

Board of Education Regular Meeting
Monday, October 9, 2023 6:00 PM Mountain
Dundy County Stratton High School
400 9th Avenue West
Benkelman, Nebraska 69021

1. Opening Procedures

Procedural Item

1.A. Call to order

Action Item

1.B. Roll Call

Action Item

1.C. Pledge of Allegiance

Procedural Item

2. Open meetings law

Action Item

1. The Board of Education reserves the right to enter into Closed/Executive Session for 1) the protection of public interest or 2) the prevention of needless injury to the reputation of an individual, and the individual has not requested a public meeting. When making a motion to enter into Closed/Executive Session, the member making such a request should be as specific as possible keeping the previously listed stipulation in consideration.
2. If the Board is in agreement, a motion maybe to enter into Closed/Executive Session to 1) discuss a personnel matter, or 2) for the prevention of needless injury to the reputation of the individual, or 3) to discuss litigation and for the protection of the public interest.
3. Action concerning matters discussed in Closed/Executive Session will be acted upon in open session

3. Awards and Recognitions

Action Item

4. Public comment

Information Item

Welcome to the Dundy County Stratton Public Schools Board of Education Meeting. The Board welcomes citizens to attend board meetings to become acquainted

with the programs and operations of the district. Members of the public are also encouraged to share their ideas and opinions with the Board during the agenda item labeled “Public Items”. Comments or questions from the audience at any other time during the meeting except for the agenda item “Public Items” will out of necessity be declared out of order.

The Nebraska Open Meetings Act prevents the board from speaking to a matter that is not on the agenda. Please understand that the board may be unable to address your issue during the meeting. It is not permissible for the board to comment on items not listed for the protection of the public’s right to know and participate in the discussion of items that do come before the board and stated appropriately in the meeting agenda.

During this agenda item “Public Items” we ask that you abide by the following rules:

Public Comment Protocol and Procedures

4. Anyone wishing to speak to the board on specific agenda items or on other topics relevant to board business must complete a Public Comment Request Card and submit it to the Board President prior to the opening of the meeting. The public will only be recognized and their comments heard at Item “Public Items” on the board agenda. The total time allotted for the public comment will not exceed thirty minutes and each member of the public will be allotted not more than five minutes to address the Board. If a group wishes to speak, please designate one spokesperson for the group.
5. Please state your name and the topic you are addressing before you begin.
6. Speakers are asked to direct their questions and comments to the chair. A member of the Board of Education or the Superintendent may direct clarifying questions to the chair, but the board will not under any circumstance enter into a debate with any the member of the public.
7. Speakers may offer objective criticism of district operations and programs, but the Board would encourage members of the public to address complaints concerning individual district personnel through the proper chain of command. The chair may direct the member of the public to the appropriate means to address concerns brought before the Board; however, the board will not respond with action but will take comments under advisement and direct the comments to the appropriate staff member to address outside of the board meeting.
8. Please remember that is a public meeting for the conduct of business of the Dundy County Stratton Public School District. Offensive language, personal attacks and hostile conduct will not be tolerated. You should further be advised that there is no legal protection for any comments that are made.
9. As stated in **NEB. REV. STAT. § 79-570 Class I, II, III, IV, or VI school district; president; meetings; maintenance of order.**

If any district meeting of a Class I, II, III, IV, or VI school district any person conducts himself or herself in a disorderly manner and persists in such conduct after notice by the

president or person presiding, the president or person presiding may order such person to withdraw from the meeting and, if the person refuses, may order any person or persons to take such person into custody until the meeting is adjourned.

10. As stated in **NEB. REV. STAT. § 79-571 Class I, II, III, IV, or VI school district; meetings; disorderly conduct; penalty.**

Any person who refuses to withdraw from such meeting on being so ordered as provided in section 79-570 or who willfully disturbs such meeting shall be guilty of a Class V misdemeanor.

5. **Approve the Agenda as presented**

Action Item

Motion to approve the agenda as presented Passed with a motion by Jordan Stroup and a second by Nick Ladenburger.

Steve Guernsey:	Yea
Ted Henderson:	Yea
Nick Ladenburger:	Yea
Kent Lorens:	Yea
Cole Lutz:	Yea
Sandy Noffsinger:	Yea
Shad Stamm:	Yea
Jordan Stroup:	Yea

6. **Reports**

Action Item

6.A. Technology report
Information Item

6.B. Elementary principal report
Information Item

2023 Elementary Principal Report

Where did September go? Our school year is off and running and we have held many activities at the Elementary. We started off September by finishing up our Map testing. We held a fire drill on September 5th, where the staff and student performed flawlessly. The Week of September 8th, we observed Homecoming and participated in the dress up days and cheerleaders came down and painted Tigers on the students faces in preparation for the Homecoming Parade.

On September 13th, we sent some student to North Platte for Partner Up Rodeo. Mrs. Gritzuk reported that all the students in attendance had a great time.

On September 14th, we held a severe weather drill and again the students and staff did a great job of going to there place of shelter without a problem.

On Sept. 20th, Our fourth grade went to Perkins County to observe Fitness Day where UNK presented different fitness activities and proper nutrition for the students.

The Elementary teachers ran the concession stand to help support a staff member.

On the 25th we held Parent/Teacher Conferences at the Elementary from 3:00 to 8:00pm. We served Hot Dogs and Chips to the parents in attendance. This was a big hit. Here were the Attendance figures for PT Conferences

Kindergarten- 100%

1st Grade – 100%

2nd Grade -100%

3rd Grade – 100%

4th Grade – 100 %

5th Grade - 95 %

6th Grade – 100%

We either met with every parent personally or had phone interviews with all the parents except for one parent. That is an awesome turnout!!!! Way to go Parent and Teachers.

On September 27th, the 2nd grade observed Johnnie Appleseed Day. They made applesauce and caramel apples.

We ended September 28th, with another fire drill, where the students and teachers did a great job again!

6.C. Secondary principal report
Information Item

6.D. Transportation report
Information Item

Fleet Vehicle Mileage for School Year ---->

2023 - 2024

September Monthly Detail

Fleet #	Vehicle	apacit	VIN	Beginning Odometer	Ending Odometer	Monthly Mileage	Maintenance	Gallons
1	2000 Bluebird Bus (Coach)	50	1BAGNBJA3YF096003	153598	153693	95		101
2	2005 Van Hool Coach	58	YE2TC15B052044313	87661	90174	2513		500
3	2015 Blue Bird Yellow Bus	35	1BAKACPA0FF308212	85446	86347	901		98
4	1999 Thomas / INTERNATIONAL	60	1HVBBAAPOXH205599	206775	206775	0		0
6	2014 Blue Bird Bus	47	1BAKBPCPHXEF297776	154023	155131	1108		135.2
7	2023 ICE School Bus	47	4DRBUC8N1PB715460	27872	30168	2296	chg oil & filter; rpl air filter; rpl front brake shoes, rpl rear brake shoes, rpl driver side crossover mirror bracket	337.8
8	2014 Blue Bird	77	1BAKGCPA3EF301039	142131	143570	1439		189
9	2002 CHEVY V8 3500 Bus	23	1GBJG31F621207370	171553	171553	0		0
10	2012 Ford E-350 Van	10	1FBNE3BLOCCA88792	107124	107750	626		19.1
11	2019 International Bus	35	4DRBUC8L7K8756442	95411	96922	1511		146
12	2020 IC Bus	47	4DRBUC8L8L8401961	108,546	111581	3035	chged oil & filter; chk oil fluids, lubed, rpr passenger seat	177.9
13	2005 Taurus Gold	5	1FAFP53U25A254124	138783	138784	1		0
14	2005 Taurus Grey	5	1FAFP53U85A273776	140131	140172	41		0
15	2010 Chevy Impala	5	2G1WA5EN7A1259642	138707	141722	3015		0
16	2005 Chevy Suburban white	8	3GNFK16Z15G249871	195442	195483	41		0
17	2006 Suburban - Maroon	8	3GNFK16Z76G202698	183171	184247	1076		62.2
19	2013 Ford Expedition White	8	1FMJK1J5XDEF38563	249857	252946	3089	Rpl r/side front wheel bearing assy; rpl both driver & pass rear struts	202.2
21	2001 Ford Taurus Tan	5	1FAFP55U41A286788	150997	151419	422		23.5
23	1999 Chevy Mid Bus 3500	22	1GBHG31R9X10300121	161200	161626	426		38
26	2022 Chevrolet Equinox	5	3GNAXUEV8NL282126	9619	11632	2013		32
27	2012 BlueBird	47	1BAKBPCPAXCF290004	171517	172159	642		75.1
28	2001 Chevy Silverado 1500	0	1GCEK19TX1E118211	157767	158750	983		20
29	2018 Ford T-350 Transit	0	1FBAX2CM9JKA29985	75105	76801	1696	chg oil & filter; chk fluids & lubed vehicle	98.9
30	2009 Ford F-350 Van	12	1FBNE31L09DA63952	124142	124195	53		0
31	2007 Ford Expedition Silver	8	3GKEC16587LA29506	261150	261814	664		23
32	2021 Ford Exp Max	7	1FMJK1JT9MEA88371	32873	35729	2856		70
33	2010 Ford E-350	10	1FBNE3BLOADA85937	132833	132835	2		0
34	1999GMC Suburban Blue	9	3GKEC16R8XG5472627	156784	156828	44		0
						30588		
	GAS CAN	0	0			0		17.7
	Gas - Stratton	0	0			0		
	DIESEL CAN	0	0			0		11.2
	Diesel - Stratton	0	0			0		
	Other - air compressor @ barn	0	0			0		
	F-935 John Deere mower	0	0			0		
	MULE	0	0			0		
	Besler Trailer	0	0			0		
	425 Mower (Benk)	0	0			0		
	345 Mower (Haigler)	0	0			0		
	345 Mower (Stratt)	0	0			0		
	Diesel Fuel Tank							

If any cell in Col G is red, it means it is negative; possible causes:
 - The Ending reading has a typo or perhaps a number missing
 - The previous month's Ending reading has a typo or an extra number and it was carried forward as an incorrect Beginning reading to the next month
 If any cell in Col G is blue, it means it is unusually high mileage (>5000) and needs to be reviewed:
 - The Ending reading may have a typo or perhaps an extra number
 - The previous month's Ending reading may have a typo or a missing number and it was carried forward as an incorrect Beginning reading to the next month
 - It could actually be that the specific vehicle did have an unusually large number of miles; if that is verified, make a note in Col H as such and it can remain blue (the formatting for blue cells doesn't carry forward to the Totals and Summary tabs like the red cells do)

6.E. Superintendent report
Information Item

Superintendent report

Ronda and I attended the Labor Relations conference on Thursday and Friday of last week. Great information for upcoming negotiations and for general human resources. We will be sharing information over time regarding regulations for pay, other challenges.

This week will be very busy with athletic events. Jr. High Volleyball is winding down. Jr. High Wrestling will be beginning and Girls JH Basketball as well. HS Football has the last regular season game on Thursday. We will be hosting a playoff game on the 19th (WE ARE NEEDING A TICKET TAKER) but we don't yet know the time or the opponent. HS Volleyball has a game tomorrow and the RPAC tournament begins Thursday.

Teachers from both buildings will be attending the MTSS conference on Thursday and Friday of this week along with Mr. Freeland.

Auditors will be in the building next week.

Mr. Anderson and I will attend the Safety and Security Summit next week.

We have a story coming about the construction house from NCSA. If you are a Facebook or Twitter user, the Nebraska Public Schools Advantage has posted the preview of the article. We are getting great feedback from the public on this!!

Celger Venzon, the Music teacher from the Phillipines has heard from the State Department that he is in final stages of the process and is completing paperwork and other details prior to his Visa Interview. It is finally getting close!!

Please encourage people to check into Substitute teaching. We are always short on subs and looking for qualified people.

I will be sending the Superintendent evaluation tool to you over the next few weeks. I would like to have them completed by the next board meeting. It is required to be done by December, but since I am at the end of my signed contract I thought you would like the opportunity to have full information prior to reissuing a contract or not.

6.F. Board and committee reports
Information Item

6.F.1. Negotiations committee

Nick Ladenburger
Jen Fries
Steve Guernsey
Cole Lutz
Information Item

We need to meet prior to beginning negotiations. The meeting can be short.

7. **Consent Agenda**
Consent Agenda

Motion to approve the consent agenda with the exception of the payment of bills The consent agenda includes the verification of notice of the meeting by publication in the Benkelman Post & News Chronicle, a legal newspaper for Dundy County and to each member of the board, the approval of the minutes from the September 11, 2023 meeting with the payment of bills as presented in the amount of \$629,043.91 from the general fund; \$10,852.16 from the depreciation fund; \$32,730.34 from the activity fund; \$1,739.33 special building; \$28,820.00 QCPUF; and \$17,146.97 from the nutrition fund. Passed with a motion by Shad Stamm and a second by Kent Lorens.

Steve Guernsey:	Yea
Ted Henderson:	Yea
Nick Ladenburger:	Yea
Kent Lorens:	Yea
Cole Lutz:	Yea
Sandy Noffsinger:	Yea
Shad Stamm:	Yea
Jordan Stroup:	Yea

7.A. Verification of publication and notice
Consent Item

To verify that notice of the meeting was given by publication in the Benkelman Post, a legal newspaper for Dundy County Stratton and by written notice to each member of the board, the designated method of giving notice

7.B. Approval of the minutes
Consent Item

Board of Education Regular Meeting
Dundy County Stratton Public School
Benkelman NE 69021

The Dundy County Stratton Board of Education met on Monday, September 11, 2023 at Dundy County Stratton High School.

President Noffsinger called the meeting to order at 6:00 PM.

Attendance Taken at 6:00 PM. Jennifer Fries: Present, Steve Guernsey: Present, Ted Henderson: Present, Nick Ladenburger: Present, Kent Lorens: Present, Cole Lutz: Present, Sandy Noffsinger: Present, Shad Stamm: Present, Jordan Stroup: Present. Present: 9.

Others present:

Jackie Anderson, Superintendent

Troy Lurz, Secondary Principal

Kris Freeland, Elementary Principal

Ronda Sargent, Recording Secretary/Business Manager

Taos Dale, DCS student board member.

Pledge of Allegiance. The Pledge of Allegiance was recited.

President Noffsinger stated that the board follows the Open Meetings Act Guidelines which are located in the meeting room. The Board of Education may enter closed session during the meeting when it determines that doing so is appropriate and is authorized by the provisions of the Open Meeting Act.

Awards and Recognitions

Freeland commended the students that helped take the flags down at the Elementary during a weekend. Lurz recognized Kylee Forch for all her efforts in keeping the volleyball program moving forward. Fries commended the football boys for the Friday morning pep rallies at elementary. Anderson applauded the positive atmosphere among the staff and students. Lurz honored Taos Dale for coming into the office for work study as an office assistant, he has been a great addition. Stamm recognized and appreciated the focus on the website with the posts to stay current on events and happenings with the district.

Public comment: None

Approve the Agenda

Motion to approve the agenda as presented passed with a motion by Stroup and a second by Lutz. Ladenburger: Yea, Lorens: Yea, Lutz: Yea, Noffsinger: Yea, Stamm: Yea, Stroup: Yea, Fries: Yea, Guernsey: Yea, Henderson: Yea. Yea: 9, Nay: 0.

Reports

Elementary principal report

In written form.

Secondary principal report

In written form.

Transportation report

In written form. Discussion on the need to purchase two new suburban's for routes.

Superintendent report

Discussion on the response and readiness on the crisis team. Status with the immigration process for the music instructor is with the National Visa Center.

Consent Agenda

Motion to approve the consent agenda passed with a motion by Stroup and a second by Lorens. Lorens: Yea, Lutz: Yea, Noffsinger: Yea, Stamm: Yea, Stroup: Yea, Fries: Yea, Guernsey: Yea, Henderson: Yea, Ladenburger: Yea. Yea: 9, Nay: 0. The consent agenda includes the verification of notice of the meeting by publication in the Benkelman Post & News Chronicle, a legal newspaper for Dundy County and to each member of the board, the approval of the minutes from the August 14, 2023 meeting, the approval of the bills as presented in the amount of \$590,826.45 from the general fund; \$11,277.14 from the activity fund; \$12,220.20 from the nutrition fund; \$41,935.00 from the depreciation fund; \$900.00 from the special building fund, add Designation of the Official Depository to also be Lincoln Federal Credit Union.

Financial Report

Anderson reported that reimbursement has been submitted for grants and waiting for the reimbursements. Anderson reported that the income and expenses were down from the previous month.

Motion to approve the financial report as present passed with a motion by Ladenburger and a second by Stroup. Lutz: Yea, Noffsinger: Yea, Stamm: Yea, Stroup: Yea, Fries: Yea, Guernsey: Yea, Henderson: Yea, Ladenburger: Yea, Lorens: Yea. Yea: 9, Nay: 0.

Senior Student Board Member

Taos Dale has been elected as the Senior Student Board Member. Dale read of the oath of office.

APTEGY ROOMS, a messaging application.

Motion to approve the addition of Aptegy Rooms, messaging application passed with a motion by Stroup and a second by Ladenburger. Noffsinger: Yea, Stamm: Yea, Stroup: Yea, Fries: Yea, Guernsey: Yea, Henderson: Yea, Ladenburger: Yea, Lorens: Yea, Lutz: Yea. Yea: 9, Nay: 0.

Adopt Resolution

Discuss, consider, and take all necessary action to adopt resolution increasing the school district's base growth percentage used to determine the school district's property tax request authority by up to Seven percent (7%).

Motion to adopt resolution increasing the school district's base growth percentage used to determine the school district's property tax request authority by up to Seven percent (7%) passed with a motion by Stroup and a second by Guernsey. Stamm: Yea, Stroup: Yea, Fries: Yea, Guernsey: Yea, Henderson: Yea, Ladenburger: Yea, Lorens: Yea, Lutz: Yea, Noffsinger: Yea. Yea: 9, Nay: 0.

Tax Request

WHEREAS, public was given at least four days in advance of a Special Public Hearing called for the purpose of discussing and approving or modifying the District's Tax Requests for the 2023-2024 school fiscal year for the General Fund, Bond Fund, Special Building Fund, and Qualified Capital Purpose Undertaking Fund of Dundy County School District 117; and, WHEREAS, such Special Public Hearing was held before the Board of Education (hereinafter "the Board") of Dundy County School District 117 (hereinafter "the District") at the time, date,

and place announced in the notice published in a newspaper of general circulation, a copy of which notice and proof of publication of which is attached hereto as Exhibit A, all as required by law; and, WHEREAS, the Board provided an opportunity to receive comment, information and evidence from persons in attendance at such Special Hearing; and, WHEREAS, the total assessed value of the property differs from last year's total assessed value by 5% the tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be \$0.569315 per \$100 of assessed value; the Dundy County Stratton proposes to adopt a property tax requests that will cause its tax rate to be \$0.569315 per \$100 of assessed value. WHEREAS, based on the proposed property tax request and changes in other revenue, the total operating budget of Dundy County School District 117 will exceed last year's by 6% percent. WHEREAS, the Board, after having reviewed the District's Tax Requests for each said fund, and after public consideration of the matter, has determined that the Final Tax Requests as listed below are necessary in order to carry out the functions of the District, as determined by the Board for the 2023-2024 school fiscal year. NOW BE IT THEREFORE RESOLVED that (1) the Tax Request for the General Fund should be, and hereby is set at \$5,151,515.00; (2) the Tax Request for the Special Building Fund should be, and hereby is set at \$ 848,822.00; and (3) the Tax Request for the Qualified Capital Purpose Undertaking Fund should be, and hereby is set at \$ 0 passed with a motion by Stamm and a second by Ladenburger. Stroup: Yea, Fries: Yea, Guernsey: Yea, Henderson: Yea, Ladenburger: Yea, Lorens: Yea, Lutz: Yea, Noffsinger: Yea, Stamm: Yea. Yea: 9, Nay: 0.

2023-2024 Budget

Motion to approve the budget as presented and published passed with a motion by Stroup and a second by Fries. Fries: Yea, Guernsey: Yea, Henderson: Yea, Ladenburger: Yea, Lorens: Yea, Lutz: Yea, Noffsinger: Yea, Stamm: Yea, Stroup: Yea. Yea: 9, Nay: 0.

NASB information

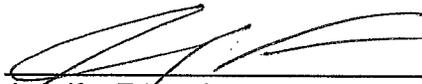
Upcoming State Education Conference in November.

Legislation

Stamm reported that Governor Pillen signed an Executive Order establishing the Women's Bill of Rights.

Adjourn

Motion to adjourn at 7:46 passed with a motion by Lorens and a second by Fries. Guernsey: Yea, Henderson: Yea, Ladenburger: Yea, Lorens: Yea, Lutz: Yea, Noffsinger: Yea, Stamm: Yea, Stroup: Yea, Fries: Yea. Yea: 9, Nay: 0.



Jennifer Fries, Secretary

Board of Education Budget Hearing
Monday, September 11, 2023 5:30 PM
Mountain

Dundy County Stratton High School
P.O. Box 586
400 9th Avenue West
Benkelman, NE 69021-0586

The Dundy County Stratton Board of Education met on Monday, September 11, 2023 at Dundy County Stratton High School.

President Noffsinger called the meeting to order at 5:31 PM.

Attendance Taken at 5:31 PM. Jennifer Fries: Present, Steve Guernsey: Present, Ted Henderson: Present, Nick Ladenburger: Absent, Kent Lorens: Absent, Cole Lutz: Present, Sandy Noffsinger: Present, Shad Stamm: Present, Jordan Stroup: Present. Present: 7, Absent: 2. Attendance Update Taken at 5:32 PM. Nick Ladenburger: Present, Kent Lorens: Present. Present: 9.

Others present:

Jackie Anderson, Superintendent
Troy Lurz, Secondary Principal
Kris Freeland, Elementary Principal
Ronda Sargent, Recording Secretary/Business Manager

Verification of publication and notice

Motion for verification of publication and notice passed with a motion by Guernsey and a second by Stroup. Ladenburger: Absent, Lorens: Absent, Fries: Yea, Guernsey: Yea, Henderson: Yea, Lutz: Yea, Noffsinger: Yea, Stamm: Yea, Stroup: Yea. Yea: 7, Nay: 0, Absent: 2

Budget Hearing

President Noffsinger stated the board is holding a hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget and to consider amendments relative thereto.

Superintendent Anderson discussed the proposed budget.

President Noffsinger closed the proposed budget hearing at 5:45 PM.



Jennifer Fries, Secretary

Board of Education Tax Request Hearing

Dundy County Stratton High School

Monday, September 11, 2023 5:45 PM
Mountain

P.O. Box 586
400 9th Avenue West
Benkelman, NE 69021-0586

The Dundy County Stratton Board of Education met on Monday, September 11, 2023 at Dundy County Stratton High School.

President Noffsinger called the hearing to order at 5:45 PM.

Attendance Taken at 5:45 PM. Jennifer Fries: Present, Steve Guernsey: Present, Ted Henderson: Present, Nick Ladenburger: Present, Kent Lorens: Present, Cole Lutz: Present, Sandy Noffsinger: Present, Shad Stamm: Present, Jordan Stroup: Present. Present: 9.

Others present:

Jackie Anderson, Superintendent

Troy Lurz, Secondary Principal

Kris Freeland, Elementary Principal

Ronda Sargent, Recording Secretary/Business Manager

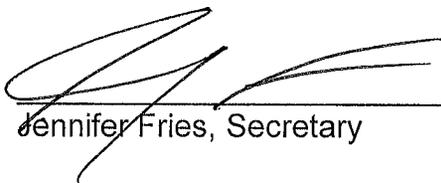
President Noffsinger stated that the board is holding a hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

Verification of publication and notice

Motion for verification and publication and notice passed with a motion by Stamm and a second by Fries. Fries: Yea, Guernsey: Yea, Henderson: Yea, Ladenburger: Yea, Lorens: Yea, Lutz: Yea, Noffsinger: Yea, Stamm: Yea, Stroup: Yea. Yea: 9, Nay: 0

Closure of hearing

President Noffsinger closed the tax request hearing at 6:00 PM.



Jennifer Fries, Secretary

7.C. Payment of the bills
Consent Item

Motion to approve the bills as presented Passed with a motion by Shad Stamm and a second by Jordan Stroup.

Steve Guernsey:	Yea
Ted Henderson:	Yea
Nick Ladenburger:	Yea
Kent Lorens:	Yea
Cole Lutz:	Yea
Sandy Noffsinger:	Yea
Shad Stamm:	Yea
Jordan Stroup:	Yea

General Fund Authorization October 2023

Accelerated Receivables Solutions	Payroll	452.41
Colonial Life	Payroll	31.20
EFTPS	Payroll	67,302.26
Healthplan Services, Inc	Payroll	528.06
LegalShield	Payroll	98.65
MG Trust Company	Payroll	7,561.00
Nebraska Dept of Revenue	Payroll	9,988.62
Nebraska School Retirement System	Payroll	58,612.57
Principal Life Insurance Co	Payroll	858.14
American Fidelity Assurance	Payroll	3,778.11
American Fidelity Assurance Company	Payroll	775.00
Blue Cross-Blue Shield	Payroll	72,654.24
Net Payroll	Payroll	223,662.87
Amazon Capital Services	Supplies/Repairs	1,151.24
American Floor Mats	Supplies	100.23
Anderson, Jacqueline	Mileage	1,193.41
Barker Land Investments	Nov 2023 Rent-Student Teacher	550.00
Black Hills Energy	Gas	478.68
Book Systems, Inc.	Atrium Express Renewal	1,400.00
BWTELCOM	Communications:Phone, Data, Internet	568.44
Capital One Trade Credit	Greenhouse drain supplies	507.05
Cash Wa Distributing	Supplies	742.86
City of Benkelman	C&D Site	178.40
City Of Benkelman	Utilities	11,561.16
Daktronics	Scoreboard	2,081.00
Dundy Co Stratton School Lunch	Seconds Aug-Sept	5,021.00
Dundy County Hospital	Services	800.65
Eakes Office Products	Repairs	1,866.28
Embassy Suites - Lincoln	Labor Relations conf	299.25
Esu #16	SPED services/Audiology	296.38
Farmers Co-op Grain & Supply	Fuel	1,672.43
Frenchman Valley Coop	Fuel/Diesel	11,656.48
Grainger	Repairs	898.63
Great Plains Communications	Telephone Internet	50.81
Holiday Inn Of Kearney	School Law conference	129.95
Hometown Leasing	Copier Lease	1,376.74
Imperial NAPA	Supplies/Repairs	1,188.22
KISSFLOW INC	Annual Subscription	4,200.00
League Builders Supply Inc	Repairs	44.30
MCI	Telephone-Stratton	50.27
Mid-American Research Chemical	Custodial supplies	1,453.26
NASB ALICAP	2023-2024 Premium	120,000.00
Nasco	Supplies	32.45
Nebraska.Gov	Subscription Fee	100.00
Owens Implement & Supply	Supplies/Repairs	1,385.78
Protex Central Incorporated	Fire Extinguisher Inspection	694.00
Quality Urgent Care	CDL Exam	160.00
Rocky Mountain Low Voltage	Monthly Monitoring	25.00
Scholastic Inc	Subscription	560.34
Scoop Media LLC	Advertising	638.00
Staples Advantage	Supplies	323.55

Stoneleaf Pottery	Supplies	207.00
Stratton Auto Parts	Repairs	20.74
Studies Weekly Inc	23-24 Subscription	1,404.48
SWPPD	Bus Radio	51.00
TAESE/USU	2023 Tri-State Regional Education Law	255.00
Teacher Synergy, LLC	PBIS Rules and Poster	37.29
Unifirst Corporation	Custodial supplies	609.50
US Bank	Subscriptions/Supplies/Conferences	4,178.02
Verizon Wireless	Cell Service	93.65
Village of Stratton	Utilities	377.66
Yanda's Music & Pro Audio	Repairs	70.20
		<hr/>
		\$ 629,043.91

Depr Authorization October 2023

Eakes Office Products	9,438.50
WEBstaurant Store LLC, The	1,413.66
	<hr/>
	\$ 10,852.16

Sp Bldg Authorization October 2023

Wilkins Architecture Design Planning LLC	\$ 1,739.33
--	--------------------

QCPUF Authorization October 2023

Weathercraft Co Of McCook	\$ 28,820.00
---------------------------	---------------------

10/06/2023 03:06 PM

Posted - All; Fund Number 05; Processing Month 09/2023

User ID: RJS

Vendor Name	Invoice Description	Amount
Checking Account ID	ACTIVITY	Fund Number
05	ACTIVITY FUND	
Adams Lumber Company	Plywood-Hashmarker	78.65
Amazon Capital Services	Daycare Supplies 23-24	1,051.04
Anderson, Ben	Officiate Varsity FB vs Perkins Co	270.00
Bauerle, Jack	Officiate FB vs Med Valley	135.00
Believe Kids	Sophomore Class Fundraiser	578.10
Benkelman Golf Club, Inc.	Girls Golf Tournament Expenses	214.50
Boeka, Jeff	Officiate Varsity FB vs Axtell	180.00
BRONWICK FARMS	Kindergarten Field Trip	128.00
BSN Sports LLC	Down Marker and Chain Set	944.00
Butler, Andrew	Officiate Varsity FB vs Perkins Co	135.00
Cambridge Public Schools	Cross Country Entry Fee	100.00
Cash Wa Distributing	Concessions	2,470.46
Chase County Public Schools	Cross Country Entry Fee	100.00
Chesterman Company	Pop/water	588.88
D&J Cafe	12 Large Pizzas	216.00
Dundy County Processors	Ground Beef for Concessions	298.21
Ed Thomas YMCA	YMCA League Teams	990.00
Ewell Educational Services	Record Keeping System Subscription	175.00
FCCLA District 11	District Leadership Conference	40.00
Fisher, Bryson	Officiate FB vs Med Valley	135.00
Fortkamp, Kelen	Officiate FB vs Med Valley	135.00
Freeland, Kristian	Officiate VB vs Cheylin	60.00
Gaulke, Robert	Officiate VB vs St. Francis	86.00
Goodland High School	Girls Golf Entry-1 Varsity; 2 JV	21.00
Gothenburg Public Schools	Cross Country Entry Fee	15.00
Grace Market	Fair Booth Supplies	731.51
Hayes Center Public Schools	2 Cross Country Entry Fee	20.00
Hershey Public Schools	Girls Golf Entry Fee	50.00
Holdrege Public Schools	Girls Golf Entry Fee	100.00
J.W. Pepper & Son Inc	Show Choir Music	28.14
JoAnn Decker	Officiate JH Volleyball	50.00
Johnson, Scott	Officiate VB vs Cheylin	105.00
KWIK Stop	2023 Fall Official Appreciation	75.00
Marlin, Toby	Officiate JV FB vs Sedgwick Co.	220.00
Maxwell, Matthew	Officiate FB vs Med Valley	135.00
McCook Public Schools	Cross Country Entry Fee	30.00
Miller, Chris	Officiate Varsity FB vs Axtell	180.00
Miller, Marcus	Officiate Varsity FB vs Axtell	180.00
Misko Sports	Field Spray Paint	1,675.00
Mooney, Renelle	Officiate VB vs St. Francis	86.00
Nebraska FBLA	2023 FLC Conference Registration	300.00
Nebraska School Activities Assn	Girls Wrestling Registration	210.00
Nebraska State Bar Foundation	2 Mock Trial Teams	150.00
Ogallala Public Schools	C-5 Girls Golf District Entry	130.00
Oseka, Jacob	Officiate Varsity FB vs Axtell	180.00
Pepsi Cola	Concessions/football	1,580.03
Pizza Hut	JH FB-8 LG Pizzas	127.52
Pronto	12 LG 1 Topping Pizza	239.88
RMH SYSTEMS	Wrestling Scale	461.26
Rob Dike	Homecoming DJ	300.00
rSchool Today	Activity Scheduler 7/1/23-6/30/24	300.00
Scoop Media LLC	Fall Sports Pics 2023	1,109.25
Scottsbluff High School	Old West ChoirFest Registration	125.00
Seize The Daisy	Homecoming Royalty Flowers	75.00
Sideline Power	End Zone Cameras	145.00
Sports Shoppe, The	Coaching Pants	10,288.00

Vendor Name	Invoice Description	Amount
Sutherland High School	VB Sutherland Tournament 2023	100.00
Swedberg, Landon	Officiate Varsity FB vs Axtell	180.00
Swedberg, Collin	Officiate Varsity FB vs Perkins Co	135.00
US Bank	August Act Fund Charges	745.56
Varsity Spirit Fashions	2023 Cheer Uniforms	2,713.35
White, Gary	Officiate FB vs Med Valley	135.00
Wolf, Ron	Officiate Varsity FB vs Perkins CO	135.00
Wonderly, Brady	Officiate JV FB vs Sedgwick Co	55.00
Fund Number 05		<hr/> 32,730.34
Checking Account ID ACTIVITY		<hr/> 32,730.34

Vendor Name	Invoice Description	Amount
Checking Account ID NUTRITION Fund Number 06	NUTRITION FUND	
Cash Wa Distributing	FFVP	12,124.99
Grace Market	Food	28.87
NASB ALICAP	2023-2024 Premium	3,356.00
Sysco Denver	Food/Supplies	1,637.11
Fund Number 06		<hr/> 17,146.97
Checking Account ID NUTRITION		<hr/> 17,146.97

8. **Business Meeting**

Action Item

8.A. Financial Report

Action Item

Presentation of the financial status of the district, balances in various funds, recent/impending activity therein, anticipated expenses and planning for future considerations.

Motion to the financial report as presented Passed with a motion by Kent Lorens and a second by Nick Ladenburger.

Steve Guernsey: Yea

Ted Henderson: Yea

Nick Ladenburger: Yea

Kent Lorens: Yea

Cole Lutz: Yea

Sandy Noffsinger: Yea

Shad Stamm: Yea

Jordan Stroup: Yea

Financial Report October				
	Income		Expense	
	MTD	YTD	MTD	YTD
2023	\$ 444,863	\$ 444,863	\$ 613,265	\$ 1,169,351
2022	\$ 343,398	\$ 343,398	\$ 492,406	\$ 1,232,042
2021	\$ 246,380	\$ 246,380	\$ 554,889	\$ 1,222,159
2020	\$ 364,634	\$ 364,634	\$ 476,813	\$ 1,061,827
2019	\$ 354,400	\$ 354,400	\$ 532,627	\$ 1,107,219
2018	\$ 247,055	\$ 247,055	\$ 460,247	\$ 993,682
2017	\$ 502,816	\$ 502,816	\$ 443,484	\$ 960,225
2016	\$ 274,696	\$ 274,696	\$ 446,060	\$ 1,012,642
2015	\$ 985,510	\$ 985,510	\$ 493,826	\$ 1,037,366
2014	\$ 787,905	\$ 787,905	\$ 458,787	\$ 985,167
Average	\$ 525,397	\$ 525,397	\$ 472,505	\$ 1,016,050

Fund Balances	Unemployment	General Fund	Depreciation	QCPUF	Special Building	Dep/SpBd/Q	Total
2023	\$ 13,379	\$ 3,544,305	\$ 652,672	\$ 238,097	\$ 232,281	\$ 1,123,050	\$ 4,680,734
2022	\$ 13,344	\$ 2,577,697	\$ 693,454	\$ 279,564	\$ 126,020	\$ 1,099,038	\$ 3,690,080
2021	\$ 13,338	\$ 2,991,346	\$ 325,944	\$ 274,328	\$ 1,059,019	\$ 1,659,291	\$ 4,663,974
2020	\$ 13,326	\$ 2,857,766	\$ 749,853	\$ 196,806	\$ 822,491	\$ 1,769,150	\$ 4,640,242
2019	\$ 13,270	\$ 2,645,629	\$ 543,755	\$ 120,340	\$ 467,749	\$ 1,131,844	\$ 3,790,743
2018	\$ 13,204	\$ 2,790,553	\$ 415,494	\$ 72,787	\$ 376,755	\$ 865,036	\$ 3,668,793
2017	\$ 10,945	\$ 2,079,585	\$ 143,296	\$ 48,450	\$ 256,081	\$ 447,827	\$ 2,538,357
2016	\$ 13,910	\$ 1,777,277	\$ 142,472	\$ 95,132	\$ 265,146	\$ 502,750	\$ 2,293,937
2015	\$ 13,903	\$ 1,440,831	\$ 257,961	\$ 87,679	\$ 247,481	\$ 593,121	\$ 2,047,855
2014	\$ 14,584	\$ 1,398,609	\$ 279,890	\$ 105,696	\$ 385,335	\$ 770,921	\$ 2,184,114
Average	\$ 13,303	\$ 2,022,081	\$ 297,145	\$ 88,347	\$ 333,091	\$ 718,583	\$ 2,753,967

Account Groups; Processing Month 09/2023; Account Group ID
 GFREVENUE; Accounts to Include Accounts With Activity

Account Group: GFREVENUE Monthly Board Report Accounts

Fund: 01 GENERAL FUND

<u>Account Number</u>	<u>Description</u>	<u>Revised Budget</u>	<u>During Month</u>	<u>To Date</u>	<u>% of Budget</u>	<u>Budget Balance</u>
01 1100	Taxes Levied/Assessed by the School Dist	0.00	349,253.63	349,253.63	0.00	(349,253.63)
01 1125	Motor Vehicle Tax	0.00	15,165.01	15,165.01	0.00	(15,165.01)
01 1140	Penalties & Interest on Taxes	0.00	5,193.37	5,193.37	0.00	(5,193.37)
01 1510	Interest on Investments	0.00	1,967.45	1,967.45	0.00	(1,967.45)
01 1740	Fees-Locker; equipment	0.00	90.00	90.00	0.00	(90.00)
01 1800	Revenue-Community Service Activities	0.00	1,978.00	1,978.00	0.00	(1,978.00)
01 1925	OTHER CATEGORICAL GRANTS FROM CORPORATIONS AND OTHER PRIVATE INTERESTS	0.00	5,000.00	5,000.00	0.00	(5,000.00)
01 1980	OTHER REFUND OF PRIOR YEAR'S EXPENDITURES	0.00	11,100.00	11,100.00	0.00	(11,100.00)
Subtotal: LOCAL RECIEPTS		0.00	389,747.46	389,747.46	0.00	(389,747.46)
01 3110	State Aid	0.00	44,994.00	44,994.00	0.00	(44,994.00)
01 3180	Pro-Rate Motor Vehicle	0.00	1,010.88	1,010.88	0.00	(1,010.88)
01 3512	Distance Education Incentive Pymts	0.00	8,000.00	8,000.00	0.00	(8,000.00)
Subtotal: STATE RECEIPTS		0.00	54,004.88	54,004.88	0.00	(54,004.88)
01 4708	Medicaid In Public Schools	0.00	1,110.60	1,110.60	0.00	(1,110.60)
Subtotal: FEDERAL RECEIPTS		0.00	1,110.60	1,110.60	0.00	(1,110.60)
Grand Total:		0.00	444,862.94	444,862.94	0.00	(444,862.94)

10/06/2023 03:25 PM

Regular; Processing Month 10/2023; Function Number 56 Records Selected; Fund Number 01

User ID: RJS

Function Number		Revised Budget	Expended During Month	Expenditures to Date	% of Budget	Balance at EOM
01	GENERAL FUND					
1100	Regular Instructional Programs	0.00	232,024.59	491,247.52	0.00	(491,247.52)
1150	Limited English Proficiency Programs	0.00	3,315.70	5,383.87	0.00	(5,383.87)
1160	Poverty Programs	0.00	19,451.24	38,813.17	0.00	(38,813.17)
1200	Special Education Instructional Programs	0.00	31,049.67	55,149.76	0.00	(55,149.76)
1291	Early Childhood SpEd Ages 3-5	0.00	8,844.42	17,051.79	0.00	(17,051.79)
1292	Early Childhood SpEd Ages 0-2	0.00	0.00	0.00	0.00	0.00
1300	Summer School	0.00	0.00	0.00	0.00	0.00
2120	Guidance Services	0.00	8,645.02	14,772.68	0.00	(14,772.68)
2130	Health Services	0.00	287.56	1,977.31	0.00	(1,977.31)
2140	Psychological Services	0.00	0.00	0.00	0.00	0.00
2141	Psychological Services-SPED-School Age	0.00	0.00	0.00	0.00	0.00
2142	Psychological Services Sped-Ages 3-5	0.00	0.00	0.00	0.00	0.00
2151	Speech Path/Audiology Svcs SPED SA	0.00	0.00	0.00	0.00	0.00
2152	Speech Path/Audiology SPED Age 3-5	0.00	0.00	0.00	0.00	0.00
2153	Speech Path/Audiology Svcs SPED 0-2	0.00	0.00	0.00	0.00	0.00
2161	Occupational Therapy SPED SA	0.00	0.00	0.00	0.00	0.00
2171	Physical Therapy Services-SA	0.00	479.65	479.65	0.00	(479.65)
2173	Physical Therapy-SPED Ages 0-2	0.00	0.00	0.00	0.00	0.00
2211	School Improvement	0.00	0.00	0.00	0.00	0.00
2212	Instruction & Curriculum Development	0.00	0.00	0.00	0.00	0.00
2213	Instructional Staff Training	0.00	0.00	0.00	0.00	0.00
2220	Library/Media Services	0.00	6,735.73	14,061.24	0.00	(14,061.24)
2224	EDUCATIONAL TELEVISION SERVICES	0.00	0.00	30,148.00	0.00	(30,148.00)
2230	Instruction-Related Technology	0.00	7,781.48	15,055.41	0.00	(15,055.41)
2240	Academic Student Assessment	0.00	0.00	0.00	0.00	0.00
2310	Board of Education	0.00	17,441.66	18,035.00	0.00	(18,035.00)
2320	Executive Administration	0.00	17,946.26	34,667.22	0.00	(34,667.22)
2330	District Legal Services	0.00	0.00	0.00	0.00	0.00
2410	Principal	0.00	36,768.00	72,815.56	0.00	(72,815.56)
2510	Fiscal Services	0.00	14,132.99	23,852.34	0.00	(23,852.34)
2570	Personnel Services	0.00	0.00	0.00	0.00	0.00
2610	Operation of Buildings	0.00	87,722.05	118,223.71	0.00	(118,223.71)
2620	Maintenance of Buildings	0.00	17,339.85	31,253.17	0.00	(31,253.17)
2630	Care and Upkeep of Grounds	0.00	0.00	0.00	0.00	0.00
2640	Care and Upkeep of Equipment	0.00	0.00	165.64	0.00	(165.64)
2650	Vehicle Operation & Maint (non student t	0.00	0.00	0.00	0.00	0.00
2660	Security	0.00	0.00	218.00	0.00	(218.00)
2670	Safety	0.00	1,317.40	1,317.40	0.00	(1,317.40)
2710	Vehicle Operation	0.00	63,212.58	79,952.78	0.00	(79,952.78)
2712	Vehicle Operation-School Age Sped	0.00	9,269.24	11,508.26	0.00	(11,508.26)
2713	Vehicle Operation-Below Age 5 Sped	0.00	779.78	1,107.88	0.00	(1,107.88)
2730	Vehicle Servicing & Maintenance-Reg Ed	0.00	12,817.67	25,998.53	0.00	(25,998.53)
3300	Community Services Operations	0.00	0.00	0.00	0.00	0.00
3400	CATEGORICAL GRANTS FROM CORPORATIONS & O	0.00	0.00	7,740.00	0.00	(7,740.00)
4700	Building Improvements	0.00	0.00	0.00	0.00	0.00
5000	Debt Service	0.00	0.00	0.00	0.00	0.00
6200	Federal Services-Title I, Part A ESSA Im	0.00	8,865.74	13,087.49	0.00	(13,087.49)
6210	Federal Services-Title I, Part A Account	0.00	0.00	0.00	0.00	0.00
6310	Federal Services-Title II, Part A ESSA S	0.00	2,015.85	3,925.25	0.00	(3,925.25)
6408	IDEA-PtB-611-Base-EP	0.00	0.00	0.00	0.00	0.00
6992	Federal Services--REAP-SRSA Grants	0.00	0.00	0.00	0.00	0.00
6997	ESSER II	0.00	0.00	0.00	0.00	0.00
6998	ESSER III	0.00	0.00	36,321.45	0.00	(36,321.45)
8000	Transfers (Outgoing)	0.00	5,021.00	5,021.00	0.00	(5,021.00)
9000	NON-PROGRAM EXPENDITURES	0.00	0.00	0.00	0.00	0.00
9001	Repayment of Interfund Loan General Fund	0.00	0.00	0.00	0.00	0.00
01	GENERAL FUND	0.00	613,265.13	1,169,351.08	0.00	(1,169,351.08)

**Expenditure Report by Function/Object -
Summary Revised**

10/06/2023 03:25 PM

Regular; Processing Month 10/2023; Function Number 56 Records Selected; Fund
Number 01

User ID: RJS

Function Number	Revised Budget	Expended During Month	Expenditures to Date	% of Budget	Balance at EOM
Grand Total:	0.00	613,265.13	1,169,351.08	0.00	(1,169,351.08)

TOTAL SUMMARY OF BANK BALANCES

	June	July	August	September
<i>Pinnacle Bank-Unemployment</i>	\$13,350.84	\$13,353.18	\$13,357.72	\$13,378.73
General Fund				
Pinnacle Bank-MMSA	\$3,829,037.64	\$3,514,964.20	\$2,791,023.26	\$3,392,908.32
Pinnacle Bank Benkelman-General Fund	\$59,393.11	\$32,101.40	\$43,113.75	\$135,996.14
Pinnacle Bank Benkelman-Clearing A/C	\$13,230.89	\$15,730.89	\$15,730.89	\$15,400.89
Total General Fund Balances	\$3,901,661.64	\$3,562,796.49	\$2,849,867.90	\$3,544,305.35
<i>Pinnacle Bank Depreciation Fund Balance</i>				
Depreciation Fund	\$66,751.78	\$66,761.47	\$303,965.81	\$252,131.28
Depreciation Fund MMSA	\$400,174.27	\$400,276.23	\$390,378.22	\$400,540.70
Total Depreciation Fund	\$466,926.05	\$467,037.70	\$694,344.03	\$652,671.98
QCPUF				
Pinnacle Bank Benkelman-Checking A/C	\$266,070.49	\$266,130.91	\$236,571.31	\$236,665.29
NE Liquid Asset Fund	\$1,413.82	\$1,419.65	\$1,425.72	\$1,431.65
Total Qualified Capital Purpose Undertaking Fund	\$267,484.31	\$267,550.56	\$237,997.03	\$238,096.94
<i>Pinnacle Bank Special Building Fund</i>				
Special Building Fund	\$121,233.41	\$122,647.96	\$124,486.39	\$187,225.92
Special Building Fund MMSA	\$45,019.61	\$45,031.08	\$45,041.16	\$45,055.08
	\$166,253.02	\$167,679.04	\$169,527.55	\$232,281.00
Total Cash in Bank	\$4,815,675.86	\$4,478,416.97	\$3,965,094.23	\$4,680,734.00

CASH FLOW STATEMENT

Beginning Balance General Fund Checking \$ 135,996.14

MMSA-Pinnacle Bank 3,392,908.32

Total General Fund Money \$ 3,528,904.46

ESTIMATED DISBURSEMENTS

			<u>2022-2023</u>	<u>2021-2022</u>
Bills	182,740.78			
Payroll	446,303.13	629,043.91	507,225.79	569,395.76

COUNTY RECEIPTS

Dundy County Treasurer	370,622.89			
Hitchcock County Treasurer			<u>2022-2023</u>	<u>2021-2022</u>
	370,622.89		335,252.18	217,017.78

Estimated Over(Under)age - GF Checking	\$ (122,424.88)
Transfers In (Interfund Loan for SBF)	\$ -
Lunch Payroll	\$ -
NDE Money (Apportionment)	\$ -
Transfer TO/FROM MMSA	\$ 150,000.00
	\$ 27,575.12

Transfers:

\$150,000.00 from MMSA to GF

Regular; Beginning Month 09/2023; Processing Month 09/2023; Fund Number 02, 03, 08,
09

Fund: 02 DEPRECIATION

		<u>Beginning Balance</u>	<u>Debits</u>	<u>Credits</u>	<u>Ending Balance</u>
Current Assets					
02 101	CASH	694,344.03	272.90	41,944.95	652,671.98
Total:	Current Assets	694,344.03	272.90	41,944.95	652,671.98
Fund Balance					
02 704	FUND BALANCE	694,344.03	41,944.95	272.90	652,671.98
Total:	Fund Balance	694,344.03	41,944.95	272.90	652,671.98
Revenue					
02 1510	Interest Earned	0.00	0.00	272.90	272.90
Total:	Revenue	0.00	0.00	272.90	272.90
Expenditure					
02 2900 450 001	Construction Services	0.00	75,360.00	41,500.00	33,860.00
02 2900 450 002	Construction Services	0.00	8,075.00	0.00	8,075.00
02 2900 610 001	General Supplies	0.00	4.98	0.00	4.98
02 2900 610 002	General Supplies	0.00	4.97	0.00	4.97
02 2900 739 001	Other Equipment	0.00	0.00	0.00	0.00
Total:	Expenditure	0.00	83,444.95	41,500.00	41,944.95
Total:	02	1,388,688.06	125,662.80	83,990.75	1,347,561.81

Fund: 03 EMPLOYEE BENEFIT FUND

		<u>Beginning Balance</u>	<u>Debits</u>	<u>Credits</u>	<u>Ending Balance</u>
Current Assets					
03 101	CASH	13,357.72	21.01	0.00	13,378.73
03 106	Cafeteria Checking	3,794.18	0.00	0.00	3,794.18
Total:	Current Assets	17,151.90	21.01	0.00	17,172.91
Fund Balance					
03 704	FUND BALANCE	17,151.90	0.00	21.01	17,172.91
Total:	Fund Balance	17,151.90	0.00	21.01	17,172.91
Revenue					
03 1510	Interest Earned	0.00	0.00	21.01	21.01
Total:	Revenue	0.00	0.00	21.01	21.01
Total:	03	34,303.80	21.01	42.02	34,366.83

Fund: 08 SPECIAL BUILDING FUND

		<u>Beginning Balance</u>	<u>Debits</u>	<u>Credits</u>	<u>Ending Balance</u>
Current Assets					
08 101	CASH	169,527.55	63,653.45	900.00	232,281.00
08 131	Receivable Account	63,574.69	19,302.60	63,574.54	19,302.75
Total:	Current Assets	233,102.24	82,956.05	64,474.54	251,583.75
Fund Balance					
08 704	FUND BALANCE	233,102.24	900.00	19,381.51	251,583.75
Total:	Fund Balance	233,102.24	900.00	19,381.51	251,583.75
Revenue					
08 1100	Taxes Levied	0.00	0.00	18,965.55	18,965.55
08 1140	Penalties & Interest on Taxes	0.00	0.00	282.16	282.16
08 1510	Interest Earned	0.00	0.00	78.91	78.91
08 3180	Pro-Rate Motor Vehicle	0.00	0.00	54.89	54.89
Total:	Revenue	0.00	0.00	19,381.51	19,381.51
Expenditure					
08 4300 450 001	Architecture & Engineering Construction Services	0.00	900.00	0.00	900.00
Total:	Expenditure	0.00	900.00	0.00	900.00
Total:	08	466,204.48	84,756.05	103,237.56	523,449.01

Regular; Beginning Month 09/2023; Processing Month 09/2023; Fund Number 02, 03, 08,
 09

Fund: 09 QCPUF

		<u>Beginning Balance</u>	<u>Debits</u>	<u>Credits</u>	<u>Ending Balance</u>
Current Assets					
09 101	CASH	237,997.03	99.91	0.00	238,096.94
09 131	Receivable Account	0.00	0.30	0.00	0.30
	Total: Current Assets	237,997.03	100.21	0.00	238,097.24
Fund Balance					
09 704	FUND BALANCE	237,997.03	0.00	100.21	238,097.24
	Total: Fund Balance	237,997.03	0.00	100.21	238,097.24
Revenue					
09 1100	Taxes Levied	0.00	0.00	0.23	0.23
09 1140	Penalties & Interest on Taxes	0.00	0.00	0.07	0.07
09 1510	Interest Earned	0.00	0.00	99.91	99.91
	Total: Revenue	0.00	0.00	100.21	100.21
Expenditure					
09 4500 450 001	Construction Services	0.00	0.00	0.00	0.00
	Total: Expenditure	0.00	0.00	0.00	0.00
	Total: 09	475,994.06	100.21	200.42	476,294.69

Activity Fund Balance Report - Summary - Exclude Encumbrances

09/2023 - 09/2023

Regular; Beginning Month 09/2023; Processing Month 09/2023; Accounts to Include Accounts with Activity; Fund Number 05

Fund: 05 ACTIVITY FUND

<u>Chart of Account Number</u>	<u>Chart of Account Description</u>	<u>Beginning Balance</u>	<u>Expenses</u>	<u>Revenues</u>	<u>Balance Change</u>	<u>Balance</u>
05 704	FUND BALANCE	1,525.00	3,163.85	0.00	0.00	(1,638.85)
05 704 0100	Cheerleaders	3,122.54	2,713.35	0.00	0.00	409.19
05 704 0105	Cheerleading Fundraising	3,051.62	0.00	2,165.25	0.00	5,216.87
05 704 0110	Cross Country	0.00	400.00	0.00	0.00	(400.00)
05 704 0115	Cross Country Fundraising	12.22	0.00	0.00	0.00	12.22
05 704 0120	Football	1,462.98	3,037.92	2,820.00	0.00	1,245.06
05 704 0125	Football Fundraising	11,077.31	4,616.40	130.00	0.00	6,590.91
05 704 0130	Volleyball	0.00	289.98	277.00	0.00	(12.98)
05 704 0135	Volleyball Fundraising	18,212.70	1,831.37	294.90	0.00	16,676.23
05 704 0140	Basketball	1,513.66	6,400.00	0.00	0.00	(4,886.34)
05 704 0145	Boys Basketball Fundraising	911.73	0.00	0.00	0.00	911.73
05 704 0147	Girls Basketball Fundraising	2,225.79	0.00	0.00	0.00	2,225.79
05 704 0150	Wrestling	266.54	671.26	0.00	0.00	(404.72)
05 704 0155	Wrestling Fundraising	2,219.26	0.00	0.00	0.00	2,219.26
05 704 0160	Track	1,374.00	0.00	0.00	0.00	1,374.00
05 704 0165	Track Fundraising	8.65	0.00	0.00	0.00	8.65
05 704 0170	Girls Golf	0.00	475.50	0.00	0.00	(475.50)
05 704 0175	Girls Golf Fundraising	662.90	0.00	0.00	0.00	662.90
05 704 0180	Boys Golf	4,271.08	0.00	0.00	0.00	4,271.08
05 704 0185	Boys Golf Fundraising	629.32	0.00	0.00	0.00	629.32
05 704 0300	Class of 2024	2,074.39	0.00	0.00	0.00	2,074.39
05 704 0310	Class of 2025	3,784.39	239.87	739.60	0.00	4,284.12
05 704 0320	Class of 2027	142.61	0.00	835.50	0.00	978.11
05 704 0325	Class of 2028	0.00	31.76	0.00	0.00	(31.76)
05 704 0335	Class of 2026	450.45	679.74	3,817.60	0.00	3,588.31
05 704 0340	FBLA	6,194.15	1,409.25	1,375.90	0.00	6,160.80
05 704 0350	Daycare	(780.34)	0.00	0.00	0.00	(780.34)
05 704 0360	FCCLA	(2,456.73)	40.00	0.00	0.00	(2,496.73)
05 704 0370	FFA	19,289.39	272.90	0.00	0.00	19,016.49
05 704 0400	Student Council	46.25	520.92	0.00	0.00	(474.67)
05 704 0430	7-12 Vocal	0.00	153.14	0.00	0.00	(153.14)
05 704 0445	Music Fundraising	1,553.28	0.00	0.00	0.00	1,553.28
05 704 0470	Mock Trial	0.00	150.00	0.00	0.00	(150.00)
05 704 0490	Art Club	1,925.09	0.00	178.00	0.00	2,103.09
05 704 0600	Shop Projects	81.11	0.00	0.00	0.00	81.11
05 704 0610	Pop Account	214.68	44.20	32.00	0.00	202.48

Activity Fund Balance Report - Summary - Exclude Encumbrances

09/2023 - 09/2023

Regular; Beginning Month 09/2023; Processing Month 09/2023; Accounts to Include Accounts with Activity; Fund Number 05

Fund: 05 ACTIVITY FUND

<u>Chart of Account Number</u>	<u>Chart of Account Description</u>	<u>Beginning Balance</u>	<u>Expenses</u>	<u>Revenues</u>	<u>Balance Change</u>	<u>Balance</u>
05 704 0620	Sp Ed Activity A/C	703.60	0.00	0.00	0.00	703.60
05 704 0630	Revolving	0.00	300.00	1,151.93	0.00	851.93
05 704 0640	Special Purchasing	5,571.33	0.00	0.00	0.00	5,571.33
05 704 0665	DCS News	200.00	0.00	0.00	0.00	200.00
05 704 0670	Computer Technology	774.84	0.00	0.00	0.00	774.84
05 704 0690	Concessions	3,108.69	4,843.56	3,665.30	0.00	1,930.43
05 704 0800	Grade Activity	8,239.10	683.37	278.00	0.00	7,833.73
05 704 0830	Stratton	939.04	0.00	0.00	0.00	939.04
Fund Total: 05		<u>104,602.62</u>	<u>32,968.34</u>	<u>17,760.98</u>	<u>0.00</u>	<u>89,395.26</u>

Regular; Beginning Month 09/2023; Processing Month 09/2023; Fund Number 06

Fund: 06 NUTRITION FUND

		<u>Beginning Balance</u>	<u>Debits</u>	<u>Credits</u>	<u>Ending Balance</u>
Current Assets					
06 101	CASH	13,057.88	588.64	12,244.35	1,402.17
06 103	Payroll Cash	184.62	2,032.38	13,365.82	(11,148.82)
Total: Current Assets		13,242.50	2,621.02	25,610.17	(9,746.65)
Current Liabilities					
06 450	PAYROLL DEDUCTION PAYABLE	0.00	11.90	11.90	0.00
06 451	FICA PAYABLE	0.00	2,810.02	2,810.02	0.00
06 452	FIT PAYABLE	0.00	900.47	900.47	0.00
06 453	INSURANCE PAYABLE	0.00	782.83	782.83	0.00
06 454	RETIREMENT PAYABLE	0.00	1,510.32	1,510.32	0.00
06 455	SIT PAYABLE	0.00	461.52	461.52	0.00
Total: Current Liabilities		0.00	6,477.06	6,477.06	0.00
Fund Balance					
06 704	FUND BALANCE	13,242.50	23,592.84	603.69	(9,746.65)
Total: Fund Balance		13,242.50	23,592.84	603.69	(9,746.65)
Revenue					
06 1510	Interest Earned	0.00	0.00	3.19	3.19
06 1611	Daily Sales-School Lunch Program	0.00	8.40	569.70	561.30
Total: Revenue		0.00	8.40	572.89	564.49
Expenditure					
06 2190 610 002	General Supplies	0.00	8.58	0.00	8.58
06 3100 110 001	Salaries of Regular Employees-Non-Instru	0.00	4,114.39	0.00	4,114.39
06 3100 110 002	Salaries of Regular Employees-Non-Instru	0.00	4,114.38	0.00	4,114.38
06 3100 120 002	Salaries of Temporary Employees-Non-inst	0.00	1,037.83	0.00	1,037.83
06 3100 130 001	Overtime-Non Instructional Staff	0.00	7.37	0.00	7.37
06 3100 130 002	Overtime-Non Instructional Staff	0.00	7.36	0.00	7.36
06 3100 210 001	Group Insurance-Non Instructional	0.00	299.10	0.00	299.10
06 3100 210 002	Group Insurance-Non Instructional	0.00	299.11	0.00	299.11
06 3100 220 001	Social Security-Non Instructional	0.00	315.33	7.51	307.82
06 3100 220 002	Social Security-Non Instructional	0.00	394.70	7.54	387.16
06 3100 230 001	Retirement-Non Instructional	0.00	379.46	0.00	379.46
06 3100 230 002	Retirement-Non Instructional	0.00	379.46	0.00	379.46
06 3100 270 001	Worker's Comp-Non-Instructional Staff	0.00	0.00	0.00	0.00
06 3100 270 002	Worker's Comp-Non-Instructional Staff	0.00	0.00	0.00	0.00
06 3100 610 001	General Supplies	0.00	402.76	0.00	402.76
06 3100 610 002	General Supplies	0.00	492.25	0.00	492.25
06 3100 630 001	Food: School Food Service Program	0.00	4,834.98	0.00	4,834.98
06 3100 630 002	Food: School Food Service Program	0.00	6,497.38	15.75	6,481.63
Total: Expenditure		0.00	23,584.44	30.80	23,553.64
Total: 06		26,485.00	56,283.76	33,294.61	4,624.83

US BANK Credit Card Sept 2023

08/25/2023	Ebay	Polycorn	182.42
08/26/2023	Kwik Stop	Fuel	59.65
08/31/2023	NAFME	Music Assoc	137.00
08/31/2023	Countrywide Testing	Supplies	254.8
09/05/2023	Wendys	Meal	21.35
09/06/2023	Dollar General	Supplies	15.10
09/07/2023	Burger King	Meal	11.51
09/07/2023	Wendys	Meal	19.22
09/12/2023	Verified First	Background Ck	47.21
09/13/2023	Wendys	Meal	7.18
09/13/2023	Marriott	Meal	5.48
09/13/2023	Pizza Hut	Meal	14.46
09/14/2023	OnStar	Subscription	31.99
09/14/2023	Miller Time Bar	Meal	18.34
09/15/2023	Tractor Supplie	Supplies	899.99
09/16/2023	La Cocina	Meal	15.98
09/16/2023	McDonalds	Meal	12.24
09/18/2023	USPS	Envelopes	1198.55
09/18/2023	Activity village	Supplies	21.95
09/19/2023	NE Aleworks	Meal	21.91
09/20/2023	Online Tires	Repairs #32	672.00
09/21/2023	NCA	Membership	78.00
	Misc	Fuel	423.53

4169.86

- 8.B. NRCSA president Jack Moles
Information about the role of NRCSA and what they do for us.
Action Item
- 8.C. Discuss and consider possible actions on a building project
Action Item
- 8.D. Discuss and consider options for the Stratton site
Action Item

Motion for Mrs. Anderson to contact the Village of Stratton for potential interest with the selling of the Stratton Site Passed with a motion by Steve Guernsey and a second by Shad Stamm.

Steve Guernsey:	Yea
Ted Henderson:	Yea
Nick Ladenburger:	Yea
Kent Lorens:	Yea
Cole Lutz:	Yea
Sandy Noffsinger:	Yea
Shad Stamm:	Yea
Jordan Stroup:	Yea

- 8.E. Option Enrollment Resolution
Action Item

Motion to adopt the Option Enrollment Resolution Passed with a motion by Steve Guernsey and a second by Cole Lutz.

Steve Guernsey:	Yea
Ted Henderson:	Yea
Nick Ladenburger:	Yea
Kent Lorens:	Yea
Cole Lutz:	Yea
Sandy Noffsinger:	Yea
Shad Stamm:	Yea
Jordan Stroup:	Yea

5004 Option Enrollment

The board of education supports the concept embodied in the Enrollment Option Program that parents and legal guardians have the primary responsibility for ensuring that their children receive the best education possible. Accordingly, the school district will participate in the option enrollment program and receive option students as provided herein.

1. Definitions

- a. Option Student Defined.** Option student shall mean a nonresident student who has chosen to attend the school district under the provisions of the option enrollment program.
- b. Resident School District Defined.** Resident school district shall mean the school district in which a student resides or in which the student is admitted as a resident of the school district pursuant to state law.
- c. Option School District Defined.** Option school district shall mean the school district that a student chooses to attend other than his or her resident school district.

2. Persons Entitled to Apply for Option Enrollment of Students. Only parents and legal guardians may apply for option enrollment of students. Applications filed by foster parents and adults acting *in loco parentis* are not authorized and will be automatically denied.

3. Duties, Entitlements and Rights of Option Students. Except as otherwise provided herein, once an option student's option enrollment application has been accepted he/she shall be treated as a resident student of the school district.

4. Standards for Acceptance or Rejection of Option Students.

- a. Special Education Capacity.** Capacity for special education services will be determined on a case-by-case basis. If an application for option enrollment received by the school district indicates that the student has an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or has been diagnosed with a disability as defined in section 79-1118.01, the application will be evaluated by the director of special education services or the director's

designee who must determine if the school district and the appropriate class, grade level, or school building has the capacity to provide the applicant the appropriate services and accommodations. The Federal Educational Rights and Privacy Rights Act (FERPA) (20 U.S.C. § 1232g) permits the release of education records when a student seeks or intends to enroll in a different school district.

- b. Numeric Capacity.** The board of education may set the numeric capacity of programs, classes, grade levels, or school buildings by operation of this policy or through freestanding action by the board. Numeric Capacity will be determined based upon available staff, facilities, projected enrollment of resident students, and projected number of students with which the option school district will contract based on existing contractual arrangements. Individuals seeking information about the numeric capacity set by the board may contact the superintendent for a copy of that resolution.
- c. Programmatic Capacity.** In addition to the numeric capacity standards referred to above, the board may, by resolution, prior to October 15 of each school year, declare a program, a class, or a school unavailable for the next school year to option students due to lack of capacity. Individuals seeking information about the programs that have been declared to be unavailable due to lack of capacity may contact the superintendent for a copy of the board's resolution.
- d. Other Standards for Acceptance or Rejection of Option Enrollment Applications.** In addition to the numeric and programmatic capacity standards outlined above, the school district shall not accept an option student when acceptance of the student:

 - i. Would increase the operating costs of the school district, such as by requiring the hiring of new staff or contracting with outside entities to provide services to the student;
 - ii. Would require the procurement of new equipment, technology, or furnishings;
 - iii. Would cause or require the rearrangement of caseloads for staff and contracted professionals;
 - iv. Is reasonably deemed by appropriate school staff to pose a potential risk to the health or safety of students or staff;

- v. May pose a risk of adversely affecting the quality of educational services being provided to resident students, as determined by appropriate school staff.
 - e. **Prohibited Standards.** The school district shall not base the decision to accept or reject an option student on the student's previous academic achievement, athletic or other extracurricular ability, disabling condition(s), proficiency in the English language, or previous disciplinary proceedings.
 - f. **Order of Acceptance.** If there are more option student applicants for any program, class, grade level or school building than can be accepted into such program, class, grade level or school building, applicants shall be accepted in the following order:
 - i. students with brothers or sisters attending the school district, either as resident students or as option students, shall be granted first priority;
 - ii. thereafter, option students shall be accepted into such program, class, grade level or school building in the order in which written applications were received by the school district.
 - g. **Maximum Capacity Report.** The school district will annually establish, publish, and report the capacity for each school building under the district's control pursuant to procedures, criteria, and deadlines established by the Nebraska Department of Education.
5. **False or Misleading Option Applications.** If, prior to the student's attendance as an option student, the school district discovers that a previously accepted option application contained false or substantively misleading information, the option application will be rejected.
6. **Academic Credits and Graduation.** The school district shall accept credits toward graduation that were awarded by another school district, and shall award a diploma to an option student if the student meets the graduation requirements of the school district.
7. **Information Regarding Schools, Programs, Policies and Procedures.** The school district, its officers and employees, shall make information about the school district and its schools, programs, policies and procedures available to all interested people.

8. Procedure for Students Optioning Into or Out of the School District.

- a.** The parent or legal guardian of any student desiring to option into or out of the school district shall submit a proper and timely application to the board of education and the other affected school district for enrollment during the following and subsequent school years. Any application requiring the approval of the school district shall be deemed submitted when the application is actually received in the school district's business office.
- b.** On or before April 1st, the school district shall notify the parent or legal guardian of any student who has submitted an application to option into the school district and the resident school district, in writing, whether the application is accepted or rejected. If an application is rejected, the reason for such rejection shall be stated in the notification. This written notice shall be sent via certified mail to the address listed on the option application.

9. Late Applications and Requests for Release

- a.** The board of education may refuse a request of a student seeking to option out of the school district when the option application is submitted after March 15th under the following conditions:
 - i.** When the district has already entered into contracts with teaching staff for the following school year;
 - ii.** When the district has already contracted for the performance of specific services for the student;
 - iii.** When the release of the student would have a negative financial impact or loss of revenue for the district.
- b.** The board of education will approve late applications to option into the district under the following conditions:
 - i.** When the resident district has released the student;
 - ii.** When the student's late enrollment into the district meets the standards for acceptance or rejection of option students contained elsewhere in this policy;

- b.** The superintendent will notify parents or guardians who have submitted properly completed option applications after March 15th no later than 60 days following submission of the application of the board's acceptance or rejection of the application.

10. Students Who Do Not Need a Release from the Resident District

- a.** A student does not need to be released from his/her resident district under the following circumstances:
 - i.** When the student has relocated to a different resident school district after February 1
 - ii.** When a student's option school district merges with another district effective after February 1
- b.** The school district shall accept or reject an application from a student under this paragraph using the criteria set forth in this policy and will accept or reject the application within forty-five days.

11. Cancellation of Option.

Students who option either into or out of the school district shall:

- a.** Attend the option school district until graduation or relocation/re-option in a different resident school district unless the student chooses to return to the resident school district, in which case the student's parent or legal guardian shall timely submit a cancellation form to the school board or board of education of the option school district and the resident school district for approval for the following year.
- b.** Attend an option school district for not less than one school year unless the student relocates to a different resident school district, completes requirements for graduation prior to the end the school year, transfers to a parochial or private school, or upon mutual agreement of the resident and option school districts cancels the enrollment option and returns to the resident school district.

12. Authority of Superintendent.

The board of education authorizes the superintendent of schools to make decisions on its behalf pursuant to and to apply the criteria articulated by this policy in determining whether to grant or deny option enrollment applications.

Adopted on: _____

Revised on: July 10, 2023

Reviewed on: _____

RESOLUTION ON SCHOOL DISTRICT STANDARDS FOR ACCEPTANCE OR REJECTION OF OPTION ENROLLMENT APPLICATIONS

WHEREAS, Dundy County Stratton Public Schools is committed to providing an education of high quality to its students in an economically efficient manner; and

WHEREAS, the school district’s faculty, facilities, and equipment can serve only a limited number of students effectively; and

WHEREAS, the Dundy County Stratton Board of Education, in consultation with the administration, has reviewed the school district’s faculty, facilities, equipment, interdisciplinary efforts and interrelationships of grades, subjects, and faculty; and has determined the maximum number of students it can serve effectively at any given grade level and in total;

NOW, THEREFORE BE IT RESOLVED that the board adopts the following standards for acceptance or rejection of option enrollment applications:

Special Education Capacity. Capacity for special education services will be determined on a case-by-case basis. If an application for option enrollment received by the school district indicates that the student has an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or has been diagnosed with a disability as defined in section 79-1118.01, the application will be evaluated by the director of special education services or the director's designee who must determine if the school district and the appropriate class, grade level, or school building has the capacity to provide the applicant the appropriate services and accommodations. The Federal Educational Rights and Privacy Rights Act (FERPA) (20 U.S.C. § 1232g) permits the release of education records when a student seeks or intends to enroll in a different school district.

Numeric Capacity. The capacity in the following grade levels, programs, classes, and/or school buildings is as follows:

- Grade Level Numeric Capacity: 30_____
- Program Numeric Capacity: Special Ed: 35_____
- Class Numeric Capacity: 30_____
- School Building Numeric Capacity: 160_____

Total enrollment for the school district: 390 students.

The Board of Education reserves the authority to further determine numeric capacity of classes, grade levels, or school buildings by operation of resolution, by action of the Superintendent as the board's designee, or through freestanding action to the extent permitted by law and policy.

Other Standards. The school district shall not accept an option student when acceptance of the student:

- (a) Would increase the operating costs of the school district, such as by requiring the hiring of new staff or contracting with outside entities to provide services to the student;
- (b) Would require the procurement of new equipment, technology, or furnishings;
- (c) Would cause or require the rearrangement of caseloads for staff and contracted professionals;
- (d) Is reasonably deemed by appropriate school staff to pose a potential risk to the health or safety of students or staff;
- (e) May pose a risk of adversely affecting the quality of educational services being provided to resident students, as determined by appropriate school staff.

After the above resolution was read, board member _____ moved for passage of the motion. Board member _____ seconded the motion. After discussion, and on roll call vote, the following members voted in favor of the motion: _____.

The following members voted against the motion:

_____.

The following members did not vote:

_____.

Having been consented to by a majority of the voting members, the board president declared the motion to have been passed and adopted.

Dated this 9th day of October, 2023.

President, Board of Education

KAREN A. HAASE ^{NE, SD, IA, WY}
STEVE WILLIAMS ^{NE, SD}
BOBBY TRUHE ^{NE, SD}
COADY H. PRUETT ^{NE, CO, SD}



JORDAN JOHNSON ^{NE, WY}
TYLER COVERDALE ^{SD}
SARA HENTO ^{NE, SD}
SHARI RUSSELL, Paralegal

M E M O R A N D U M

To: KSB Policy Service Subscribers
FROM: KSB School Law
DATE: October 3, 2023
RE: Option Enrollment Updates

In the 2023 policy updates, we shared an updated version of Policy 5004: Option Enrollment. LB 705 made several changes to the option enrollment statutes. To the extent that LB 705 required policy changes, those changes are reflected in updated Policy 5004.

As we stated in the policy update webinar, we wanted to see what guidance and forms NDE put out before sending out more information on non-policy aspects of the changes to the option laws. This memorandum will address those things, including special education applications, setting capacities, and reporting/publication requirements.

In addition to this information, we have included an updated option resolution and updated rejection letter for you to consider. When NDE publishes updated option forms and guidance, we will review those and update you again at that time.

- 1. If a student with an IEP or diagnosed disability applies, you must consider those applications on an individual, case-by-case basis. This requirement has been in effect since September 2, 2023, and you should be following it for all special education applications whether they are seeking to enroll mid-year or for next year. You CANNOT categorically close your special**

301 SOUTH 13TH STREET, SUITE 210
LINCOLN, NEBRASKA 68508

KSB SCHOOL LAW, PC, LLO
KSBSCHOOLLAW.COM
(402) 804-8000
ATTORNEYS LICENSED IN STATES INDICATED

141 NORTH MAIN AVENUE, SUITE 504
STOUX FALLS, SOUTH DAKOTA 57104

education program to all applicants nor can you set capacities for your special education programs.

In addition to students who have IEPs, this change also applies to students who have been diagnosed with a disability defined under section 79-1118.01. That statute basically recites the 13 verification categories of the IDEA. Technically, many diagnosed disabilities could fit within categories such as "other health impairment" or "emotional disturbance."

How do you know if a student has a diagnosed disability that may require an individualized determination? If families are truthful on their application, they will disclose the student has an IEP. Because the individualized enrollment determination could apply to many diagnosed disabilities whether or not the child currently has an IEP, you should request education records for all applicants. From a practical standpoint, it will be nearly impossible to demonstrate that you made an individualized determination on a specific student's needs (and whether you can serve that specific student) if you have not reviewed the student's education records. FERPA and Nebraska's student record laws permit schools to disclose records to any new school in which a student enrolls or seeks to enroll. If you get a request for records, we recommend that you send them to the requesting school.

Unlike some of the other deadlines and new requirements we will discuss below, the requirement to consider applicants with IEPs or diagnosed disabilities individually on a case-by-case basis became effective September 2, 2023. If you receive an application covered by this requirement, you cannot use your 2023-24 option resolution (including special education capacities) even if a student would like to enroll this year. You should be individualizing your acceptance or rejection for all such applications right now.

When you respond to these applications, there are certain steps you must follow. First, your special education director or their designee must review the application. You should discuss how your district will review these applications, especially if your "director" is through an ESU. You must do an assessment of whether the "appropriate class, grade level, or school building in [your] school district has the capacity to provide the applicant the appropriate services and accommodations."

Second, if you deny an application, you must provide "a description of services and accommodations required [by the student] that the school district does not have the capacity to provide." You cannot simply say, "We do not have capacity to serve the student." We strongly recommend that

you involve your special education experts and possibly legal counsel in documenting the basis for any rejection due to an inability to provide the necessary special education services and accommodations, because there are clear IDEA and Section 504 implications of this new process.

2. You can still declare a “program, a class, or a school unavailable to option students for the next school year due to lack of capacity.” You must do so “no later than” October 15 (so, October 14); and this CANNOT include your special education program.

If you have a non-special education program, class, or school building that is so full you choose not to accept any students, you can declare it closed for any applicants for the next school year. For example, if you have a huge first grade class this year, you can declare second grade “closed” or “unavailable” for next year. In KSB’s option resolution, this is called “Programmatic Capacity.” You do not need to list a specific capacity number. You simply need to list it as unavailable/closed for the next year.

If you want to declare something closed for the 2024-25 school year you must do so “prior to October 15” of the preceding year, so by October 14, 2023. Do not confuse closing something with setting capacity numbers (e.g., the number of students you can have in third grade), which is discussed in the next section.

In our opinion, closing a program, class, or building also applies to students with IEPs or verified disabilities. If a student with an IEP applies, you can deny those applications based on that capacity decision. When rejecting the application, you would mark that it was rejected due to capacity and not lack of services or accommodations.

3. You can still set specific capacity numbers for any “program, class, grade level, or school building”; and the decision to set a numeric capacity is not subject to the October 14 deadline to render an entire program, class, or school CLOSED for the following school year.

Some districts have always set capacity numbers for things like grade levels, but some have not. There is no requirement to set capacity numbers, but you can if you want. You should do this “by resolution,” and in KSB’s form option resolution this is called, “Numeric Capacity.”

Unlike declaring a program or class closed, there is no deadline for setting specific capacity numbers. Many schools have set those capacities closer in time to the option deadline (March 15) or response deadline (April 1), and we believe you can continue to do so. This allows you to have a better idea of staffing and student numbers for next year, which are all things the statutes allow you to consider when setting capacity numbers.

If you do not have any programmatic or numeric capacities, this means you will generally accept most option applications for general education students.

4. You can still consider and use KSB's "Other Standards," but make sure to apply them without consideration of a student's disability, prior discipline history, mastery of English, or extracurricular abilities.

The option statutes have always left room for boards to adopt standards beyond capacity. The statutes say a board's standards "may include" capacity. We continue to believe there are some circumstances (outside of special education) where enrollment can be denied based on standards other than capacity. In KSB's policy and model resolution, these are called, "Other Standards."

If your board intends to adopt an option resolution, you should decide whether you want to include those standards. If your board does not adopt a resolution at this time because you do not intend to establish programmatic or numeric capacity, you should be sure those standards are included in your policy (section 4) if you want to enact them.

5. You are required to "establish, publish, and report" (to NDE) capacity for each school building each year, but you do not need to do that yet. You are NOT required to publish or report other capacities you set.

One of the new requirements is determining building capacities each year. There is some confusion about this requirement. Many schools believe you must publish your capacities for things like grade levels, but that is actually not true. While we certainly see the value in that, it is not part of the new law.

Here's what the law actually says: "To facilitate option enrollment, school districts shall annually establish, publish, and report the capacity for each school building under such district's control pursuant to procedures, criteria, and deadlines established by the State Department of Education."

Importantly, the requirement to establish, publish, and report building capacities is subject to “procedures, criteria, and deadlines” established by NDE. To our knowledge, NDE has not yet established the procedures and criteria or set deadlines for reporting those building capacities. Until that occurs, we do not believe you are under any legal obligation to do so.

Once NDE makes those things available, we plan to review our current policy and model resolution. We think it makes sense moving forward to use one form if possible, understanding that the deadlines for things may vary. We do not like it, but it could require the board to make option-related decisions multiple times per year, perhaps on different forms.

6. Beginning July 1, 2024, each school will have to report to NDE information related to rejected applications. This will be done on forms created by NDE which have not been published yet.

In addition to building capacities, the Unicameral wants NDE to collect more information about rejected applications. NDE must then report this information to the Unicameral by September 1 of each year, beginning in 2024.

NDE is tasked with creating forms to use for schools to report this information. It makes sense to us that NDE will create forms for all of these new obligations from LB 705 at the same time, but we have not seen them yet.

So you can be prepared, here is a list of the information each school must report to NDE annually, beginning July 1, 2024. You should be aggregating this in one place now so the reporting is easier next summer:

- the number of applications rejected in each public school within each district
- an explanation why each application was rejected (presumably including the individualized reasons for special education applications)
- whether each application for option enrollment indicated that the student had an IEP or diagnosed disability
- priority information required of learning community schools

The law says NDE can collect any other information it wants, as well. Once we see the forms and any additional information NDE plans to collect, we will revisit our policy and forms.

7. You can (but are not required to) use KSB’s model option enrollment resolution. We’ve included an updated version of our model resolution in this packet.

The law states clearly that any option standards set by a school board “shall” be done “by resolution.” However, hearing officers have accepted the fact that some schools do not set capacity numbers and instead list their option standards within their option enrollment policies. The safest bet is to adopt an option resolution, even if you do not declare anything closed or set numeric capacities. If nothing else, approving KSB’s model resolution will allow you to adopt the “Other Standards” if you choose to do so.

If you do not set programmatic or numeric capacities, we recommend that you simply say, “None at this time” in those blanks in our model resolution.

8. You may, but are not required, to use KSB’s sample option application denial letter.

NDE is required to provide forms for option purposes. NDE’s form includes a space for schools to note the reason(s) for denying an application. NDE updated their model form in May 2023. However, please note that NDE’s form does not have any information about some of these changes, like special education applications. Nor does it have much room to provide an explanation for any reasons for denial.

To make denials clearer, we have created a sample denial letter that you can use to accompany NDE’s form when you respond to applications. As you will see, in KSB’s sample denial letter there are checkboxes for most reasons for denial and a space to list the more specific denial information required for special education applicants.

CONCLUSION

We hope this information is helpful to you and your board as your work to understand the new law and consider whether you want to establish capacities. If you have any questions about anything in this memo, you should reach out to any of us individually or send an email to all of us using ksb@ksbschoollaw.com.

8.F.NASB information
Information Item



Monthly Update for your Board Meeting Agenda

October 2023

Networking & Events
Latest 'Board Notes' – Monthly Newsletter
Annual Board Calendar Summary
Government Relations & Advocacy
This Month In ...
Monthly Agenda Video Updates & NASB's Video Resources
Contact Us



2023 Advocacy Handout

<https://members.nasbonline.org/government-relations/nasb-advocacy-handbook>

(www.NASBonline.org – Government Relations – Advocacy Handbook)

Your 2023 Advocacy Handout is now posted!

The NASB Advocacy Handout of proposed changes to the bylaws, standing positions and legislative resolutions for your review prior to the 2023 Delegate Assembly is now posted on the NASB website. To better prepare you and your board's voting representative for the Delegate Assembly, please download, review, and bring this Handout with you to Omaha. <https://members.nasbonline.org/government-relations/nasb-advocacy-handbook>

This year's Delegate Assembly will take place **Friday, November 17, at 8:00 AM**, in conjunction with the State Education Conference in Omaha. All items within the Advocacy Handout will be considered by this Assembly. If you haven't already, each board should select one board member to represent the district or ESU as the voting delegate.

Why is it important your district is represented at the Delegate Assembly?

- The Delegate Assembly determines NASB's annual legislative and leadership agenda.
- ... is a key cog in securing laws, regulations, and a vision in Nebraska to benefit public education.
- ... is where your voice can be heard.
- ... is your governance meeting for the entire year.
- ... allows for equal representation. One district. One vote.

Networking & Events ... Register Now

<https://members.nasbonline.org/events>

(www.NASBonline.org – Events)

All Dates & Locations Tentative & Subject to Change

Labor Relations Conference – October 4-5 - Lincoln

New Board Member Workshop – November 1 - Kearney

State Education Conference – November 15-17 - CHI Health Center, Omaha

Registration is open now! You won't want to miss this annual event where over 1,000 school leaders and board members gather to learn and network. There will be two pre-conferences, three general sessions, over 50 breakout sessions, over 100 vendors, and unlimited opportunities to grow in your role supporting public education.

- Hotel room requests opened on September 27. You must already be registered for Conference in order to participate in the hotel room booking process.
- Get Involved! Learn more about Classroom Showcase, Student Voices, and Moderators on Page 2 of the September Board Notes!



Latest 'Board Notes' – Monthly Newsletter

<https://members.nasbonline.org/news-resources/board-notes-newsletter>

(www.NASBonline.org - News & Resources - Board Notes)

- *Your 2023 Advocacy Handout is Now Posted*
- *Training, Networking, Engagement & Events*
- *the 2023 State Education Conference*
- *At The Board Table*
- *Recognition: Engaged*
- *Finding the Right Match for Your Leadership Vacancy*
- *Chronic Absenteeism*
- *Teacher/Administrator Negotiations Made Easy*
- *This Month In ... And Much More!*



"Annual Board Calendar Summary"

View the full detailed calendar at:

<https://members.nasbonline.org/board-leadership/resources>

(www.NASBonline.org – Board Leadership – Resources)

October Board Agenda Items

In addition to routine agenda items, time sensitive topics include:

Accountability and Student Achievement Review

- District Assurance Statement. On or before November 1, the school district must submit their Rule 10 Accreditation Assurance Statement to NDE. The statement must be signed either by the superintendent and/or a member of the governing board. The Assurance Statement should be presented to the board for review once complete.
- ESU Assurance Statement. On or before November 1, the ESU must submit their Rule 84 Assurance Statement to NDE. This rule is intended to support ESUs in effectively and efficiently supporting school systems in this state and to establish the minimum level of performance for accreditation.
- Fall Membership Report. On or before November 1, the superintendent of each school district shall submit to the Commissioner of Education a report described as the annual financial report showing (i) the amount of money received from all sources during the year and the amount of money expended by the school district during the year, (ii) the amount of bonded indebtedness, (iii) such other information as

shall be necessary to fulfill the requirements of the Tax Equity and Educational Opportunities Support Act and section § 79-1114, and (iv) such other information the Commissioner directs.

Advocacy

- Appoint local board Delegate Assembly Representative – notify Matt Belka @ mbelka@NASBOnline.org

Budget

- Superintendent file Financial Report. On or before November 1, all superintendents must submit to the Commissioner of Education, an Annual Financial Report. § 79-528
- Authorize School District Audit. On or before November 5, a copy of the Audit Report shall be filed with the Commissioner of Education and Auditor of Public Accounts. Annually, the school district shall authorize the examination of all financial records. The audit is to be conducted by a public accountant or by a certified public accountant.
- Collective Bargaining. On or before November 1, negotiations shall begin. No fewer than four negotiations meetings between the certificated and instructional employees' collective-bargaining agent and the board's bargaining agent.

Board will Review School (Annual) Foundation Filing Forms

- School Board will Review the Annual Foundation Board Filing Forms Original tax deadline for exempt organizations (Form 990) on or before May 15, 2023. Note: Extension tax deadline for exempt organizations: November 15, 2023

Board-Superintendent Relations

- Review current superintendent evaluation tool, policy specific to the evaluation, contract language to ensure it aligns to the policy, and review superintendent contract language outlining the responsibilities of the superintendent and board regarding the contract extension or renewal. Place each item on the board meeting agenda as specified.

****Review the full October Agenda on page 34 of the 2023 NASB Board Meeting Guide & Annual Board Calendar.**

Board Retreat

To support our members who did not have the opportunity to participate in the New Board Member Workshops consider a Board Retreat to engage with your newly elected board members as they continue to transition into their new role. Please contact Marcia Herring, NASB Director of Board Leadership at mherring@NASBOnline.org or 402-817-0296 to schedule a board retreat or private sessions through Microsoft Teams to review the board role and responsibilities.

Upcoming NASB Board Leadership Events

Board President Circle – October 18, 2023

NASB New Board Member Workshop - Wednesday, November 1, 2023

Join the NASB Board Leadership Team in Kearney for the opportunity to engage newly elected board members who did not have the opportunity to attend the NASB New Board Member Workshop this past December 2022. We are also including an invitation to all newly appointed board members. The agenda will include discussion and review of best practice board governance, meeting protocols, committee work, policy, Open Meetings Law, scenarios, goal planning, superintendent evaluation, and more. Stay tuned for more information regarding the registration details.

Submit Nominations for Board Member of the Year – [Ann Mactier Award] Contact Marcia Herring with questions regarding qualifications, nomination form, etc.



Government Relations & Advocacy

<https://members.nasbonline.org/government-relations>

(www.NASBonline.org – Government Relations)

WHO IS YOUR DELEGATE? While any board member is welcome to attend the Delegate Assembly, each board should select one member to represent them as the voting delegate prior to November 17.

Now is a great time to engage your lawmaker while they are in the district. Reach out if NASB can help you make a connection. Advocacy starts at home!



This Month In ...

<https://members.nasbonline.org/news-resources/board-notes-newsletter>

(www.NASBonline.org - News & Resources - Board Notes)

To see a quick glimpse at the various items the NASB is involved in, check out pages 10 & 11 each month in the Board Notes newsletter for “This Month In ...”

Advocacy & Government Relations - ALICAP & Insurance - Board Leadership - Data Analytics - Energy Purchasing - Member Engagement - Policy - Search, Strengths & Awards - Technology



Monthly Agenda Video Updates & NASB’s Video Resources

<https://members.nasbonline.org/news-resources/video-library>

(www.NASBonline.org - News & Resources – Video Library)

Monthly Board Agenda videos, Legal Resources, NASB’s Live & Learn Series, Member Zoom’s, Q&A’s with the Governor and Commissioner Blomstedt, EHA Updates, Advocacy breakdowns, and MUCH more!



Contact Us

<https://members.nasbonline.org/about-us>

(www.NASBonline.org – About Us)

Follow NASB on twitter at www.twitter.com/NASBonline using the hashtag #liveNASB and on Facebook at www.facebook.com/NASBonline



8.G. Legislation
Action Item

9. **Adjourn**
Information Item

Motion to adjourn at 8:09 Passed with a motion by Steve Guernsey and a second by Jordan Stroup.

Steve Guernsey:	Yea
Ted Henderson:	Yea
Nick Ladenburger:	Yea
Kent Lorens:	Yea
Cole Lutz:	Yea
Sandy Noffsinger:	Yea
Shad Stamm:	Yea
Jordan Stroup:	Yea