

DATE:
TO: ESU #1 Board of Directors
FROM: Bill Heimann, Administrator
RE: Tuesday, February 9, 2021 Board Meeting

There will be a meeting of the ESU #1 Board of Directors, on Tuesday, February 9, 2021, at 5:30 PM in the

ESU #1 Conference Room
211 Tenth Street
Wakefield, NE 68784-5014

Consideration, discussion and any action necessary will be taken on the following items.

- A. Notification of Open Meetings Law
- B. Roll Call*
- C. Approve Agenda*
- D. Consent Agenda*
 - 1. Previous Minutes (copy attached)
 - 2. Financial Reports*
 - a. Revenue Report/Treasurer's Report
 - b. Cash Summary/Expenditure Report
 - 3. Bills for February
 - 4. Administrator's Monthly Report
 - a. ESU #1 All-Staff Day
 - b. ESU #1 Quarterly Superintendent and Principal Meeting
 - c. COVID-19 Report
- E. Public Comment
- F. ESU #1 Board Committee Assignments
- G. ESU #1 Fiscal Year 2019-20 Audit
- H. Legislative Update
- I. ESU #1 Employee of the Year
- J. Nebraska Association of School Boards Membership
- K. Personnel*
 - 1. Compensation for 2021-22 Contract Year
 - 2. Consider, discuss, and take necessary action on employee contracts and personnel changes.
 - a. Resignation(s)
 - b. New Hire(s)
 - c. Contract Change(s)
 - d. Termination(s)
- L. Adjournment

This agenda contains a list of subjects known at the time of its distribution on . A copy of the agenda reflecting any changes will be kept in the ESU #1 Administrative office and will be readily available for public inspection during normal office hours. Except for items of

emergency nature, the agenda will not be enlarged later than twenty-four hours before the scheduled commencement of the meeting. The Board reserves the right to change the order of business discussed.

*Action Items

Nebraska Open Meetings Act

84-1407. Act, how cited. Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

84-1408. Declaration of intent; meetings open to public. It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

84-1409. Terms, defined. For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

(b) Discussion regarding deployment of security personnel or devices;

(c) Investigative proceedings regarding allegations of criminal misconduct;

(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;

(e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or

(f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1) (a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body.

(1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site. (ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such notice shall be published by: (A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site; or (B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting. (iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of

an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

(a) Reasonable advance publicized notice is given as provided in subsection (1) of this section;

(b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recodation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;

(c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;

(d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and

(e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or (ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if:

(a) The territory represented by the educational service unit, member educational service units, community college board of governors, public power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given as provided in subsection (1) of this section which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recodation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site;

(g) The telephone conference call lasts no more than five hours; and

(h) No more than one-half of the board's, council's, governing body's, committee's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that: (i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and (ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) 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 and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. 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 by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

84-1412. Meetings of public body; rights of public; public body; powers and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right

to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall 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. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an instate location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act;

(f) Reasonable arrangements are made to provide viewing at other instate locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and

(g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the instate location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

84-1413. Meetings; minutes; roll call vote; secret ballot; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Revised
10/2020



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PHASE 1B PRIORITIZATION

Priority Tier	Local Health Dept. Focus		Healthcare/Pharmacy/ Community Clinic Focus
Ongoing	Age 65+, age 18+ with high-risk medical conditions		Age 65+, Age 18+ with high-risk <u>medical conditions</u>
TIER I	First Responder	Dispatch Police/State Patrol/FBI Fire Adult/Child Welfare	<ul style="list-style-type: none"> • Asthma • Cancer (Currently have Cancer) • Cerebrovascular Disease affecting Blood Vessels • Chronic Kidney Disease • Chronic Liver Disease • COPD (Chronic Obstructive Pulmonary Disease) • Cystic Fibrosis • Chronic Lung Disease • Diabetes Type 1 • Diabetes Type 2 • Down Syndrome • Heart Conditions such as Heart Failure, Coronary Artery Disease or Cardiomyopathies • High Blood Pressure (Hypertension) • Neurologic Conditions (such as Dementia) • Pulmonary Fibrosis • Sickle Cell Disease • Thalassemia (a Type of Blood Disorder) • Weakened Immune System due to Solid Organ Transplant (Kidney, Liver, Pancreas, Heart, or Lung) • Weakened Immune System from Blood or Bone Marrow Transplant, HIV, using Steroid or Other Medications
	Utilities	Power Water Gas Sanitation	
	Homeless Shelter Staff		
	Corrections Staff		
	Educators	Teachers — public, private, higher ed Support staff Licensed daycare providers	
TIER II	Funeral Homes	Funeral homes Coroners	
	Grocery		
	Food Processing	Meat packing plants Food processing Co-ops	
TIER III	Transportation	Trucking Railroad Gas stations	
	US Postal Service		
	Public Transit	Bus Air	

***ACIP defines phase 1B as the subset of workers at highest risk for work-related exposure to SARS-CoV-2, the virus that causes COVID-19, because their work-related duties must be performed on-site and involve being in close proximity (<6 feet) to the public or to coworkers*

Nebraska's most at-risk students require additional resources.

Local funds make up the difference

Special Education services are mandated by state and federal law, yet schools receive **limited** federal funding and the rate of reimbursement from the State of Nebraska for Special Education expenditures continues to decrease, currently at **49%**. With local districts covering more and more of the costs, tough decisions must be made that can have a **direct impact on programs offered to students with and without disabilities.**

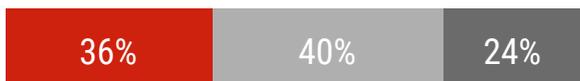


53% are students with more significant disabilities

Special Education Funding

School Age Expenditures

2010-2011



2018-2019



Birth to Age 5 Expenditures

2010-2011



2018-2019



● Local ● State ● Federal

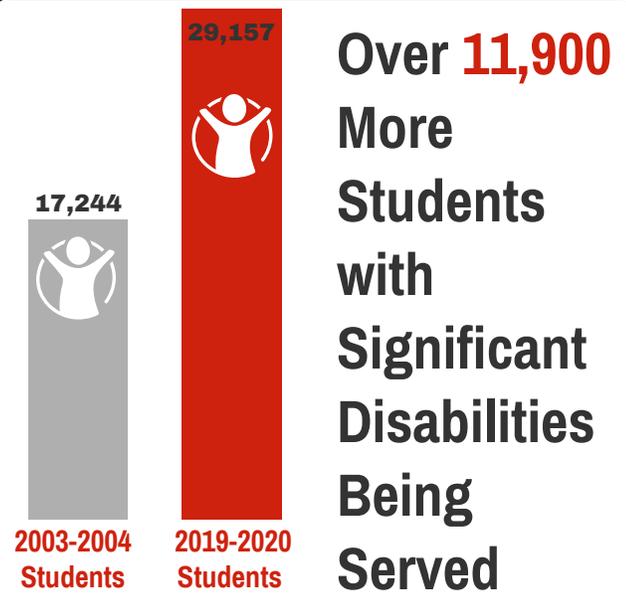
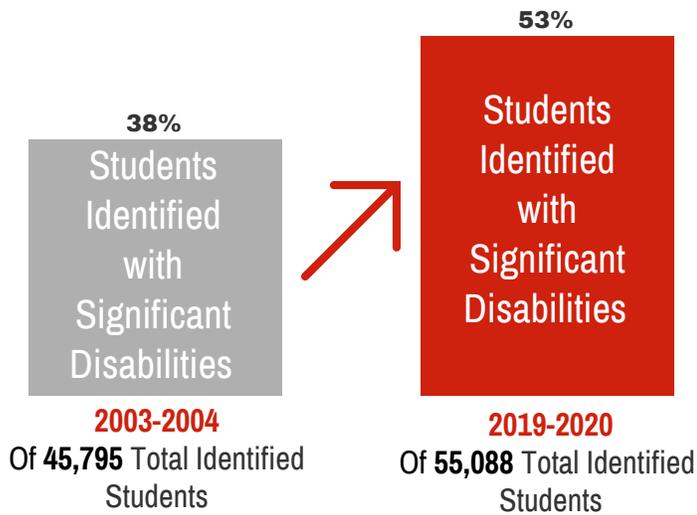
*Federal Medicaid Funds = >1%

*The intensity of needs for Nebraska students in Special Education continues to **rise**.*

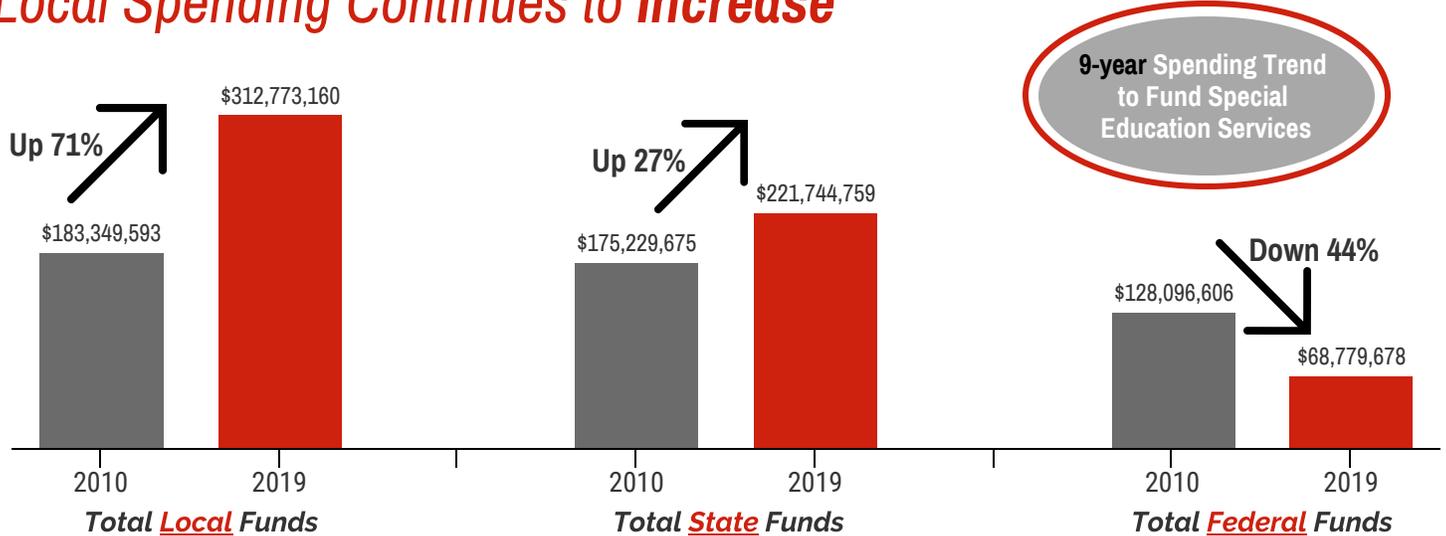
Over the past 15 years, there has been a dramatic shift in the number of students with more significant disabilities such as **Autism, Emotional Disturbance, Other Health Impairments, and Traumatic Brain Injury**. These students require a greater level of resources to meet their complex needs.



Significant Disabilities are on the Rise

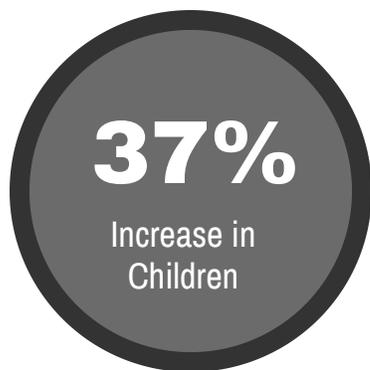


Local Spending Continues to Increase

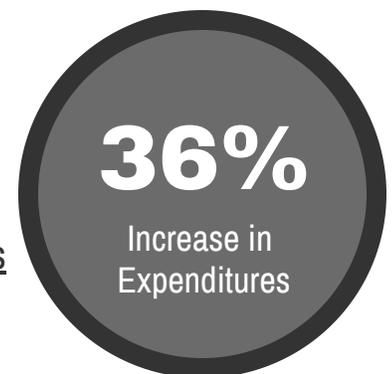


*2010 Federal Funds included American Recovery & Reinvestment Act stimulus funding.

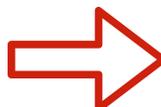
Special Education-Below Age 5 Programs Grow



As districts have improved their identification processes for children below age 5, expenditures for these programs and services have risen to **\$71,188,028** in the past 9 years. This **increase of over \$18 million dollars** in expenditures has occurred without contributions from the State of Nebraska for children with disabilities below age 5.



6,587 Children in 2010



9,044 Children in 2020



Frequently Asked Questions



What does federal law say about Special Education funding?

The Individuals with Disabilities Act (IDEA) was passed in 1975 and implemented in 1977 as a funding bill, designed to 'supplement' state and local funds for students with disabilities. State and local governments must provide funds to ensure a free and appropriate public education for all students with disabilities. Revenue shortfalls negatively impact services but regardless of funding, local districts must assure that students with disabilities are financially supported in equivalent proportions to their non-disabled peers.

What does federal law say about Special Education services?

IDEA mandates services to all children with disabilities nationwide. It governs how states and school districts provide early intervention to infants and toddlers (IDEA Part C) as well as children and youth ages 3-21 (IDEA Part B).



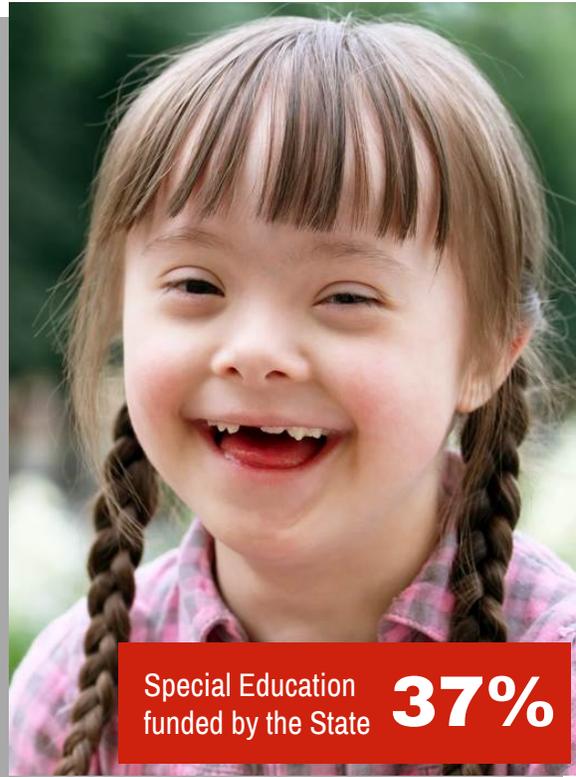
What is the impact of financial shortfalls?

The reality is that more students are eligible for Special Education and significant disabilities are on the rise. It simply costs more to provide Special Education. Yet, revenues continue to decrease putting an even greater burden on schools. It forces districts to make difficult decisions to meet the needs of all children.

NOT funding Special Education has a *direct impact* on programs for *ALL* Nebraska children.

What about services for children below age 5?

Nebraska children with disabilities and their families are eligible for services beginning at birth. Early intervention services continue to soar as we work diligently to intervene as early as possible. But only federal funds are available to help cover the costs for children with disabilities below age 5. Many school districts use a combination of IDEA Section 611 and 619 funding to cover the costs for infants, toddlers, and preschool children with disabilities. However, this leaves little or no federal funds to meet the needs for school-age children. Local school districts must make up the difference to provide quality programs for **all** Nebraska children with disabilities birth through age 21.



State appropriations for
Special Education
reimbursement **MUST**
increase

- Local school districts already cover 51% of the total Special Education expenditures.
- Federal funds are limited and are frequently diverted to cover costs for children with disabilities below age 5, as there is no state funding available. These critical services for children below age 5 are required by state and federal law.
- The percent of students with more significant disabilities continues to rise, and local school districts need even greater supports to meet the complex needs of these students.
- The amount of general funds available to operate school districts is directly impacted by the level of Special Education funding from the state. Districts are forced to make difficult decisions to continue to provide quality programs for all Nebraska students.

Sources:

Nebraska Department of
Education & Nebraska
Education Profile
(Child Count Data)

Nebraska Department of
Education, Office of Special
Education (Expenditures)

**With the right resources,
all children can learn.**





107th Legislature, 1st Session

YOUR 2021 EDUCATION COMMITTEE

SEN. LYNNE WALZ, CHAIR
SEN. JEN DAY
SEN. LOU ANN LINEHAN
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NASB LEGISLATIVE TEAM

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DAY 13 - CALL TO ACTIONS AS COMMITTEE HEARING BEGIN ...

With Committee Hearings beginning today, NASB has narrowed in on around 80 bills that we feel have the potential to directly impact public education and/or how you as school board members are able to serve your districts and communities.



The following bills will be heard this week that we need your help in contacting the members of the Revenue Committee to voice your concerns:



LR 22CA (Linehan At the request of the Governor) - Constitutional amendment to limit the total amount of property tax revenue that may be raised by political subdivisions

This will be heard Wednesday in front of the Revenue Committee



LB 408 (Briese) - Adopt the Property Tax Request Act

This will also be heard Wednesday in front of the Revenue Committee

Both LR 22CA and LB 408 are an erosion of local control ... These proposals puts a 3% limit on property tax asking regardless of valuation, excluding new construction and annexation. A number of spending controls and restrictions are already in place such as levy limit, basic allowable growth rate, and allowable reserve limits. Ask your Senator to let you do your job as an elected official.



LB 364 (Linehan) - Adopt the Opportunity Scholarships Act and provide tax credits

This will be heard Thursday in front of the Revenue Committee

THIS BILL HURTS PUBLIC SCHOOLS. Contrary to proponents' claims, the dollars sent to private school scholarships would otherwise be tax dollars for public schools and other state priorities. Nebraska already ranks 49th in the nation for state support of K-12 education. We need to be investing in our public schools—not diverting dollars to a system we've never funded before. This bill would provide a dollar-for-dollar tax credit to individuals and businesses that contribute money to private school tuition for some students, up to half that person or corporation's income tax liability. The state does NOT provide such favorable treatment to any other type of charitable giving, whether to churches, food banks, or cancer research. LB 364 is expensive. Read more in the 'Summary' section of <https://nasb.envisiams.com/legislative-bills>

THE 2021-22 REVENUE COMMITTEE MEMBERS:

Sen. Lou Ann Linehan, Chairperson - 402-471-2885 - llinehan@leg.ne.gov

Sen. Joni Albrecht - 402-471-2716 - jalbrecht@leg.ne.gov

Sen. Eliot Bostar - 402-471-2734 - ebostar@leg.ne.gov

Sen. Tom Briese - 402-471-2631 - tbriese@leg.ne.gov

Sen. Mike Flood - 402-471-2929 - mflood@leg.ne.gov

Sen. Curt Friesen - 402-471-2630 - cfriesen@leg.ne.gov

Sen. Brett Lindstrom - 402-471-2618 - blindstrom@leg.ne.gov

Sen. Rich Pahls - 402-471-2327 - rpahls@leg.ne.gov

CONTINUED ON PAGE 2



107th Legislature, 1st Session

CONTINUED FROM PAGE 1

THIS WEEK'S HEARINGS ...

MONDAY, JANUARY 25



LB 135 (Wishart) - Change special education reimbursements

LB 153 (Wayne) - Include virtual school students in the state aid to schools formula



LB 210 (Murman) - Change provisions relating to part-time enrollment and extracurricular activities

LB 260 (Hunt) - Change provisions relating to good cause for voluntarily leaving employment under the Employment Security Law

LB 286 (Walz) - Redefine a term relating to schools

LB 287 (Walz) - Change school finance base limitation and local effort rate provisions

LB 288 (Walz) - Change dates related to certifications and distributions of state aid to schools

LB 289 (Walz) - Redefine a term in the Tax Equity and Educational Opportunities Support Act



LB 323 (Walz) - Change provisions of the Tax Equity and Educational Opportunities Support Act relating to pandemics

WEDNESDAY, JANUARY 27



LR22CA (Linehan At the request of the Governor) - Constitutional amendment to limit the total amount of property tax revenue that may be raised by political subdivisions



LB 83 (Flood) - Change the Open Meetings Act to provide for virtual conferencing



LB 112 (Albrecht) - Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act



LB 408 (Briese) - Adopt the Property Tax Request Act

THURSDAY, JANUARY 28



LB 364 (Linehan) - Adopt the Opportunity Scholarships Act and provide tax credits

FRIDAY, JANUARY 29



LB 88 (Morfeld) - Protect free speech rights of student journalists and student media advisers

KEY DATES OF NOTE:

- The NASB Legislation Committee met January 22 to discuss all key bills
- The annual NASB *Legislative Issues Conference* is February 1, and will be held virtually
 - Speakers include: Speaker Hilgers, Sens Walz, Flood, Lindstrom, Brewer & Briese
 - Register now at <https://nasb.enviseams.com/>
- The final day of the 107th Legislature, 1st Session is currently scheduled for June 10