight and ideas!”*

-Resource Teacher, Cross County

*“I love when JoLynn is in our building. She is a trusted and reliable resource whom I seek out when brainstorming ways to intervene and provide assistance for students in need. She always makes herself available and truly hears me out no matter how simple or complex the situation may be.”*

-Guidance Counselor, Humphrey Public

# Quotes From the Field:

*“JoLynn Kahlandt is always willing to collaborate with school staff to ensure that students have the necessary tools and services to be successful in all facets of their education. She explains things in detail to parents in a way that they are able to understand the information that is being relayed to them and the parents are very appreciative of that. Lakeview Community Schools is lucky to have such a dedicated, people-friendly school psychologist serving them.”*

-Resource Teacher, Lakeview Jr./Sr. High

*“I have had the privilege to work with our local ESU school psychology department for the past nine years during my time at Lakeview. I can honestly say every experience has been positive. I value their knowledge, professionalism, collaboration skills, and passion for their career. I appreciate the continuity of having consistent pschs in the building year to year, this helps to build relationships and knowledge of our students within our district. Currently we have JoLynn, Hayley, and Brandy as part of our team at Lakeview and their dedication makes them feel as a part of our district, more than just a partnership. They offer support in a variety of ways through the evaluation process, behavior support, consultation with staff and parents, in times of crisis, and in any other way they are asked. As a district we take great pride in our special education department and are fortunate to have these ESU school psychologists as a part of our team.”*

-Jodi Behlen- Lakeview Special Education Coordinator

# Quotes From the Field:

“Our school psychologist is supportive of all students and is always willing to provide additional support/input for students. Haley is always willing to answer any question no matter the time of day!”

-Resource Teacher, High Plains Community

“Our district utilizes the services of our school psychologist in many ways. She observes students to provide suggestions to teachers, works with students one-on-one, tests students to give us more information about their progress and abilities, and also answers questions about IEPs. Our school psychologist is a wonderful asset to our school. “

# Quotes From the Field:

“Haley is a great team player who works very hard to support myself and our school. She is very knowledgeable about the best practices we should be following and how to best support our students. If I ever have a concern or question I know that I can turn to Haley for clarification and if she doesn't know the answer she will find it for me. She is a part of our MTSS team and has helped guide us in some great decisions that have been made for our district.”

-Resource Teacher, High Plains Community

“I am incredibly grateful for the support and feedback that our school psychologist provides for my district! My questions are answered quickly and thoroughly and my students and I have always been provided with many options that help enhance classroom experiences for all. “

-Classroom Teacher, High Plains Community



**AMENDED - PROFESSIONAL EMPLOYMENT CONTRACT  
FOR A DEFINITE TERM (EXEMPT)**

This employment contract is made by and between **Educational Service Unit No. 7**, referred to herein as "ESU," and **Cody Nelsen**, referred to herein as the "Employee."

WITNESSETH: The ESU agrees to employ the Employee and the Employee agrees to accept such employment subject to the following terms and conditions:

**1. Term of Employment.** This contract shall commence on the 1st day of September, 2020. This contract shall terminate on the 31st day of August, 2021, or may be terminated pursuant to Section 8 of the contract, whichever occurs first. This term shall consist of 245 days of service in any given fiscal year, which is inclusive of vacation and exclusive of holidays.

**2. At-Will Nature of Employment; Duties of Employee.** The Employee is hired as an "at will" employee and accepts employment on that basis. The Employee's duties and extent of employment are subject to assignment by the ESU Administrator or the Employee's supervisor but shall generally be as follows: Network Computer Systems Engineer. The Employee agrees at all times to perform all of his or her duties faithfully, industriously, and to the best of his or her ability, experience and talents. The Employee agrees to devote full time, skill, labor and attention to these duties throughout his or her employment.

**3. Employment Status.** The Employee is not employed as a teacher, nurse, or other position required to have a certificate from the Nebraska State Department of Education and is not a "certificated employee" as that term is defined in NEB. REV. STAT. § 79-1234.

**4. Days and Hours of Employment.** The days and hours of employment shall be as assigned by the Administrator or the Employee's supervisor.

**5. Compensation.** The Employee shall be paid an annual salary of \$82,816.92 subject to applicable deductions and federal and state withholding. The salary shall be paid in twelve (12) equal monthly payments of \$6,901.41 in accordance with ESU's payment practices for professional

staff members. The first salary installment shall be payable on the 20th day of September and on the 20th day of each month thereafter.

**6. Fringe Benefits.** ESU 7 agrees to provide the same fringe benefits as annually approved by the Board of ESU 7.

**7. Policies, Rules and Regulations.** The Employee agrees to be governed by the policies and the rules and regulations of ESU and the directives of supervisors. The Employee agrees that the policies of ESU and rules and regulations of ESU may be changed at any time, with or without notice to the Employee.

**8. Termination of Employment.** This contract creates no property right in continued employment and may be terminated by either party, with or without cause and without a hearing, upon giving written notice. The ESU Administrator, acting upon his or her own initiative, may terminate the Employee's employment, and such termination will be effective upon the date of the issuance of the notice.

**9. Duty to Report.** The Employee shall self-report any of the following to the ESU's Administrator within 24 hours of its occurrence or at the beginning of the next business day, whichever is earlier:

- A. Any criminal citation if the alleged offense is a misdemeanor or felony under federal or Nebraska law or in the state in which the alleged offense occurred;
- B. Any arrest for any reason;
- C. Any criminal conviction;
- D. Any sentence of incarceration;
- E. Any criminal or civil filing or Department of Health and Human Services or law enforcement investigation against the Employee for child abuse and/or neglect;
- F. Any complaint or other administrative filing against the Employee that could impact any certificate or professional license held by the employee;
- G. Any action or threat of action by any entity against the Employee's driver's license or ability or authority to operate a motor vehicle if the Employee's job duties may require the operation of a motor vehicle.

The failure to make a report required by this paragraph may result in the immediate cancellation of this Contract.

**10. Compensation Upon Termination.** The Employee agrees that, upon termination of employment for any reason, any portion of compensation, whether in the form of wages or fringe benefits, paid or

provided but not earned prior to the date of termination of this contract shall be refunded to the ESU by the Employee and may be withheld by the ESU from any payments to the Employee.

**11. Deductions.** The Employee authorizes the ESU to deduct or withhold from each and every period of pay any amounts necessary to offset any damages caused by the Employee or the value of property or money entrusted to the Employee or owed by the Employee to the ESU during the course of the Employee's employment, if such property or money have not properly been returned to the ESU.

**12. Private Automobiles.** ESU 7 will reimburse the Party for the use of private automobiles in the conducting of official business for ESU 7 in accordance with such mileage reimbursement policies of the Board of ESU 7. Said policies may be changed at any time, with or without notice to the Employee.

**13. Entirety of Contract and Amendments.** The Employee certifies that he or she has read the foregoing Employment Contract, fully understands its terms and conditions, and agrees that the foregoing Employment Contract constitutes the entire contract and that no representations, promises, contracts or undertakings, written or oral, not herein contained shall be of any force or effect. It is specifically agreed that this Employment Contract shall be subject to modification only by a written instrument signed by the Employee and the Administrator.

**14. Applicable Law.** This contract shall be governed by and construed in accordance with the laws of the State of Nebraska.

**15. Severability.** If any portion of this contract shall be declared invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity or enforceability of the remaining provisions of this contract.

Executed by the Board of ESU7 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Secretary, Board of ESU7

\_\_\_\_\_  
President, Board of ESU7

Executed by the Employee this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Employee