

Board of Education Regular Meeting
Wednesday, January 17, 2024 8:00 PM
SEM School Library
205 E 5th Avenue
Sumner, NE 68878

1. Declaration of Intend – Open Meetings Act
Notice of the meeting was posted to the SEM Mustang school website, SEM Facebook, Elm Creek Beacon Observer, and over the school reach notification system for the board meeting to be held on January 17, 2024 at 8:00 P.M. The agenda was available on the SEM Mustang school website and available in the Superintendent's Office. All proceedings hereafter as shown were taken while the convened meeting was open to the attendance of the public, unless noted as executive session. This meeting was conducted in accordance with the Open Meetings Act, Chapter 84, Article 14 posted in the School Library.
2. Call to Order
 - 2.1. Pledge of Allegiance
 - 2.2. Roll Call of Members
 - 2.3. Student Achievement
3. Oath of Office (Policy 2004) Administered by Dr. Conradt
4. Board Member Conflict of Interest Statement (Policy 2005)
5. Organizational Meeting of the Board of Education (Policy 2002)
 - 5.1. Election of Officers
Paper Ballots Required
 - 5.1.1. Election of Board President for 2024
 - 5.1.2. Election of Board Vice President for 2024
 - 5.1.3. Election of the Board Secretary for 2024

5.1.4. Approval of Kris Shoemaker as the Board's Appointed Treasurer for 2024

5.2. Appointments by Board President to Committees

Attached is the subcommittees for 2024.

6. Review of Code of Ethics (Policies 2012 & 2013)
7. Designate the Firm of KSB School Law as the Attorneys Authorized to Provide the School District with Legal Counsel (Policy 2014)
8. Designate Five Points Bank as the Depository Bank for Sumner-Eddyville-Miller School District
9. Designate Elm Creek's Beacon Observer or the Omaha World-Herald as the District's Newspaper of Record (Policy 2008)
10. Appointment of Dr. Conradt as the District's Non-discrimination Compliance Coordinator (Policy 3057)
Executive Summary:

Every school district is required to have a Non-discrimination Compliance Coordinator. This duty is considered as part of the Superintendent's Job Description. The board does need to take action to identify the superintendent as the district's responsible coordinator. This process needs to happen during a board meeting, so the minutes show the board was compliant with assigning this position.

11. Consent Agenda
 - 11.1. Approval of Minutes
 - 11.2. Approval of the Monthly bills, Claims and Payroll
 - 11.3. Approval of Treasurer's Report and Budget Report.
12. District Reports
 - 12.1. Principal's Report
 - 12.2. Superintendent's Report
13. Board of Education Subcommittee Report(s)
 - 13.1. Negotiations Committee* Executive Session

13.2. Policy Committee

14. Anatomy & Physiology Research Proposal - A presentation regarding how a hamstring/quadricep imbalance may result in knee injuries
Students would like the board to purchase a machine for the weight room that would help overcome this imbalance.
15. Presentation of Proposed Mission and Vision Statements by SEM's School Improvement Committee
16. Consider, Discuss and Approve Beverage Agreement between Coca-Cola/Dr Pepper Company
Coca-Cola has been the exclusive beverage at SEM for at least 20-some years. This agreement is for 10 years with the understanding that they will contribute \$10,000 toward a new indoor scoreboard.
17. 2022-2023 Annual Report to the Public
18. Upcoming Learning Events:
NASB Legislative Issues Conference, Lincoln: January 21 & 22
19. Recognition of Public Wishing to Address the Board (Policy 2009)
20. Motion to Adjourn

**2004
Oath of Office**

No board member is required to take an oath of office pursuant to Nebraska law. However, new board members may voluntarily take the following oath before entering into their official duties:

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 reservation or for purpose of evasion; and that I will faithfully and impartially perform the duties of the office of member of the board of education, according to law, and 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 of this state by force or violence; and that during such time as 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 of this state by force or violence. So help me God.

Board members may affirm the oath orally or in writing. Copies of written oaths will be retained as official records of the school district in the main administrative office and such other places as may be required by law. Board members who give the oath orally will be noted in the minutes.

Adopted on: 10/12/20
Revised on: _____
Reviewed on: 4/08/24

2005 Conflict of Interest

Any member of the board of education who meets the conditions set forth in this policy shall be deemed to have a business or financial conflict of interest.

1. Definitions. For purposes of this policy:
 - a. Business with which a board member is associated shall include the following:
 - (1) A business in which the board member or a member of his or her immediate family is a partner, a limited liability company, or serves as a director or an officer.
 - (2) A business in which the board member or a member of his or her immediate family is a stockholder in a closed corporation with stock worth one thousand dollars or more, or the board member or his or her immediate family owns more than a five percent equity interest or is a stockholder of publicly traded stock worth more than ten thousand dollars or more at fair market value, or which represents more than ten percent equity interest. This shall not apply to publicly traded stock under a trading account if the board member reports the name and address of the company and stockbroker.
 - b. A business association shall be defined to include an individual as a partner, limited liability company member, director or officer, or a business in which the individual or member of the immediate family is a stockholder.
 - c. Immediate family member or member of the immediate family shall mean a child residing in an individual's household, a spouse of an individual, or an individual claimed by that individual or that individual's spouse as a dependent for federal income tax purposes.
2. Contracts with the School District.
 - a. No board member or member of his or her immediate family shall enter into a contract valued at two thousand dollars or more, in

any one year, with this school district unless the contract is awarded through an open and public process that (1) includes prior public notice and (2) allows the public to inspect during the school district's regular office hours the proposals considered and the contract awarded. Board members who enter into employment contracts with the school district must also comply with the board's policy on the employment of board members.

- b. The existence of any conflict of interest in any contract in which the board member has an interest and in which the school district is a party, or the failure to make public the board member's interest known, may render a contract null and void.
- c. The prohibition of a conflict of interest or requirement for the board member to make public notice shall apply when the board member, or his or her parent, spouse, or child has a business association with the business involved in the contract or will receive a payment, fee, or commission as a result of the contract.
- d. The prohibition in this section does not apply if the contract is an agenda item approved at a board meeting and the board member:
 - (1) Makes a declaration on the record to the school board regarding the nature and extent of his or her interest prior to official consideration of the contract;
 - (2) Does not vote on the matters of granting the contract, making payments pursuant to the contract, or accepting performance of work under the contract, or similar matters relating to the contract, except that if the number of members of the school board declaring an interest in the contract would prevent the board with all members present from securing a quorum on the issue, then all members may vote on the matters; and
 - (3) Does not act for the school board as to inspection or performance under the contract in which he or she has an interest.

3. Contracts with Board Member's Immediate Family.

- a. If a person in a board member's immediate family is an employee of this school district, the board member may vote on all issues of a contract which are generally applicable to:
- (1) All district employees.
 - (2) All employees within a specific classification but which does not single out the member of his or her immediate family.

4. Employing Members of the Immediate Family.

- a. A board member may recommend for employment or supervise the employment of an immediate family member if:
- (1) The board member does not abuse his or her position.
 - (2) Abuse of official position shall include, but not be limited to, employing an immediate family member:
 - (i) who is not qualified for and able to perform the duties of the position;
 - (ii) for any unreasonably high salary;
 - (iii) who is not required to perform the duties of the position.
 - (3) The board makes a reasonable solicitation and consideration of applications for employment.
 - (4) The board member makes a full disclosure on the record to the governing body of the school district and to the secretary of the board. If the secretary of the board of education would be the individual filing the disclosure statement, the statement shall be filed with the president of the board of education.
 - (5) The board approves the employment or supervisory position.

- b. The board has not terminated the employment of another employee so as to make funds or a position available for the purpose of hiring an immediate family member.
5. Gifts, Loans, Contributions, Rewards, or Promises of Future Employment
- a. No board member shall offer or give to the following persons anything of value, including a gift, loan, contribution, reward, or promise of future employment, based upon an agreement that a vote, official action, or judgment would be influenced thereby:
 - (1) a public official, public employee, or candidate.
 - (2) a member of the immediate family of an individual listed in Subparagraph 'a' above.
 - (3) a business with which an individual listed in Subparagraph (1) or (2) above is associated.
 - b. No board member shall solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action, or judgment of the board member would thereby be influenced.
 - c. A board member shall not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which he or she is associated.
 - d. A board member shall not use personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain.
6. Conflict of Interest Relating to Campaigning or Political Issues
- a. Except as provided below, the board shall not authorize the use of personnel, property, resources, or funds under its jurisdiction for the purpose of campaigning for or against the nomination or

election of a candidate or the qualification, passage, or defeat of a ballot question.

- b. This does not prohibit the board from making school district facilities available to a person for campaign purposes if the identity of the candidate or the support for or opposition to the ballot question is not a factor in making the facilities available or a factor in determining the cost or conditions for use.
- c. This does not prohibit the board from discussing and voting upon a resolution supporting or opposing a ballot question.
- d. This does not prohibit the board, while legally seated as a body, from responding to specific inquiries by the press or the public as to the board's opinion regarding a ballot question or from providing information in response to a request for information.
 - (1) The board may designate one or more members of its body, or one or more of its school administrators, to speak on behalf of the board on specific occasions such as public meetings or legislative hearings.
 - (2) Any member of the board may present his or her personal opinion regarding a ballot question or respond to a request for information related to a ballot question; but in so doing, the person should clearly state that the information being presented is his or her personal opinion and is not to be considered as the official position or opinion of the board. However, this shall not be done during a time that the individual is engaged in his or her official duties.

7. Conflict of Interest Statement

- a. Any board member who would be required to take any action or make any decision in the discharge of his or her official duties that may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business with which he or she is associated, which is distinguishable from the effects of such action on the public generally or a broad segment of the public, shall take the following actions as soon as he or she is aware of such potential conflict or should reasonably be aware of such potential conflict, whichever is sooner:

- (1) Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict;
- (2) Deliver a copy of the statement to the school board secretary who shall enter the statement onto the school district's public records; and
- (3) Abstain from participating or voting on the matter in which he or she has a conflict of interest.

b. If the board member would like a formal opinion from the NADC as to whether there is an actual conflict of interest, he/she shall deliver a copy of the statement to the NADC.

8. Recordkeeping

a. The board secretary shall maintain a separate record of the following information for every contract entered into by the school board in which a board member has an interest and for which disclosure was made pursuant to section 2d of this policy:

- (1) The names of the contracting parties.
- (2) The nature of the interest of the board member in question.
- (3) The date that the contract was approved.
- (4) The amount of the contract.
- (5) The basic terms of the contract.

b. The information supplied relative to the contract shall be provided no later than ten (10) days after the contract has been signed by both parties. The ledger kept by the board secretary shall be available for public inspection during normal working hours of the office in which it is kept.

9. Conflict. To the extent that there is a conflict between this policy and the Nebraska Political Accountability and Disclosure Act ("Act"), the Act shall control.

| Adopted on: October 12, 2020
Revised on: _____
Reviewed on: _____

2002
Organization of the Board, Board Officers, Check Signing, and
Committees

1. Membership, Term and Election

- a. The Board of Education shall be comprised of six members who will be elected at large.
- b. Those who wish to serve on the board shall file, be elected, and serve terms of office on the board according to law.

2. Internal Organization and Officers

a. President

- i. At the regular January meeting, the board shall elect from among its members a president who shall serve in that capacity for one year.
- ii. The president shall preside at all board meetings, and shall perform such other duties as may be prescribed by law or by action of the board.

b. Vice President

- i. At the regular January meeting, the board shall elect from among its members a vice president who shall serve in that capacity for one year.
- ii. The vice president shall preside in the absence of the president, and shall perform such other duties as are assigned by the board.

c. Secretary

- i. At the regular January meeting, the board shall elect a secretary who need not be a member of the board. The secretary shall serve in that capacity for one year. If the secretary is a member of the board, an assistant secretary may be named and his or her duties and compensation set by the board.

- ii. The secretary shall see that an accurate record of the proceedings of the board is kept, that a copy of the proceedings is provided to each board member and to the superintendent, and that a concise summary of each month's meeting is published along with a list of all approved claims. The secretary shall perform such other duties as are prescribed by law and assigned by the board.

d. Treasurer

- i. At the regular January meeting, the board shall elect, employ, or appoint a treasurer who need not be a member of the board if permitted by law. The treasurer shall serve in that capacity for one year, unless the board designates a longer term for the treasurer.
- ii. The treasurer may be designated to sign checks and certain other documents. The treasurer is the custodian of the monies of the district.
- iii. The treasurer shall give bond or equivalent insurance coverage payable to the district as prescribed by law with the cost of the bond being paid by the district.
- iv. The treasurer shall issue no warrant of payment of claim against the district until such claim has been duly authorized.

3. Signing and Authorizing Checks, Warrants, and other Instruments.

- a. Unless otherwise delegated by the board, the president and secretary of the board shall sign checks, warrants, and other instruments of the district.
- b. The board may delegate another person to sign and validate any checks, warrants, and other instruments. Facsimile signatures of board members may be used.
- c. The board delegates that the vice president or treasurer may sign any warrant in the absence of either the president or the secretary.

4. Board Officer Voting and Tie Breakers

- a. The vote to elect board officers may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.
- b. In the event any officer cannot be elected by a majority after 10 votes; no votes occur after ten motions fail for lack of a "second,"; or no member volunteers to serve as an officer for a particular position, the tie will be broken by the applicable method:
 - i. If the board is split between two members, the officer will be determined by coin flip. The winning member will be the officer for the upcoming year unless the position changes by action of the board.
 - ii. If the board is split between more than two members who wish to serve as the officer, any member wanting to serve as the officer will put his or her name into a drawing. The name drawn out will be the officer for the upcoming year unless the position changes by action of the board.
 - iii. If no member is willing to serve as an officer for a position which is required to be a member of the board, all non-officers' names will be put into a drawing. The name drawn out will be the officer for the upcoming year unless the position changes by action of the board.

5. Committees

- a. The board shall authorize such special committees as it deems necessary. The board president shall appoint members to the committee, and designate its function, tasks it is to perform, and a completion date for its work.
- b. On or before the beginning of each calendar year, the board shall appoint three members to form a Committee on American Civics. The committee's duties shall be those prescribed by Nebraska statutes, which include:
 - i. Hold no fewer than two public meetings annually, at least one when public testimony is accepted;

- ii. Keep minutes of each meeting showing the time and place of the meeting, which members were present or absent, and the substance and details of all matters discussed;
- iii. Examine and ensure that the social studies curriculum used in the district is aligned with the social studies standards adopted pursuant to section 79-760.01 and teaches foundational knowledge in civics, history, economics, financial literacy, and geography;
- iv. Review and approve the social studies curriculum to ensure that it stresses the services of the men and women who played a crucial role in the achievement of national independence, establishment of our constitutional government, and preservation of the union and includes the incorporation of multicultural education as set forth in sections 79-719 to 79-723 in order to instill a pride and respect for the nation's institutions and not be merely a recital of events and dates;
- v. Ensure that any curriculum recommended or approved by the committee on American civics is made readily accessible to the public and contains a reference to this section;
- vi. Ensure that the district develops and utilizes formative, interim, and summative assessments to measure student mastery of the social studies standards adopted pursuant to section 79-760.01;
- vii. Ensure that the social studies curriculum in the district incorporates one or more of the following for each student:
 - 1. Administration of a written test that is identical to the entire civics portion of the naturalization test used by United States Citizenship and Immigration Services prior to the completion of eighth grade and again prior to the completion of twelfth grade with the individual score from each test for each student made available to a parent or guardian of such student; or
 - 2. Attendance or participation between the commencement of eighth grade and completion of twelfth grade in a meeting of a public body as defined by section 84-1409 followed by the completion of a

project or paper in which each student demonstrates or discusses the personal learning experience of such student related to such attendance or participation; or

3. Completion of a project or paper and a class presentation between the commencement of eighth grade and the completion of twelfth grade on a person or persons or an event commemorated by a holiday listed in section 79-724(6) or on a topic related to such person or persons or event;

viii. Take all such other steps as will assure the carrying out of the provisions of this section and provide a report to the school board regarding the committee's findings and recommendations.

6. Vacancies

a. A vacancy on the board of education shall exist when any one of the following occurs:

i. A member submits his or her formal resignation from the board.

ii. A member removes himself or herself from the district or is absent from the district for a continuous period of sixty days.

iii. A member misses more than two consecutive regular board meetings unless excused by a majority of the remaining members.

iv. Such other reasons as are set forth in Nebraska statutes.

b. The board shall make note the vacancy in its minutes and shall give notice of the date the vacancy occurred, the office vacated, and the length of the unexpired term to (1) the election commissioner or county clerk, and (2) the public by published notice in a newspaper of general circulation in the district.

c. Vacancies shall be filled in the manner set forth in Nebraska statutes.

Adopted on: October 12, 2020 Regular BOE Meeting

Revised on: _____

Reviewed on: _____

Board Subcommittees

Budget & Finance

Jennifer Andersen, Jana Hoos, & Laura Robbins

Negotiations

Jennifer Andersen, Jana Hoos, & Laura Robbins

Building, Grounds, & Transportation

Kirby Burden, Matt Hothem, & Rachel Hrasky

Americanism Committee & Curriculum

Jennifer Anderson, Jana Hoos, & Matt Hothem

Policy & Handbook

Kirby Burden, Matt Hothem, & Rachel Hrasky

**2012
Board Code of Ethics**

The board recognizes that collectively and individually, all members of the board must adhere to an accepted code of ethics in order to improve public education. Board members must conduct themselves professionally and in a manner fitting of their position.

Each board member shall:

1. Attend all regularly scheduled board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
2. Endeavor to make policy decisions only after full discussion at publicly held board meetings;
3. Render all decisions based on the available facts and his or her independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
4. Encourage the free expression of opinion by all board members, and seek systematic communication between the board and students, staff and all elements of the community;
5. Work with other board members to establish effective board policies and to delegate authority to the superintendent to administer the school district;
6. Communicate expressions of public reaction to the board policies and school program to other board members and the superintendent;
7. Learn about current educational issues by individual study and through participation in seminars and programs, such as those sponsored by the state and national school board associations;
8. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
9. Avoid being placed in a position of conflict of interest, and refrain from using the board member's position on the board for personal or political gain;

10. Refrain from discussing the confidential business of the board in any setting except a board meeting;
11. Refrain from micro-managing the affairs of the school district;
12. Recognize the superintendent as the executive officer of the board;
13. Work constructively and collegially with the other members of the board, students, staff and patrons.
14. Refer complaints to the superintendent or building principal, as appropriate;
15. Always be mindful of his/her fiduciary obligation to the school district, including duties of loyalty and care, by placing the interests of the district above the board member's personal interests.
16. Remember that a board member's first and greatest concern must be the educational welfare of the students attending this district's schools.

Adopted on: October 12, 2020 Regular BOE Meeting

Revised on: _____

Reviewed on: _____

2013
Violation of Board Ethics

The board of education is responsible for enforcing the code of ethics of its members. If any member of the board commits a serious or repeated violation of the code, the board may take any of the following steps:

1. The board president may confer with the board member who has violated the code of ethics in order to:
 - a. Identify the provision of the code that the member has violated;
 - b. Propose how the member can remedy the violation;
 - c. If the board member who violated the code is the board president, the vice president is empowered to confer with the president about the violation.
2. The board may discuss the violation as an agenda item at a meeting to confront the offending board member. However, the board will not enter closed session to hold the discussion of the ethics violation unless the Open Meetings Act authorizes a closed session.
3. The board may vote to publicly censure any board member who commits a serious or repeated violation of the code. The board will pass a censure motion to inform the community that an individual member of the board is not fulfilling the responsibilities for which he or she was elected.

Adopted on: October 12, 2020 Regular BOE Meeting

Revised on: _____

Reviewed on: _____

General Information - Filing Requirements

A public official or public employee of a political subdivision may employ, recommend the employment of, or supervise the employment of an immediate family member if:

- 1) he or she does not abuse his or her official position; and
- 2) makes a written disclosure with the person in charge of keeping records for the governing body or a disclosure on the record to the governing body; and
- 3) he or she has first made a reasonable solicitation and consideration of applications for such employment:

NOTE: Examples of abuse of one's position could include, but are not limited to, (1) providing an unreasonably high salary, (2) not requiring the employee to actually perform the duties of his or her position, (3) terminating another employee to make a position available for an immediate family member, (4) hiring an immediate family member who is not qualified to hold the position.

I. Who Must File:

- A. Public officials and employees of political subdivisions employing, recommending employment, or supervising the employment of an immediate family member must make a disclosure to the person in charge of keeping records for the governing body of the entity. Where applicable the disclosure may be made on the record to the governing body of the entity in lieu of a written disclosure.
- B. Public officials and employees who currently employ or supervise an immediate family member(s) employed prior to the election or appointment of the public official or public employee.

II. When to File:

- A. Public officials and employees must file prior to employing, recommending employment, or supervising the employment of an immediate family member.

- B. Newly elected or appointed public officials or employees shall file prior to or as soon as reasonably possible after the official date of taking office.

III. Where to File:

This form or other written disclosure should be filed with the person in charge of keeping records for the governing body of the entity served. (i.e., officials and employees of public power districts file with the district office; county officials and employees file with the county clerk; city or village officials or employees file with the city or village clerk; officials and employees of natural resource districts file with the office of the district manager; school district officials and employees file with the district superintendent or secretary of the school board. **Disclosure need not be made to the Nebraska Accountability and Disclosure Commission.**

Disclosure of Contractual Interests by Local Officers.

If you are disclosing an interest in a contract to which a local governing body on which you serve is a party, use NADC Form C-3, Contractual Interest Statement.

Disclosure of Potential Conflict of Interest by Officials, Employees, and Others Required to file Statements of Financial Interests.

If you are disclosing a potential conflict of interest use NADC Form C-2, or NADC Form C-2A Potential Conflict of Interest Statement.

NOTE: This form should not be used by State officials or State employees. See §49-1499.07 of the Nebraska Revised Statutes or contact the Commission.

Definitions

Governing body means the village board of a village, the city council of a city, the board of commissioners or board of supervisors of a county, the board of directors of a public power district, or any body with the ultimate power to determine the entity's policies and control its activities.

Immediate Family Member means a child residing in an individual's household, a spouse of an individual, or an individual claimed by the public official or employee or his or her spouse as a dependent for federal income tax purposes.

Statutory Authority: Section 49-1499.04 Revised Statutes of Nebraska.

2014
Relationship with District Legal Counsel

The board will engage legal counsel to assist it and the administration in dealing with legal issues. When the district faces circumstances in which legal counsel may be needed between board meetings, the board president or superintendent may engage legal counsel on the board's behalf.

The superintendent and the board president shall have the authority to contact the school's legal counsel on behalf of the district. The superintendent may give other members of the administration permission to contact the district's legal counsel on an as-needed basis. Individual board members other than the president may not contact the district's legal counsel on behalf of the board without the approval of the board president or a majority of the board.

Any board member who contacts the district's legal counsel without board approval may be personally responsible for any legal fees incurred as a result of the unapproved contact.

The superintendent will, to the extent permitted by law, keep the board informed of matters in which the district's legal counsel is involved.

Adopted on: October 12, 2020 Regular BOE Meeting

Revised on: _____

Reviewed on: _____

2008 Meetings

The formation of policy is public business and will be conducted openly in accordance with the Nebraska Open Meetings Act.

1. Types of Meetings

- a. The board shall hold its regular meetings on or before the third Monday of each month.
- b. Special and emergency meetings may be called as provided by law.
- c. The board may schedule work sessions and retreats in order to provide board members and administrators with the opportunity to plan, research, and engage in discussion.

2. Notice

The board shall give reasonable advance publicized notice of the time and place of each of its meetings, which generally will be 48 hours or more in advance of the meeting. Such notice shall be transmitted to all members of the board and to the public. Notice of regular and special meetings shall be published in a newspaper of general circulation within the district and, if available, on the newspaper's website. Newspapers of general circulation in the district include, but are not necessarily limited to, the Elm Creek Beacon-Observer or the Omaha World-Herald. Such notice shall contain a statement that the agenda shall be readily available for public inspection at the administration office of the school during the normal business hours. In addition, the superintendent is authorized, but not required, to publish the notice of any meeting on the school district's website, posting in three prominent places within the school district, or by any other appropriate method designated by the board.

When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes of the meeting, and any formal action taken in such meeting shall pertain only to the emergency. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public no later than the end of the next regular business day.

3. Weather Delays

In the event of inclement weather which makes it dangerous or unreasonable for board members or members of the public to attend a meeting for which notice has already been given, such meeting may be postponed by the board president. The board will communicate the delay to members of the public by posting it on the district's website and by following the same communication protocol that the district follows when student attendance at school is called off due to inclement weather. When possible, the board president and superintendent will attempt to communicate the information to local media members and business owners to assist in notifying the public of the delay. Notice of the date, time, and location of the postponed meeting will be advertised as required in the "Notice" section above.

4. Minutes

- a. The board shall keep minutes of all meetings showing the time, place, members present and absent, the method(s) and date(s) of the meeting notice, and the substance of all matters discussed.
- b. Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the board in open session, and the record shall state how each member voted, or if the member was absent or not voting.
- c. The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public record and shall be published on the school district's website within ten working days of the last meeting or prior to the next convened meeting, whichever occurs earlier. The minutes shall be available on the website for at least six months.

Adopted on: July 10, 2023

Revised on: _____

Reviewed on: _____

3057 Title IX Policy

It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.

1. Title IX Coordinator

1.1. **Designation.** The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the "**Title IX Coordinator.**" The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

2. Definitions. As used in this policy, the following terms are defined as follows:

2.1. **Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.

2.2. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

2.3. **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

2.4. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

2.5. **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

2.6. **Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

2.6.1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;

2.6.2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it

effectively denies a person equal access to the district's education program or activity;

2.6.3. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:

2.6.3.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

2.6.3.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

2.6.3.1.2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.4. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

- 2.6.3.2. **Sex Offenses, Non-forcible**—(Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.
 - 2.6.3.2.1. **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
 - 2.6.3.2.2. **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent
- 2.6.4. **Dating violence**, as defined in 34 U.S.C. § 12291(a), which means violence committed by a person—
 - 2.6.4.1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - 2.6.4.2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - 2.6.4.2.1. The length of the relationship.
 - 2.6.4.2.2. The type of relationship.
 - 2.6.4.2.3. The frequency of interaction between the persons involved in the relationship.
- 2.6.5. **Domestic violence**, as defined in 34 U.S.C. § 12291(a), which includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who—
 - 2.6.5.1. is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;

2.6.5.2. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

2.6.5.3. shares a child in common with the victim; or

2.6.5.4. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

2.6.6. **Stalking**, as defined in 34 U.S.C. § 12291(a), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

2.6.6.1. fear for his or her safety or the safety of others; or

2.6.6.2. suffer substantial emotional distress.

2.7. **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

3. Discrimination Not Involving Sexual Harassment.

3.1. **General Prohibition.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be

subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.

3.2. Specific Prohibitions. Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:

- 3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- 3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- 3.2.3. Deny any person any such aid, benefit, or service;
- 3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;
- 3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
- 3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

3.3. Complaint Procedure. All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law—when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.6 above—shall be addressed pursuant to the district’s general complaint procedure, Board Policy 2006

4. Response to Sexual Harassment

4.1. Reporting Sexual Harassment. Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the

District's Title IX Coordinator. No person will be retaliated against based on any report of suspected sexual harassment or retaliation. Any District employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

4.2. General Response to Sexual Harassment. When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy "education program or activity" includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs. The district's response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.7 above to a complainant, and by following the grievance process described in section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

4.3. Emergency Removal. Nothing in this policy precludes the district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

4.4. Administrative Leave. Nothing in this policy precludes the district from placing a non-student employee respondent on

administrative leave during the pendency of a grievance process that complies with section 5 below. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

4.5. General Response Not Conditioned on Formal Complaint.

With or without a formal complaint, the district will comply with the obligations and procedures described in this section 4.

5. Grievance Process for Formal Complaints of Sexual Harassment.

5.1. General Requirements.

5.1.1. **Equitable Treatment.** The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

5.1.2. **Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

5.1.3. **Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

5.1.4. **Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive

training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

5.1.4.1. **All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.

5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:

5.1.4.2.1. The definition of sexual harassment in subsection 2.6;

5.1.4.2.2. The scope of the district's education program or activity;

5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and

5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection **Error! Reference source not found..**

5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.

- 5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- 5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- 5.1.7. **Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.
- 5.1.8. **Range of Supportive Measures.** The range of supportive measures available to complainants and respondents include those listed in subsection 2.7.
- 5.1.9. **Respect for Privileged Information.** The district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

5.2. **Notice of Allegations.**

- 5.2.1. **Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:

5.2.1.1. A copy of this policy.

5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

5.2.2. **Supplemental Notice.** If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Initial Notice described above, the district will provide notice of the additional allegations to the parties whose identities are known.

5.3. **Dismissal of Formal Complaint.**

5.3.1. The district will investigate the allegations in a formal complaint.

5.3.2. **Mandatory Dismissals.** The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint:

5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.6 even if proved;

5.3.2.2. Did not occur in the district's education program or activity; or

5.3.2.3. Did not occur against a person in the United States.

5.3.3. **Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

5.3.3.2. The respondent is no longer enrolled in or employed by the district; or

5.3.3.3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

5.3.4. Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

5.3.5. Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

5.4. **Consolidation of Formal Complaints.** The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

5.5. **Investigation of Formal Complaint.** When investigating a formal complaint and throughout the grievance process, the district will:

- 5.5.1. Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint;
- 5.5.2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);
- 5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- 5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- 5.5.5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- 5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative

interviews, or other meetings, with sufficient time for the party to prepare to participate;

- 5.5.7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and
- 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

5.6. **Determination Regarding Responsibility**

- 5.6.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).
- 5.6.2. **Exchange of Written Questions.** After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone

other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

5.6.3. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the preponderance of the evidence standard. The written determination will include:

5.6.3.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;

5.6.3.2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

5.6.3.3. Findings of fact supporting the determination;

5.6.3.4. Conclusions regarding the application of the district's code of conduct to the facts;

5.6.3.5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and

5.6.3.6. The district's procedures and permissible bases for the complainant and respondent to appeal.

5.6.4. The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the

district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

5.6.5. The Title IX Coordinator is responsible for effective implementation of any remedies.

5.7. **Appeals.** The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

5.7.1. **Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.7.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.

5.7.2. **Grounds for Appeal.** Appeals from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, are limited to the following grounds:

5.7.2.1. Procedural irregularity that affected the outcome of the matter;

5.7.2.2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

5.7.2.3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the

individual complainant or respondent that affected the outcome of the matter.

5.7.3. As to all appeals, the district will:

5.7.3.1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

5.7.3.2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;

5.7.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.

5.7.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

5.7.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and

5.7.3.6. Provide the written decision simultaneously to both parties.

5.8. Informal Resolution. The district will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

5.8.1. Provides to the parties a written notice disclosing:

5.8.1.1. The allegations;

- 5.8.1.2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
- 5.8.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
- 5.8.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- 5.8.2. Obtains the parties' voluntary, written consent to the informal resolution process; and
- 5.8.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

5.9. **Recordkeeping.**

- 5.9.1. The district will maintain for a period of seven years records of:
 - 5.9.1.1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
 - 5.9.1.2. Any appeal and the result therefrom;
 - 5.9.1.3. Any informal resolution and the result therefrom; and
 - 5.9.1.4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials publicly available on its website, or if the district does not

maintain a website then the district will make these materials available upon request for inspection by members of the public.

- 5.9.2. For each response required under section 4, the district will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

6. **Superintendent Authorized to Contract.** The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

7. **Access to Classes and Schools.**

7.1. **General Standard.** Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

7.1.1. **Contact sports in physical education classes.** This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.

7.1.2. **Ability grouping in physical education classes.** This section does not prohibit grouping of students in physical

education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

7.1.3. **Human sexuality classes.** Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.

7.1.4. **Choruses.** The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.

7.2. **Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.

8. **Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.

8.1. **Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

8.2. **Equal opportunity.** The district will provide equal athletic opportunity for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.

9. **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

10. **Retaliation Prohibited.** Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R.

part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

10.1. Specific Circumstances.

- 10.1.1. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.
- 10.1.2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

11. Notification of Policy. The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

12. Publication of Policy. The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, the name or title,

office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

13. **Application Outside the United States.** The requirements of this policy apply only to sex discrimination occurring against a person in the United States.

14. **Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in compliance with Title IX and 34 C.F.R. part 106, then all of the district's obligations under this policy shall be deemed to be fulfilled and discharged.

Adopted on: July 12, 2023

Reviewed on: _____

Revised on: _____

Board of Education Regular Meeting

SEM Library
205 E 5th Avenue
Sumner, NE 68878

Monday, December 11, 2023 Immediately Following the Secondary Concert

Mrs. Jennifer Anderson: Present
Mr. Kirby Burden: Present
Mrs. Jana Hoos: Present
Mr. Matthew Hothem: Present
Mrs. Rachel Hrasky: Present
Mrs. Laura Robbins: Present

1. Declaration of Intend – Open Meetings Act

2. Call to Order

2.1. Pledge of Allegiance

2.2. Roll Call of Members

2.3. Recognition of Student Achievement

3. Consent Agenda

Motion to approve the consent agenda Passed with a motion by Mrs. Jennifer Anderson and a second by Mrs. Rachel Hrasky.

Yea: 6, Nay: 0

3.1. Approval of Minutes

3.2. Approval of the Monthly bills, Claims and Payroll

3.3. Approval of Treasurer's Report and Budget Report.

4. Administrative Report

4.1. Principal's Report

4.2. Superintendent's Report

5. Board of Education Subcommittee Report(s)

5.1. Building and Grounds Committee

5.2. Negotiations

6. Business Items

6.1. 2022-2023 AQuESTT Classification

6.2. 2023 Spring Nebraska Student-Centered Assessment System (NSCAS) Scores

6.3. 2022-2023 Sumner Eddyville Miller Audit

6.4. Superintendent Evaluation

7. Adjourn

Motion to adjourn at 8:57pm. Passed with a motion by Mrs. Rachel Hrasky and a second by Mrs. Laura Robbins.

Yea: 6, Nay: 0

Activities/Meetings Attended

Tuesday, December 12 Girls BB vs. South Loup
Thursday, December 14 Girls & Boys BB @ Heartland Lutheran – Grand Island
Saturday, December 16 Girls & Boys BB vs. Sandhills Thedford
Tuesday, December 19 Girls & Boys vs. Franklin
Wednesday, January 3 Teachers Professional Development Teachers - am
 Teachers Work Time in Rooms - pm
Thursday, January 4 Safety Mtg with Dawson County Sheriff's Department
Thursday, January 4 Girls & Boys BB @ Elwood
Friday, January 5 Girls & Boys BB @ Axtell
Numerous Evaluations, Classroom Visitations, IEP's and MDT's

School Board Member Week in Nebraska

January 21-28

We recognize and thank our SEM school board members for their dedication and commitment to our students.

Safety Radio

I attended a presentation by Dawson County Sheriff's Department. We will be splitting the cost of the safety response unit/radio that will be in our main office. I will explain how it works and the purpose and necessity of it.

Elevator Repair

I am attaching a copy of the repair for our elevator. We cannot locate the warranty for the elevator in any office, Kris, Aaron, or mine. If those of you know how long the warranty was or a person who would know please let me know. We sent the down payment on Friday. As soon as they receive the check they will order the parts and it should not be long before they are here to start the repair.

Glycol Damage Update Verbal - Report

PROFESSIONAL GROWTH PLAN

Superintendent Dr. Candace Conradt
January 2024

According to the NASB Evaluation Summary, I need to identify no more than four performance areas on which to focus. I have chosen three areas. Two of the three areas were board-identified as needed for Professional Growth.

Standard 1: Mission, Vision, & Goals Board Avg. Score: 5.29 My Avg. Score: 4.86

Standard IV: Educational Leadership Board Avg. Score: 5.19 My Avg. Score: 5.18

Standard III: Budget Planning & Management Board Avg. Score: 5.43 My Avg. Score: 5.29

Goal 1 - Standard 1: Mission, Vision, & Goals

Superintendent works collaboratively with the board to define, adopt, and institute the district mission, vision, & goals to ensure the progress and success of student learning and achievement.

- 1a. Work collaboratively with the board to define, adopt, and institute the district mission, vision & goals.
- 1b. Engage internal & external stakeholders in the discussion of long-term plans & goals.

Action Step	Person(s) Responsible	Timeline for Reporting Progress	Progress/Success ✓ when completed
SEM’s School Improvement Committee will bring their proposed Mission and Vision statements developed with staff input and the background history explaining the development of the statements.	Superintendent, Principal, School Improvement Team	January 2024 Meeting	
Aligning/publishing the board goals along with the Mission & Vision Statements	Superintendent, Principal, School Improvement Team	February/March 2004 Meeting	
Mission statement rolled out and publicized along with school “slogan” and other marketing-type materials. Mission statement updated on school website and social media presence to communicate with patrons.	Superintendent, Principal, School Improvement Team	March/April 2004 Meeting	
Categorize the board goals into various functions such as Bldg & Grounds, Student Achievement, Curriculum, Teacher Retention, Budget, etc.	Superintendent, Principal, School Improvement Team	March/April 2004 Meeting	
Attached to Sparq Board Meetings our Mission, Vision, & Goals for referral at every meeting	Superintendent	February 2004 Meeting	

Goal 2 - Standard IV: Educational Leadership

The superintendent will provide educational leadership ensuring resources align and support best practice for instructional standards, as well as implementation of current and/or applicable curriculum/assessments to support student success

2a. Work with faculty and ESU to align curriculum and match curriculum to state standards.

2b. Provide training on District Instructional Model and best instructional practices

Action Step	Person(s) Responsible	Timeline for Reporting Progress	ProgressSuccess ✓ when completed
Continue the work on Curriculum alignment (vertical and horizontal) and matching to state standards.	Superintendent, Principal, All Faculty in respective classes, ESU Personnel	Continuous	
Provide time and resources for curricular areas to work on alignment and standards.	Superintendent, Principal, All Faculty in respective classes, ESU Personnel	Continuous	
Provide time for teachers to meet and perform data dives and then hold conversations based on results and research on best practices. (MTSS teams)	Superintendent, Principal, All Faculty in respective classes, ESU Personnel	Continuous	
Advocate for input from parents and community members concerning SEM School.	Superintendent, Principal, School Improvement Committee	March 2004	
Communicate with the board during monthly meetings, the academic progress/achievement of our students.	Superintendent, Principal, Teachers	Continuous	

Goal 3 - Standard III: Budget Planning & Management

The Superintendent provides organizational leadership district-wide to ensure fiscal responsibility by allocating, using, and investing district resources to support effective instruction and improved student learning.

- 2a. Work with board finance committee more frequently with the budget process for the 2024-2025 year.
- 2b. Share more information with the finance committee.

Action Step	Person(s) Responsible	Timeline for Reporting Progress	ProgressSuccess ✓ when completed
Budget maximizing resources, revenue, and that is mindful of the patrons of SEM	Superintendent, Board Finance Committee	March 2024	
Finance work sessions that help to develop the budget and identify priorities of the board. (Upkeep Bld, busses, New Bldg., etc.)	Superintendent, Principal, All Faculty in respective classes, ESU Personnel	Continuous Starting March 2024	
Explore various grants/funding available and board help writing the grants or obtaining the funding for special projects	Superintendent, Principal, All Faculty in respective classes, ESU Personnel	Continuous March 2024	
Provide detailed financial history of SEM	Superintendent, Bookkeeper	February 2024	
Become more involved in the legislation involving funding and encourage board members to become involved	Superintendent, Finance Committee, Board members	January 2024	

Beverage Agreement

This agreement is between S.E.M. Public School and the Coca-Cola/Dr Pepper Company. The term of this agreement shall be for a period of 10 years. This agreement shall begin January 1 2024 and end December 31 2034.

Beverage rights apply to all events held at the S.E.M. Public Schools. Coca-Cola will have the exclusive beverage rights for the following categories. Carbonated beverages, and non-carbonated beverages, fruit juices, fruit drinks, isotonic beverages, tea, energy, water, flavored water and enhanced water. All products will be purchased directly from Coca-Cola/Dr Pepper Company. No competitive beverages will be sold by can, bottle, or cup for a period of 10 years. Coca-Cola will install service and maintain, at no charge all equipment necessary to dispense all beverages sold by Coca-Cola.

In consideration for the above-mentioned beverage sales, Coca-Cola will contribute \$10,000 to be used for the purchase of a new indoor scoreboard. The scoreboard will become the property of S.E.M. Public School upon receipt. Any installation and service fees will be the responsibility of S.E.M. Public School.

If for any reason S.E.M. Public School cannot or will not honor the terms of this agreement, they will have the option of reimbursing Coca-Cola for the amount given. The amount reimbursed will be determined by using a straight-line 10-year depreciation schedule. Neither party shall be liable to the other for special or consequential damages.

S.E.M. Public School

Coca-Cola/Dr Pepper Company

Date

Date

3058

Naming School Facilities and Property

The purpose of this policy is to establish the criteria and procedures for naming and renaming school district facilities or property.

Authority. The board shall have the authority to name all school district facilities or property. The board reserves the right to refuse to name any facility or piece of property and to make name changes at any time.

Definition. "Facilities or property" means any physical structure owned by the school, including any new, existing, or leased building; a wing of a building; any room; or other significant features or portion thereof such as a fountain, monument, plaza, garden, landscaped area, street, running course, running track, playing field, practice field, playing court, practice court, bench, memorial, or stage.

Committee or Administrative Review. Prior to formal naming action by the board, the matter may be referred to the superintendent or a school committee for consideration, review, and recommendation to the board.

Naming Criteria. The district may name facilities or property after the community, subdivision, or street on which the school is located; the geographic location of the school; or any significant landmark. The district may name facilities or property for an individual, family, or entity meeting at least one of the following criteria:

1. A faculty member, staff member, board member, alumni, volunteer, or other community member who has made an outstanding contribution to education, humanity, or community; or have displayed outstanding leadership; or be a person of historical significance; and who has been deceased for at least five years;
2. Financial donors who make a significant financial contribution to the school generally or to a specific school activity or program; and
3. Financial donors who make a significant financial contribution toward the construction of a new facility/property or facility/property renovation.

The district will not grant a naming right without the informed consent of the named party or his/her/its authorized representative.

Due Diligence Review. The board or its designee shall conduct a due diligence review of any proposed facility or property name to consider whether it is and will continue to be a positive and appropriate reflection on the school,

whether the name conforms with the purpose and mission of the school, and whether there are any conflict of interest issues. The board or its designee shall also consult with district legal counsel to ensure that any proposed name complies with applicable policies, laws, and regulations and to determine if any proposed name would have an adverse impact on existing or future tax-exempt bond issues.

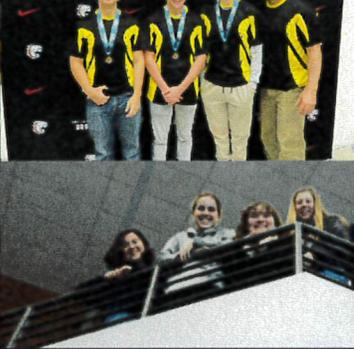
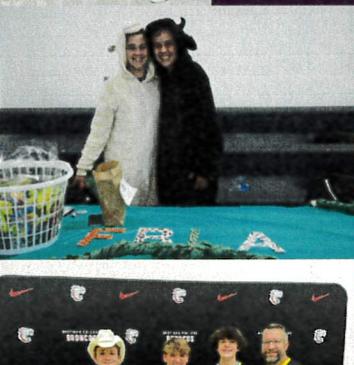
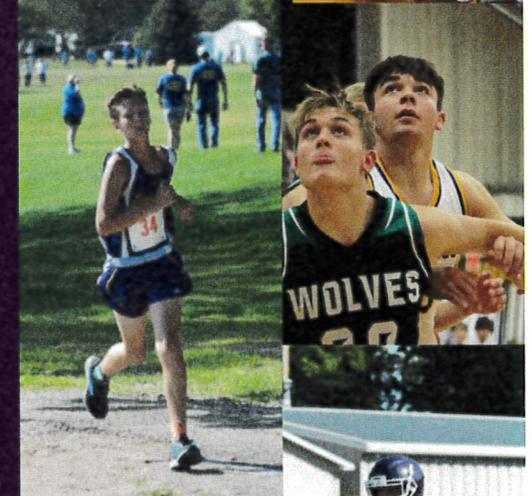
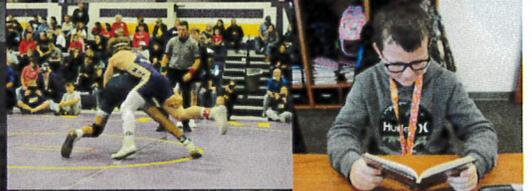
Renaming Facilities. Once established, the name of school district facilities or property generally shall not be changed absent compelling reason to do so as determined by the board. Compelling reasons include, but are not limited to, the person or entity or any of its officers, agents, or employees committing any act or doing anything which might tend to bring the person or entity or any of its officers, agents, or employees into public disrepute, contempt, scandal, or ridicule, or which might tend to reflect unfavorably on the district or if the continued use of the name is contrary to the educational mission of the district. The named party may, without refund of any consideration paid or provided, terminate his/her/its acceptance of the naming rights prior to the scheduled termination date upon request to and approval of the board. If the request is granted, the named party shall be solely responsible for all costs of removal of the names.

Current Facilities or Property. Facility and property names that exist at the time this policy is adopted shall remain in effect, subject to future renaming consistent with this policy.

Adopted on: _____

Revised on: _____

Reviewed on: _____



Sumner-Eddyville-Miller Schools

Annual Report 2022-2023

<https://semmustangs.org>

205 E. 5th Ave
Sumner, NE 68878
PH: 308-752-2925

School District Overview

The 2022-2023 Annual Report provides a snapshot of SEM school district and information about various programs and services for the students of our district. It is a glimpse of the progress our school continues to make, and it will help you see how well our school is meeting state and federal expectations on student performance and school quality. We use student assessment and program evaluation to improve curriculum, instruction, school climate, organization, and management to advance student learning – continuous improvement. ***“The mission of Sumner-Eddyville-Miller Schools is***

to provide opportunities for all students to achieve their personal best, become responsible, caring, productive citizens, and embrace lifelong learning in a safe, healthy, and positive environment.” This mission illustrates the guiding principle of our district – providing excellence in education for students. The annual report provides information about how well our district is doing, where it is succeeding, and where there is room for improvement.

SEM Schools offer a comprehensive program for students in grades preschool through twelfth

grade. These programs cover a wide range from the “basics” to vocational, special education and college level courses.

This report has been prepared as an extensive picture of public education in the Sumner-Eddyville-Miller School District. We realize that the total picture cannot be told in percentages, numbers, and graphs. The quality of any school is primarily developed in the daily interaction between teachers, staff, and students. We encourage you to visit our schools and get involved in the educational process.

Board of Education

SEM Schools is governed by the Board of Education. Six members are elected at large for a four year term. The board members are nonpartisan. Three board members are elected every two years.

The regular board meetings are held on the second Monday of the month. A current agenda is posted on the school website under the *District* tab. A copy of the agenda is also available at the meeting.

2022 Board of Education

Matt Hothem—President
Rachel Hrasky—Vice-President
Jana Hoos—Secretary
Jennifer Anderson—Board Member
Kirby Burden—Board Member
Laura Robbins—Board Member

From the Superintendent's Office

I am pleased to share the information provided in the Annual Report with all of the patrons of the Sumner-Eddyville-Miller Schools district. This report provides the reader with information that includes demographic information, enrollment figures, financial data, personnel data, student achievement information and much more. Much of this information is required by the Nebraska Department of Education, while other data is included that may be of interest to the reader.

Sumner-Eddyville-Miller Schools district have many accomplishments to be proud of. This report reflects many of the accomplishments that occurred during the 2022-2023 school year. These accomplishments would not be possible without the hard work and dedication of many people in our school and community. We appreciate all of the people who are helping with the education of SEM students.

District employees are working hard to make our school the best that it can be for all of our students. In this report you will be able to identify specific school demographics.

We know that every school has room for improvement. We continue to strive for improvement by reviewing student data, and identifying the learning style of every child. Appropriate intervention strategies are then applied to allow for student success.

What the report cannot show is the determination of the faculty and staff to help each child find success. In addition, the report cannot show the importance of parents in the educational process. We encourage parents to be an active partner in their child's education by:

- *Reviewing your child's homework and test results*
- *Supporting and reinforcing your child's good study habits*
- *Making sure your child is prepared and attends school each day*

Please feel free to contact me with your comments and suggestions. We are very interested in providing our community with schools that meet the needs of our students and continue to make us all proud of their many accomplishments.

Dr. Candace Conradt, Superintendent

Students	Sumner-Eddyville-Miller	State of Nebraska
Free & Reduced Meals	52%	50%
English Learners	5%	8%
Special Education	14%	16%
Attendance Rate	95%	93%
Graduation Rate	95%	87%
High Ability Learners	11%	13%
Mobility Rate	5%	5.50%

Enrollment History

Data Year	PK	KG	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	TOTAL
2023-2024	14	9	18	11	14	14	10	16	19	10	16	23	20	19	213
2022-2023	14	18	12	12	14	11	16	17	14	12	22	20	18	22	222
2021-2022	19	11	12	15	11	17	17	14	8	21	19	19	20	18	221
2020-2021	11	12	16	11	13	16	10	8	20	18	21	19	17	11	203
2019-2020	16	18	12	14	15	10	10	17	19	20	18	17	12	18	216
2018-2019	21	13	13	15	10	8	15	17	18	17	15	13	18	14	207
2017-2018	16	14	12	10	7	14	16	18	17	15	13	17	14	15	198
2016-2017	16	11	9	9	15	17	16	17	17	11	16	16	16	17	203
2015-2016	13	11	9	12	20	17	17	15	14	17	14	18	17	15	209
2014-2015	15	8	14	18	17	14	16	11	17	14	18	18	14	10	204
2013-2014	14	17	16	16	13	17	10	16	14	20	17	14	10	11	205
2012-2013	16	16	15	14	14	10	15	13	19	16	14	13	11	11	197
2011-2012	19	15	15	12	9	15	11	16	15	15	10	9	13	16	190
2010-2011	19	15	12	9	17	15	19	16	15	8	12	14	17	16	204
2009-2010	15	16	8	16	13	17	12	9	8	13	12	21	14	16	190
2008-2009	16	7	13	12	17	11	10	8	12	13	17	16	18	16	186

Valuation History

<u>School Year</u>	<u>Total Valuation</u>	<u>Decrease or Increase</u>
2022-2023	387,028,474	(Increase of 173,308,644 from 22/23 to 23/24)
2021-2022	377,876,830	(Decrease of 13,384,204 from 20/21 to 21/22)
2020-2021	391,261,034	(Decrease of 19,341,744 from 19/20 to 20/21)
2019-2020	410,602,778	(Decrease of 4,171,770 from 18/19 to 19/20)
2018-2019	414,774,548	(Increase of 1,898,427 from 17/18 to 18/19)
2017-2018	412,876,121	(Increase of 4,767,976 from 16/17 to 17/18)
2016-2017	408,108,145	(Increase of 37,664,140 from 15/16 to 16/17)
2015-2016	370,444,005	(Increase of 61,552,267 from 14/15 to 15/16)
2014-2015	308,891,738	(Increase of 68,212,736 from 13/14 to 14/15)
2013-2014	240,679,002	(Increase of 36,194,447 from 12/13 to 13/14)
2012-2013	204,484,555	

State Aid

<u>School Year</u>	<u>State Aid</u>	<u>Decrease or Increase</u>
2023-2024	\$518,053.00	(Increase of \$271,541.00 from 22/23 to 23/24)
2022-2023	\$246,512.00	(Increase of \$68,726.00 from 21/22 to 22/23)
2021-2022	\$177,786.00	(Decrease of \$32,686.00 from 20/21 to 21/22)
2020-2021	\$210,472.00	(Increase of \$31,939.00 from 19/20 to 20/21)
2019-2020	\$178,533.00	(Increase of \$77,892.00 from 18/19 to 19/20)
2018-2019	\$100,641.00	(Decrease of \$46,200.00 from 17/18 to 18/19)
2017-2018	\$146,841.00	(Decrease of \$96,959.00 from 16/17 to 17/18)
2016-2017	\$243,800.00	(Increase of \$33,505.93 from 15/16 to 16/17)
2015-2016	\$210,294.07	(Decrease of \$13,822.30 from 14/15 to 15/16)
2014-2015	\$224,116.37	(Decrease of \$134,203.37 from 13/14 to 14/15)
2013-2014	\$358,319.74	(Increase of \$66,766.10 from 12/13 to 13/14)
2012-2013	\$291,553.64	

Levy History

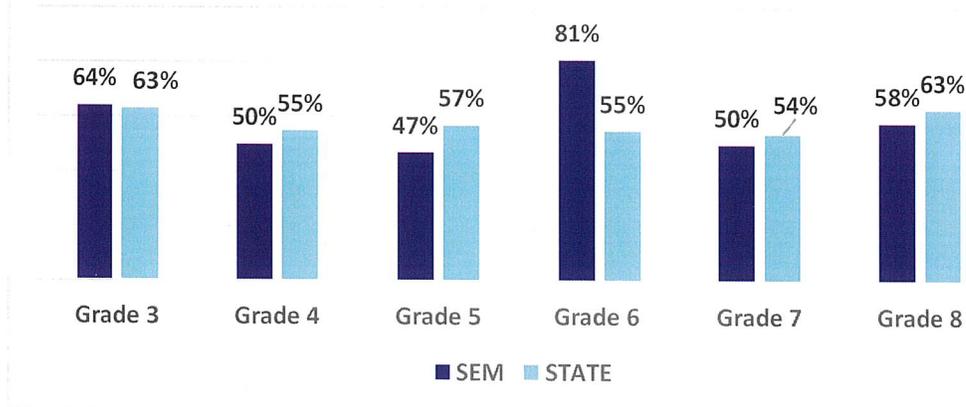
<u>School Year</u>	<u>General</u>	<u>Bond</u>	<u>Building</u>	<u>Total Levy</u>	<u>Increase/Decrease</u>
2023-2024	.874920	.095702	.096808	1.067430	
2022-2023	.955575	.093644		1.049159	(Increased \$0.003959)
2021-2022	.9918	.0534		1.0452	(Increased \$.0624 from 20/21 to 21/22)
2020-2021	.9237	.0566	.0025	0.9828	(Increased \$.1083 from 19/20 to 20/21)
2019-2020	.7390	.0935	.0420	0.8745	(Decreased \$.0714 from 18/19 to 19/20)
2018-2019	.7316	.0926	.1217	0.9459	(Decreased \$.1104 from 17/18 to 18/19)
2017-2018	.8957	.0921	.0685	1.0563	(Decreased \$.0103 from 16/17 to 17/18)
2016-2017	.9063	.0923	.0680	1.0666	(Decreased \$.0592 from 15/16 to 16/17)
2015-2016	.9645	.1010	.0603	1.1258	(Increased \$.0885 from 14/15 to 15/16)
2014-2015	.9646		.0726	1.0373	(Decreased \$.7283 from 13/14 to 14/15)
2013-2014	.9593		.8063	1.7656	(Increased \$.7426 from 12/13 to 13/14)

4

Total Local Property Tax History

<u>School Year</u>	<u>Tax Asking</u>	<u>Decrease or Increase</u>
2023-2024	\$4,359,144	(Increase of \$298,601 from 22/23 to 23/24)
2022-2023	\$4,060,543	(Increase of \$110,766 from 21/22 to 22/23)
2021-2022	\$3,949,777	(Increase of \$103,920 from 20/21 to 21/22)
2020-2021	\$3,845,857	(Increase of \$215,370 from 19/20 to 20/21)
2019-2020	\$3,630,487	(Decrease of \$293,564 from 18/19 to 19/20)
2018-2019	\$3,924,051	(Decrease of \$437,375 from 17/18 to 18/19)
2017-2018	\$4,361,426	(Increase of \$8,008 from 16/17 to 17/18)
2016-2017	\$4,353,418	(Increase of \$182,496 from 15/16 to 16/17)
2015-2016	\$4,170,922	(Increase of \$966,882 from 14/15 to 15/16)
2014-2015	\$3,204,040	(Increase of \$700,982 from 13/14 to 14/15)
2013-2014	\$2,503,058	(Increase of \$411,139 from 12/13 to 13/14)
2012-2013	\$2,091,919	

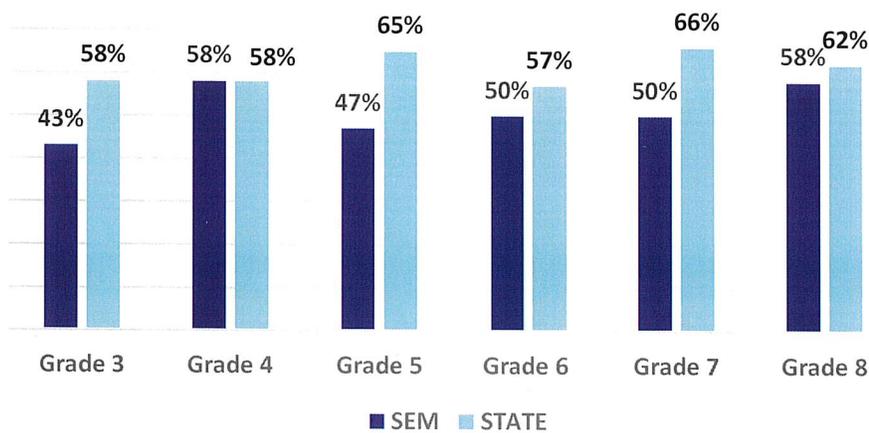
NSCAS - English Language Arts Percentage of Students Proficient and Above



Average Scale Scores

	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8
SEM	2454.71	2491.08	2499.59	2545.38	2526.42	2523.75
STATE	2463.05	2492.9	2510.38	2517.45	2526.33	2543.06

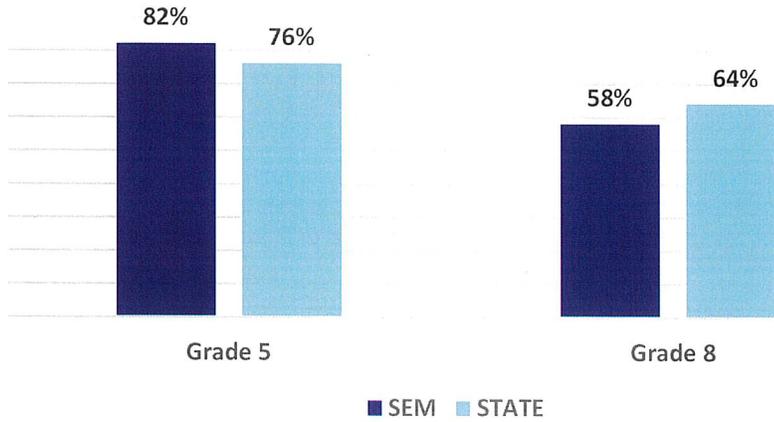
NSCAS - Mathematics Percent of Students Proficient and Above



Average Scale Scores

	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8
SEM	1162.43	1223.17	1202.12	1251.13	1222.67	1246.33
STATE	1193.20	1223.42	1241.40	1241.60	1245.07	1252.72

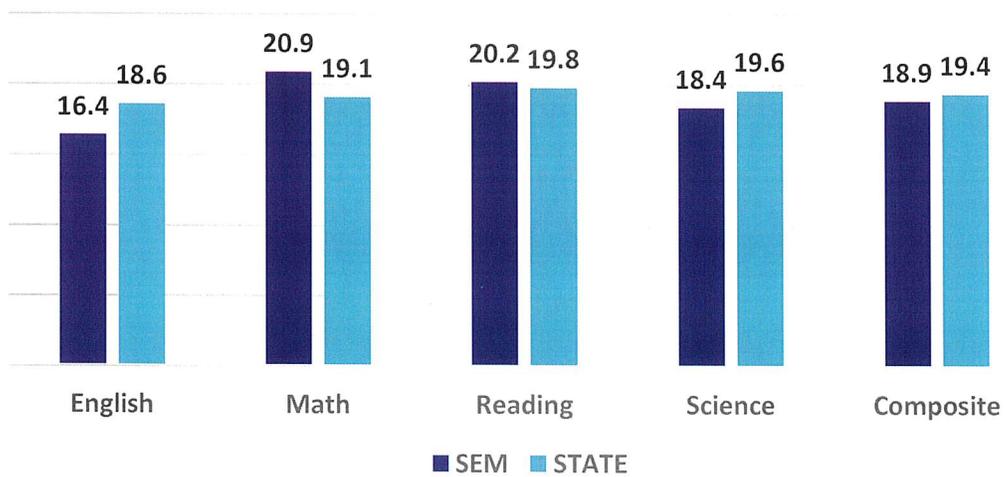
NSCAS - Science Percent of Students Proficient and Above



Average Scale Scores

	Grade 5	Grade 8
SEM	3112.41	3097.75
STATE	3115.59	3106.70

2023 ACT Scores 17 Students Tested



TOTAL TEACHER FTE WITH MASTER'S DEGREES

Data Years	District FTE	% of District Tchrs.	% of State Tchrs.
2022-2023	6.56	21.52	58.25
2021-2022	6.26	29.09	57.72
2020-2021	6.66	31.84	56.85
2019-2020	7.66	36.62	56.06
2018-2019	5.00	25.90	55.99

AVERAGE YEARS OF TEACHING EXPERIENCE

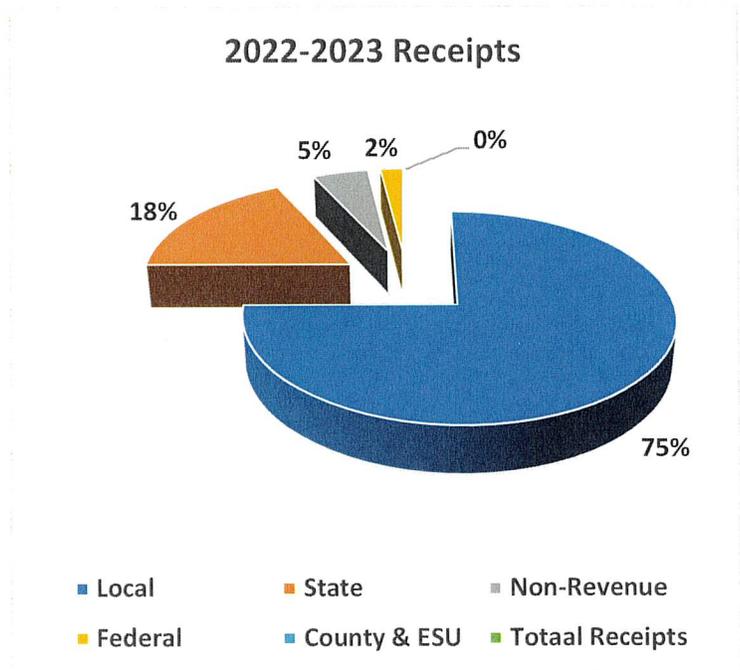
Data Years	District	State
2022-2023	15.88	13.86
2021-2022	15.26	13.94
2020-2021	17.48	13.95
2019-2020	16.91	13.96
2018-2019	19.35	14.01

AVERAGE TEACHING SALARY

Data Years	District	State
2022-2023	\$52,940	\$58,923
2021-2022	\$52,335	\$57,536
2020-2021	\$54,042	\$56,582
2019-2020	\$50,969	\$55,479
2018-2019	\$52,286	\$54,601

2022-2023 Receipts

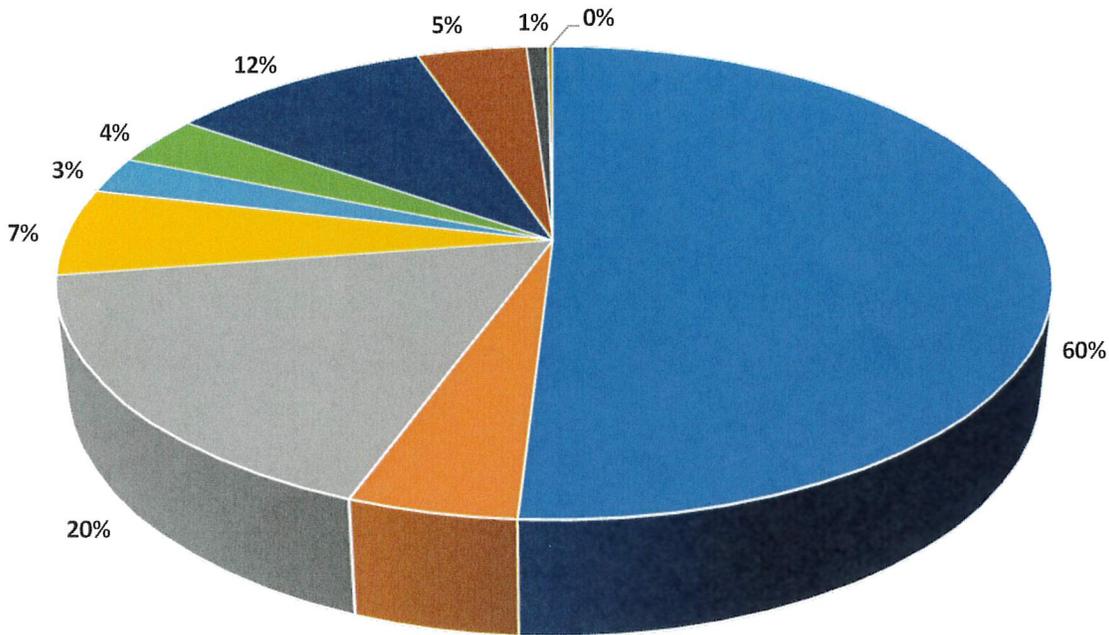
Local	75%	\$3,450,226
State	18%	\$801,286
Non-Revenue	5%	\$234,121
Federal	2%	\$114,255
County & ESU	0%	\$17,274
Total Receipts		\$4,617,162



2022-2023 General Fund Expenditures

Instruction	\$2,594,991
Student Support Services	\$241,241
Instruction Support Services	\$86,283
General Administration Support Services	\$289,708
Office of Principal	\$149,173
Central Services	\$179,001
Operation & Maintenance of Plant	\$526,567
Student Transportation	\$202,922
State Categorical	\$35,746
Outgoing Transfers	\$10,330
	\$4,315,962

2022-2023 Expenditures



- Instruction
 - Instruction Support Services
 - Office of Principal
 - Operation & Maintenance of Plant
 - State Categorical
- Student Support Services
 - General Administration Support Services
 - Central Services
 - Student Transportation
 - Outgoing Transfers



IX. Accountability

Nebraska Accountability System - AQuESTT

AQuESTT, Accountability for a Quality Education System Today and Tomorrow, is a next generation accountability system for Nebraska public schools and districts. AQuESTT is designed to integrate statutory requirements for accountability (79-760.06-.07 R.S.S), accreditation (Rule 10), the effective use of data, and support for professional learning for educators into a system focused on continuous school improvement. AQuESTT is fully aligned with the requirements of ESSA which promotes and supports efforts to have a single system of accountability of Nebraska schools.

AQuESTT classifications and designations are one way to signal specific areas for school improvement. They also tell the NDE and ESUs how best to target specific supports.

The NDE is required by federal law to re-designate schools for comprehensive support and improvement (CSI), additional targeted support and improvement (ATSI), and targeted support and improvement (TSI) in the fall of 2022 using 2021-22 school year data. Additionally, to comply with state statute, the NDE will reclassify schools and districts in the fall of 2022.

The NDE understands and acknowledges there are many inconsistencies in data from the past three years, especially with the switch to NSCAS Growth, lower participation rates, especially for some student groups, **removal of the EBA from the system**, and chronic absenteeism rates changing due to the pandemic. We will be seeking stakeholder input in designing a path for the 2022 classification and designation and beyond.

Lane Carr, Administrator for the Office of Policy and Strategic Initiatives

Email: lane.carr@nebraska.gov

Phone: 402-419-3012

Vicky Munoz, Assistant Administrator & Director of Accountability

Email: vicky.munoz@nebraska.gov

Phone: 402-471-2295

EBA – Evidence Based Analysis

Standardized questionnaire designed to obtain information about measures of the 6 tenets of Nebraska's AQuESTT state accountability system to support statutory requirements of school classifications and designation.

2022-2023

AQuESTT Classification

Elementary School At Sumner

Elementary School Classification



School District
Sumner-Eddyville-Miller Schs
 State Board District 7
 Educational Service Unit 10
 Legislative District 36



Beginning Status



SUCCESS, ACCESS, AND SUPPORT

Positive partnerships, Relationships, and Success
In Development!

Transitions -
Four-year Graduation N/A
Extended Graduation N/A

AQuESTT uses 2016-2017 graduation rates

Educational Opportunities and Access -
Chronic Absenteeism Reduction No
Progress Towards EL Proficiency N/A

Evidence-Based Analysis
Not eligible for Adjustment
EBA Total Score 0 / 120

TEACHING, LEARNING, AND SERVING

College, Career, and Civic Ready
In Development!

Assessment -
Individual Score Growth 73%
Score Improvement N/A
Non-Proficiency Reduction Yes
Science Proficiency Status 88%
Science Score Improvement N/A

Educator Effectiveness
In Development!

Final AQuESTT Classification



2022-2023

AQuESTT Classification

Junior-Senior High At Summer

Middle School Classification

EXCELLENT	GREAT	GOOD	NEEDS IMPROVEMENT
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School District	Sumner-Eddyville-Miller Schs
State Board District	7
Educational Service Unit	10
Legislative District	36



Beginning Status

GREAT	NSCAS English Language Arts & Mathematics Proficiency
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SUCCESS, ACCESS, AND SUPPORT



Positive partnerships, Relationships, and Success
In Development!



Transitions —
Four-year Graduation N/A
Extended Graduation N/A

AQuESTT uses 2016-2017 graduation rates



Educational Opportunities and Access —
Chronic Absenteeism Reduction ^{4%} Yes
Progress Towards EL Proficiency N/A



Evidence-Based Analysis
Not eligible for Adjustment
EBA Total Score 0 / 120

TEACHING, LEARNING, AND SERVING



College, Career, and Civic Ready
In Development!



Assessment —
Individual Score Growth 65%
Score Improvement N/A
Non-Proficiency Reduction Yes
Science Proficiency Status 58%
Science Score Improvement N/A



Educator Effectiveness
In Development!

Final AQuESTT Classification

EXCELLENT	GREAT	GOOD	NEEDS IMPROVEMENT
-----------	--------------	------	-------------------

2022-2023

AQuESTT Classification

Junior-Senior High At Sumner

High School Classification

EXCELLENT	GREAT	GOOD	NEEDS IMPROVEMENT
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School District	Sumner-Eddyville-Miller Schs
State Board District	7
Educational Service Unit	10
Legislative District	36



Beginning Status

GOOD	NSCAS English Language Arts & Mathematics Proficiency
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SUCCESS, ACCESS, AND SUPPORT



Positive partnerships, Relationships, and Success
In Development!



Transitions
Four-year Graduation 100%
Extended Graduation 100%

AQuESTT uses 2016-2017 graduation rates



Educational Opportunities and Access
Chronic Absenteeism Reduction ^{13%} Yes
Progress Towards EL Proficiency N/A



Evidence-Based Analysis
Not eligible for Adjustment
EBA Total Score 0 / 120

TEACHING, LEARNING, AND SERVING



College, Career, and Civic Ready
In Development!



Assessment
Individual Score Growth N/A
Score Improvement N/A
Non-Proficiency Reduction Yes
Science Proficiency Status 50%
Science Score Improvement N/A



Educator Effectiveness
In Development!

Final AQuESTT Classification

EXCELLENT	GREAT	GOOD	NEEDS IMPROVEMENT
-----------	--------------	------	-------------------

2022-2023 *District* AQuESTT Classification

Sumner-Eddyville-Miller Schs

Classification

EXCELLENT	GREAT	GOOD	NEEDS IMPROVEMENT
-----------	--------------	------	-------------------

Schools in District	2
State Board District	7
Educational Service Unit	10
Legislative District	36



Beginning Status



NSCAS English Language Arts & Mathematics Proficiency

SUCCESS, ACCESS, AND SUPPORT



Positive partnerships, Relationships, and Success
In Development!



Transitions
Four-year Graduation 100%
Extended Graduation 100%



AQuESTT uses 2016-2017 graduation rates



Educational Opportunities and Access
Chronic Absenteeism Reduction *5%* Yes
Progress Towards EL Proficiency N/A



Evidence-Based Analysis
Not eligible for Adjustment
EBA Total Score 0 / 120

TEACHING, LEARNING, AND SERVING



College, Career, and Civic Ready
In Development!



Assessment
Individual Score Growth 70%
Score Improvement N/A
Non-Proficiency Reduction Yes
Science Proficiency Status 65%
Science Score Improvement N/A



Educator Effectiveness
In Development!

Final AQuESTT Classification

EXCELLENT	GREAT	GOOD	NEEDS IMPROVEMENT
-----------	--------------	------	-------------------

2024 REGISTRATION

TO REGISTER:

Go to <https://nasb.envisiams.com/> and log in using your email and password

If you do not have an email and password to log in or have forgotten it, please contact NASB at 800-422-4572 for assistance.

\$20 cancellation fee by the registration deadline. No refunds after the deadline.*

Registration fees for each event are as follows:

- Sunday dinner and program \$60
- Conference Registration \$110
- *On-Site Registration \$150

Registration Deadline - January 16, 2024

TO REST:

To reserve a hotel room visit www.NASBonline.org and navigate to the LIC page for a direct booking link. Deadline for hotel reservations is January 5, 2024.

TO REDEEM:

Awards of Achievement Points can be earned by attending these events

- 10 points = Sunday dinner and program
- 15 points = Legislative Issues Conference

SUGGESTED AUDIENCE:

- School Board Members, Superintendents, ESU Administrators



2024 AGENDA

LEGISLATIVE ISSUES CONFERENCE - SUNDAY, JANUARY 21

6:00 PM

Reception, Dinner, and Program
Brian Maher, Commissioner of Education

Six months in, hear the new Commissioner's plans and initiatives for NDE in his first year, and how school boards can work more closely with the Department for future collaborations and continuity. There will be time for Q&A as well.



*Hospitality hosted by Northland, a First National of Nebraska Company
(formerly First National Capital Markets)*

LEGISLATIVE ISSUES CONFERENCE - MONDAY, JANUARY 22

8:00 AM

Registration

8:30 AM

Welcome and Introductions - Sandy Noffsinger, NASB President

- Governor Pillen
- Senators Ibach and Hughes - 2024 Temperature Check
- Senator Sanders - Engagement
- Senator Bostar - Revenue Committee
- Senator Conrad - Education Committee
- Senator Brewer - School Safety
- Bill Overview - Get a first hand look at everything that will have an impact on public education in Nebraska during this year's legislative session and beyond.

12:00 PM

Lunch with the Senators

1:30 PM

Adjournment

(SPEAKER LIST SUBJECT TO CHANGE)



2009
Public Participation at Board Meetings

The board of education shall conduct its meetings in accordance with the Nebraska Open Meetings Act.

The board shall make reasonable efforts to accommodate the public's right to hear the discussions and testimony presented at its meetings. The board shall make available at the meeting, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed in open session of the meeting.

The board is not required to allow citizens to speak at each meeting, but it will provide the opportunity for public participation at least four times per year. The board may make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, photographing, or recording its meetings.

The board shall not require members of the public to identify themselves as a condition for admission to the meeting, nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. However, the board may require members of the public desiring to address the board to identify themselves.

Adopted on: October 12, 2020 Regular BOE Meeting

Revised on: _____

Reviewed on: _____