

DATE:

TO: ESU #1 Board of Directors

FROM: Bill Heimann, Administrator

RE: Tuesday, May 10, 2022 Board Meeting

There will be a meeting of the ESU #1 Board of Directors, on Tuesday, May 10, 2022, 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. Consent Agenda*
 - C.1. Previous Minutes (copy attached)
 - C.2. Financial Reports*
 - C.2.a. Revenue Report/Treasurer's Report
 - C.2.b. Cash Summary/Expenditure Report
 - C.3. Bills for May
 - C.4. Administrator's Monthly Report
 - C.4.a. Legislation
 - C.4.b. Migrant Education Program Program Review
 - C.4.c. Special Education Department Quarterly Meeting and Retirement Recognition
 - C.4.d. Perry Law Firm School District Policy Update
- D. Public Comment
- E. Early Learning Connections Grant Expenditures*
- F. ESU #1 District 7 Board Member Resignation*
- G. Core Service Allocation
- H. July 2022 Board Meeting*
- I. ESU #1 Facility Study Proposal*
- J. Services Accessed by ESU #1 Schools
- K. School Support Projects*
- L. ESUCC Master Service Agreement*
- M. Classified Staff Compensation*
- N. Personnel*
 - N.1. Consider, discuss, and take necessary action on employee contracts and personnel changes.
 - N.1.a. Resignation(s)
 - N.1.b. New Hire(s)
 - N.1.c. Contract Change(s)
 - N.1.d. Termination(s)
- O. 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



PERRY, GUTHERY, HAASE & GESSFORD, P.C., L.L.O.
233 SOUTH 13TH STREET, SUITE 1400, LINCOLN, NE 68508
(402) 476-9200
jgessford@perrylawfirm.com
rschultze@perrylawfirm.com
gperry@perrylawfirm.com



Nebraska Council
of School Administrators

455 South 11th Street, Suite A
Lincoln, NE 68508
(402) 476-8055
ncsa.org

ESU #1 Board Meeting
Tuesday, April 13, 2021 5:30 PM Central

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

Traci Haglund: Absent
Tucker Hight: Present
AJ Johnson: Present
Shannon Johnson: Present
Lana Oswald: Absent
Sally Reinert: Present
Benjamin Schultz: Present
Helen Sorensen: Present
Susan Strahm: Present
Robby Thompson: Present
Grant Torpin: Present
Present: 9, Absent: 2.
Lana Oswald: Present
Present: 10, Absent: 1.

A. Notification of Open Meetings Law

At the beginning of this meeting, President AJ Johnson announced and informed the public that a current copy of the Open Meetings Act is available at the meeting site and posted virtually.

Zoom meeting.

Time: Apr 13, 2021 05:30 PM Central Time (US)

Join Zoom Meeting

<https://zoom.us/j/924440505706>

Meeting ID: 924 4050 5706

Dial by your location

+1 253 215 8782 US

B. Roll Call*

Motion by Tucker Hight, seconded by Sally Reinert, to excuse the absence of members: Traci Haglund and Lana Oswald. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Lana Oswald: Absent, Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Susan Strahm: For, Robby Thompson: For, Grant Torpin: For
For: 9, Against: 0, Absent: 2

C. Approve Agenda*

Motion by Shannon Johnson, seconded by Grant Torpin, to approve the April 12, 2021 agenda as presented. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Lana Oswald: Absent, Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Susan Strahm: For, Robby Thompson: For, Grant Torpin: For
For: 9, Against: 0, Absent: 2

D. Consent Agenda*

Motion by Sally Reinert, seconded by Helen Sorensen, to approve all items on the consent agenda as provided. Items include: March 9 Minutes; March Financial Reports (Treasurer, Revenue & Expense); April 15 bills of \$826,381.70, which excludes the Northeast Nebraska Insurance Agency bill of \$72,038; and Administrator's Report. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Susan Strahm: For, Robby Thompson: For, Grant Torpin: For
For: 10, Against: 0, Absent: 1

D.1. Previous Minutes (copy attached)

D.2. Financial Reports*

D.2.a. Revenue Report/Treasurer's Report

D.2.b. Cash Summary/Expenditure Report

D.3. Bills for April

D.4. Administrator's Monthly Report

D.4.a. Special Education Quarterly Department Meeting

D.4.b. Census Data and Redistricting Requirements

D.4.c. Nebraska Department of Education Rule 84 Meeting

D.4.d. ESU #1 Continuous Improvement Visit

E. Public Comment

Instructions for Those Who Wish to Speak During Public Forum

Getting Started

When it is your turn to speak during the public forum portion of the agenda, come forward to the table situated immediately in front of the Board, sign your name and address on the sign-in sheet and state your name to the Board.

Time Limit

You may speak only one time and comments are limited to five minutes or less.

General Rules

Remember that this is a public meeting for the conduct of the business of the ESU #1 Board. Offensive language, personal attacks and hostile conduct will not be tolerated.

F. ESU #1 2021-22 Academic Year Calendar

Motion by Susan Strahm, seconded by Shannon Johnson, to approve the ESU #1 2021-22 Central office and Tower School calendars as presented. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Susan Strahm: For, Robby Thompson: For, Grant Torpin: For
For: 10, Against: 0, Absent: 1

G. ESU #1 May Board of Director Meeting

Motion by Sally Reinert, seconded by Robby Thompson, to hold the May 2021 virtually. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Susan Strahm: For, Robby Thompson: For, Grant Torpin: For
For: 10, Against: 0, Absent: 1

H. ESU #1 Annual Survey

I. Property/Liability Insurance

Motion by Sally Reinert, seconded by Tucker Hight, to approve the property/liability insurance for 2021-22 as presented with a premium cost of \$72,038. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Susan Strahm: For, Robby Thompson: For, Grant Torpin: For
For: 10, Against: 0, Absent: 1

J. Computer and Electronic Device Repair Agreement

Motion by Susan Strahm, seconded by Robby Thompson, to approve the agreement with Hefner Electronics for the 2021-22 year at a rate of \$70 per hour. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Susan Strahm: For, Robby Thompson: For, Grant Torpin: For

For: 10, Against: 0, Absent: 1

K. Legislative Update

L. Classified Staff Compensation for 2021-22

M. Personnel*

M.1. Consider, discuss, and take necessary action on employee contracts and personnel changes.

M.1.a. Resignation(s)

Motion by Shannon Johnson, seconded by Susan Strahm, to approve the resignation of LMHP Alexandra Stieren and Physical Therapist Rebecca Rippe, effective at the end of the 2020-21 contract year. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Susan Strahm: For, Robby Thompson: For, Grant Torpin: For
For: 10, Against: 0, Absent: 1

Tower School Secretary Myrna Wacker Tuttle has submitted her letter of intent to retire from her position effective May 14, 2021. Myrna has been a part of the Tower School program for 40 years.

Tower School Paraeducator Kaye Hilsinger has submitted her letter of intent to retire from her position effective May 14, 2021. Kaye has been a part of the Tower School program for 26 1/2 years.

The ESU #1 Board expressed their thanks and appreciation to all staff who are leaving at the end of the contract year, and especially those who are retiring.

M.1.b. New Hire(s)

Motion by Sally Reinert, seconded by Tucker Hight, Motion to approve the following new hires for the 2021-22 year: School Psychology Intern Kate Welter (190 days) and Speech/Language Pathologist Jenna McAfee (185 days). After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Susan Strahm: For, Robby Thompson: For, Grant Torpin: For
For: 10, Against: 0, Absent: 1

M.1.c. Contract Change(s)

M.1.d. Termination(s)

N. Adjournment

As there were no other topics of discussion on the agenda, Chairman Johnson declared the meeting adjourned at 6:11 p.m.

Educational Service Unit One

April 2022 Cash Summary Report for Grants

Description	Monthly Beginning Balance	Revenue	Expenditure	Monthly Ending Balance		Fiscal YTD Expenditures	Fiscal YTD Revenue
HOT LUNCH PROGRAM	\$8,690.76	\$2,768.99	\$948.75	\$10,511.00		\$5,814.15	\$10,276.12
EARLY DEVELOPMENT NETWORK	\$214,540.86	\$23,572.31	\$21,445.27	\$216,667.90		\$171,131.17	\$180,474.63
PEAK GRANT	-\$39,627.34		\$6,561.99	-\$46,189.33		\$56,128.99	\$53,842.67
EARLY LRNG CONNECTION PRO DEV	-\$70,709.33	\$52,725.61	\$15,695.21	-\$33,678.93		\$106,360.16	\$97,029.98
NATIVE AMERICAN SCHOOLS CONSO	\$306,465.96		\$0.00	\$306,465.96		\$475.30	\$0.00
4720-CARL PERKINS	-\$60,084.20	\$59,705.00	\$0.00	-\$379.20		\$60,083.53	\$121,319.68
PLANNING REGION TEAM GRANT	-\$1,265.27		\$328.70	-\$1,593.97		\$1,594.65	\$18,496.00
NEMTSS REGIONAL FACILITATOR	-\$6,640.53		\$7,772.64	-\$14,413.17		\$59,839.10	\$93,328.79
PYRAMID COACH	-\$20,920.87		\$4,671.71	-\$25,592.58		\$28,659.56	\$27,613.66
PYRAMID FACILITATOR	-\$22,774.28		\$3,192.17	-\$25,966.45		\$29,033.46	\$31,900.47
NEMTSS REGIONAL COORDINATOR	-\$9,366.02		\$9,667.48	-\$19,033.50		\$80,257.82	\$81,521.45
ECPD ADMINISTRATION FUNDS	\$42,079.47	\$661.49	\$964.89	\$41,776.07		\$11,346.92	\$14,490.01
CAREER ACADEMY PROJECT	\$124,879.37		\$0.00	\$124,879.37		\$33,828.64	\$6,000.00
NNNC SUMMER TECH INSTITUTE	\$2,385.20		\$0.00	\$2,385.20		\$0.00	\$0.00
BIRSST REGIONAL GRANT	-\$340.00		\$0.00	-\$340.00		\$340.00	\$2,867.00
MIGRANT EDUCATION GRANT	-\$154,905.87		\$27,677.76	-\$182,583.63		\$241,075.33	\$179,349.00
MENTAL HEALTH GRANT	\$0.00			\$0.00		\$0.00	\$0.00



107th Legislature, 2nd Session

YOUR 2021-22 EDUCATION COMMITTEE

SEN. LYNNE WALZ, CHAIR

SEN. JEN DAY

SEN. LOU ANN LINEHAN

SEN. TERRELL MCKINNEY

SEN. ADAM MORFELD

SEN. DAVE MURMAN

SEN. PATTY PANSING BROOKS

SEN. RITA SANDERS

YOUR 2021-22 REVENUE COMMITTEE

SEN. LOU ANN LINEHAN, CHAIR

SEN. JONI ALBRECHT

SEN. ELIOT BOSTAR

SEN. TOM BRIESE

SEN. MIKE FLOOD

SEN. CURT FRIESEN

SEN. BRETT LINDSTROM

SEN. RICH PAHLS

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UNDERSTAND THE DATA THAT WILL
MAKE A DIFFERENCE

YOUR NASB LEGISLATIVE TEAM

COLBY COASH, JOHN SPATZ,
MATT BELKA & LINDSEY WOOTON

SINE DIE - THE END OF THE 107TH LEGISLATURE ...

60 days are in the books. This session was marked more by what did NOT pass.

By the numbers, of the 85 bills NASB followed this Session ...

We testified in support to 22. Of those 5 were Approved by the Governor, 17 failed to advance. We testified in opposition to 24. Of those only 2 were Approved by the Governor, 22 failed to advance.

LB ### - Follow
LB ### - Support
LB ### - Oppose



WATCH: SINE DIE - Legislative Quick Wrap-Up 2022

<http://members.nasbonline.org/index.php/government-relations>

WHAT PASSED ...



LB 758 - Change provisions relating to the Nebraska Farm-to-School Program Act

Expands the farm to school program to early childhood education programs.

THEME: Student Programs



LB 852 - Require behavioral health points of contact for school districts

Requires a district to designate a behavioral health point of contact for each building who will coordinate access to community behavioral health services for students and families and report to NDE. The bill also requires NDE to establish a mental health first aid program for district employees. Does not require that districts take or pay for the training.

THEME: Student Well-being

LB 873 - Change provisions relating to corporate and individual income taxes, taxation of social security benefits, and property tax credits

This bill allocates significant dollars into future years and will impact school finance proposals moving forward. State support for K-12 will be impacted as these funds are "spoken for" in years to come. A down economy will make K-12 funding a target.

THEME: School Funding



LB 888 - Redefine multicultural education for school districts

Places a curriculum requirement on teaching the holocaust.

THEME: Curriculum Mandate



LB 902 - Adopt the Nebraska Career Scholarship Act

Places into statute a career scholarship program. This program provides scholarships to students who participate in an internship or work program for a specific underserved workforce sector.



LB 1112 - Adopt the Computer Science and Technology Education Act and provide and change graduation requirements and academic content standards

Despite our efforts, this bill puts an additional unfunded mandate on schools by way of a new graduation requirement related to computer science and technology. We thank the many Senators who stood up for local control.

THEME: Local Control, Curriculum Mandate

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LB 1165 - Change provisions of the Nebraska Budget Act

Clarifies the Budget Act to resolve ambiguity about the timing of levies resulting from bonds passed by a ballot initiative. This bill was brought as a result of challenges faced by both Ralston & Fremont Public Schools with regard to their experience with a bond passage.

THEME: School Funding



LB 1218 - Change provisions relating to certification of school employees and student loan forgiveness

An email was sent to NASB Members on 4/6/22 with video - <https://vimeo.com/689308186>

LB 1218 acknowledges and addresses the educator workforce shortage in Nebraska by enacting innovative changes that eliminate bureaucratic obstacles that have historically kept high quality teachers from joining Nebraska classrooms. It provides greater flexibility to approved colleges of teacher education and the State Board in making determinations of qualified applicants for admission to educator preparation programs. LB 1218 further creates the Teach in Nebraska Today Act that offers student loan repayment assistance for educators across the state. It commits an additional \$5 million annually to educator loan forgiveness and includes provisions allowing for repayment of loan debt directly to the applicant or directly to the lender or loan servicer, and also widens the scope of educators qualifying for loan forgiveness beyond existing teacher loan forgiveness programs.

THEME: Education Workforce

WHAT DID NOT PASS ...



LR 263CA - Constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed

THEME: Unfunded Mandate



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



LB 1237 - Adopt the Opportunity Scholarships Act and the Nebraska Child Care Contribution Tax Credit Act



LB 1240 - Appropriate federal funds to the State Department of Education to provide family-directed education recovery accounts for low-income children and families



Tax credits and federal appropriations for non-private schools. Once again there were attempts to utilize state dollars through tax credits to subsidize non-public education. These types of bills will continue to be brought forth in upcoming sessions.

THEME: School Funding/Tax Credits



LB 890 - Change the Tax Equity and Educational Opportunities Support Act

The debate and failure of LB 986 (Briese) was a driving factor in the filibuster mounted on LB 890 in the subsequent days. Sen. Walz asked to hold the bill after coming to the conclusion that a compromise could not be reached. There was no further debate on school finance this session.

THEME: School Funding



LB 1077 - Prohibit public schools, public postsecondary institutions, and governmental entities from training or teaching certain concepts relating to race and sex and provide for withholding of state funds

This bill prohibited teaching certain concepts related to race and sex. We opposed this bill as it took control away from local school boards to dictate curriculum.

THEME: Local Control, Curriculum Mandate

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-  **LB 1078 - Prohibit possession of personal electronic devices by students in public school classrooms**
This bill eroded local control once again by prescribing how cell phones are to be handled in the classroom.
THEME: Local Control
-  **LB 1143 - Require approval by the voters of a school district or educational service unit for the issuance of certain bonds under the Interlocal Cooperation Act**
LB 1146 - Change provisions relating to the Interlocal Cooperation Act
Interlocal agreements: These bills would have eliminated or significantly hampered the ability of school districts to engage in Interlocal Cooperation Agreements.
THEME: Local Control, School Funding
-  **LB 1170 - Require schools to allow certain youth organizations to provide information, services, and activities**
THEME: Unfunded Mandate
-  **LB 1200 - Adopt the State and Political Subdivisions Child Sexual Abuse Liability Act and exempt actions from the State Tort Claims Act and Political Subdivisions Tort Claims Act**
This bill would have significantly increased the cost of liability insurance by creating new liability against political subdivisions and removing caps for damages.
-  **LB 54 - Change immunity for intentional torts under the Political Subdivisions Tort Claims Act and the State Tort Claims Act**
Like LB 1200, this bill would have significantly increased the cost of liability to political subdivisions.
-  **LB 1211 - Change provisions relating to option enrollment for students**
This bill would have changed the option enrollment process by removing district discretion on students who option in.
THEME: Local Control, Option Enrollment

WHAT IS COMING ...

Curriculum and graduation requirements will continue to be of interest to Senators.
We must continue to work with our Senators about the role of school boards in these decisions.

LOOKING AHEAD - MARK YOUR CALENDARS ...

NASB Member Virtual - 2022 Legislative Session Recap & Look Ahead - May 3 - 12:00 PM CT

Look for Legislative Candidate Meet & Greets this Summer

NASB School Leaders & Law Conference will be June 22-23 in Kearney

Call for 2023 Legislative Proposals due July 1 - <http://www.nasbonline.org/registrations/ProposedResolution.aspx>

Congressman Bacon Meet & Greet - July 7 - 9:30 AM - More info to come!

Area Membership Meetings - August through September

NASB Annual Delegate Assembly - Friday, November 18

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INTERIM STUDIES ...

LR 359 – Interim study to examine whether section 79-458, which authorizes certain property holders to attach their property to a different school district through a freeholder petition, should be updated or eliminated

https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=48697

LR 373 - Interim study to examine the feasibility of developing a policy and implementing a statewide process for awarding college credit in specific programs of study across all public educational institutions for military education and training

https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=48944

LR 420 - Interim study to examine the education process and procedures for serving students with special needs

https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=49213

LR 414 - Interim study to examine programming, opportunities, and interventions for students attending an alternative school, class, or educational program in Nebraska

https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=49226

LEGISLATIVE CANDIDATES FOR THE MAY 10 PRIMARY ELECTION ...

There will be at least 13 new faces in the Legislature in 2023 as Senators Curt Friesen, Tim Gragert, Matt Hansen, Robert Hilkemann, Dan Hughes, Mark Kolterman, Steve Lathrop, Brett Lindstrom, John McCollister, Adam Morfeld, Patty Pansing Brooks, John Stinner and Matt Williams all said their goodbyes this Session. Here are who all will be running for the 24 open seats in May, with the top two vote getting advancing to the general election in November. (* marks the incumbent). The names and order listed are based off of the most recent Statewide Candidates Lists from the Secretary of State on March 15.

District 2	Robert Clements*	Sarah Slattery	Janet Chung	Schuyler Windham
District 4	Cindy Maxwell-Ostdiek	Brad von Gillern		
District 6	Machaela Cavanaugh*	Christian Mirch	Elizabeth Hallgren	
District 8	Megan Hunt*	Katie Opitz	Marilyn Arant Asher	
District 10	Wendy DeBoer*	Lou Ann Goding		
District 12	Haile Kucera	Robin Richards	Merv Riepe	Bob Borgeson
District 14	John Arch*	Cori Villegas	Rob Plugge	
District 16	Ben Hansen*	Connie L. Petersen		
District 18	Christy Armendariz	Clarice Jackson		
District 20	John Fredrickson	Stu Dornan	Julie Fredrickson	
District 22	Mike Moser*	Mike Goos	Roy M. Zach	
District 24	Jana Hughes	Patrick Hotovy		
District 26	George Dungan	Bob Van Valkenburg	Russ Barger	Larry Weixelman
District 28	Jane Raybould	Roy A. Christensen		
District 30	Myron Dorn*			
District 32	Tom Brandt*			
District 34	Loren Lippincott	Michael Reimers	Arron Kowalski	

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District 36	Rick Holdcroft	Angie Lauritsen		
District 38	Dave Murman*	Tyler Cappel		
District 40	Barry DeKay	Keith F. Kube	Mark Patefield	Robert E. Johnston
District 42	Mike Jacobson*	Brenda K. Fournier	Chris Bruns	
District 44	Edward Dunn	Teresa J. Ibach		
District 46	James Michael Bowers	Danielle Conrad	James A. Herrold	
District 48	Don L. Lease II	Brian Hardin	Talon Cordle	Scott Shaver
	Jeremiah Jake Teeple			

OTHER KEY RACES FOR THE MAY 10 PRIMARY ELECTION ...

State Board of Education

District 5	Kirk Penner*	Helen Raikes	
District 6	Sherry Jones	Danielle Helzer	
District 7	Robin Stevens*	Pat Moore	Elizabeth Tegtmeier
District 8	Deborah Neary*	John Sieler	Marni Hodgen

Governor

Michael Connely (R)	Brett Lindstrom (R)	Donna Nicole Carpenter (R)	Lela McNinch (R)
Theresa Thibodeau (R)	Jim Pillen (R)	Troy Wentz (R)	Charles Herbster (R)
Breland Ridenour (R)	Carol Blood (D)	Roy A. Harris (D)	Scott Zimmerman (L)

US House 1

Jeff Fortenberry (R)*	Curtis D. Huffman (R)	Thireena Yuki Connely (R)	John Glen Weaver (R)
Mike Flood (R)	Patty Pansing Brooks (D)	Jazari Kual Zakaria (D)	

US House 2

Don Bacon (R)*	Steve Kuehl (R)	Alisha Shelton (D)	Tony Vargas (D)
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US House 3

Adrian Smith (D)*	David J. Else (D)	Daniel M. Wik (D)	Mark Elworth Jr. (LMN)
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Auditor

Mike Foley (R)	Larry Anderson (R)	Gene Siadek (L)	L. Leroy Lopez (LMN)
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Attorney General

	Jennifer Hicks (R)	Mike Hilgers (R)	Larry Bolinger (LMN)
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Secretary of State

	Bob Evnen (R)*	Rex Schroder (R)	Robert J. Borer (R)
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State Treasurer

	John Murante (R)*	Paul Anderson (R)	Katrina Tomsen (L)
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<https://sos.nebraska.gov/sites/sos.nebraska.gov/files/doc/elections/2022/Statewide-Candidate-List.pdf>

BE HEARD! CALL FOR LEGISLATIVE PROPOSALS DUE JULY 1

Have something that you feel "... ought to be a law" regarding public education in Nebraska? Now is the time for you and your board to think of items you might like added, amended or addressed in 2023.

Submit your legislative proposals at:

<http://www.nasbonline.org/registrations/ProposedResolution.aspx>



Nebraska Department of Education
 School Finance & Organization Services
 2022/23 ESU Core Services & Technology Infrastructure Certification
 Local Effort Rate is 1.0

Service Unit	Distance Education Telecommunication Allowance	Base Allocation	ESU Satellite Allocation	Student Allocation	Formula Need (Base Revenue Need)	Stabilized Formula Need (Base Revenue Need)	Yield from Local Effort	Calculated Aid
ESU 01	0.00	326,641.90	0.00	1,525,900.47	1,852,542.37	1,852,542.37	1,524,341.75	328,200.62
ESU 02	0.00	326,641.90	0.00	1,734,494.94	2,061,136.84	2,061,136.84	1,916,087.22	145,049.62
ESU 03	33,959.20	326,641.90	0.00	10,288,728.95	10,649,330.05	10,649,330.05	6,608,070.70	4,041,259.35
ESU 04	19,598.45	326,641.90	0.00	848,629.41	1,194,869.76	1,194,869.76	980,921.88	213,947.88
ESU 05	0.00	326,641.90	0.00	716,853.40	1,043,495.30	1,043,495.30	1,001,057.76	42,437.54
ESU 06	54,312.45	326,641.90	0.00	1,890,133.69	2,271,088.04	2,271,088.04	2,089,819.34	181,268.70
ESU 07	0.00	326,641.90	0.00	1,689,488.89	2,016,130.79	2,016,130.79	2,396,190.76	0.00
ESU 08	14,661.65	326,641.90	0.00	1,448,922.85	1,790,226.40	1,790,226.40	1,944,822.85	0.00
ESU 09	14,598.75	326,641.90	0.00	1,241,530.29	1,582,770.94	1,582,770.94	1,488,624.15	94,146.79
ESU 10	22,258.95	326,641.90	130,656.76	4,077,927.26	4,557,484.87	4,557,484.87	3,398,099.57	1,159,385.30
ESU 11	12,224.70	326,641.90	0.00	680,731.38	1,019,597.98	1,019,597.98	1,084,788.99	0.00
ESU 13	0.00	326,641.90	261,313.52	1,945,620.86	2,533,576.28	2,533,576.28	1,640,468.32	893,107.96
ESU 15	6,734.55	326,641.90	0.00	542,156.84	875,533.29	875,533.29	751,044.67	124,488.62
ESU 16	0.00	326,641.90	130,656.76	1,159,519.98	1,616,818.64	1,616,818.64	1,401,020.19	215,798.45
ESU 17	23,310.40	326,641.90	130,656.76	289,737.65	770,346.71	770,346.71	489,399.00	280,947.71
ESU 18	0.00	326,641.90	0.00	5,215,016.93	5,541,658.83	5,541,658.83	3,634,279.47	1,907,379.36
ESU 19	7,100.90	326,641.90	0.00	5,717,430.91	6,051,173.71	6,051,173.71	3,319,825.63	2,731,348.08
ESU 00	0.00	0.00	0.00	1,709,505.76	1,709,505.76	1,709,505.76	1,002,595.74	706,910.02
							Distributed to ESU's	13,065,676.00
							2% ESU Coordinating Council Distribution	266,646.00
							Total to be Distributed	13,332,322.00