

Shickley Public Schools
February 10, 2025
7:00 PM: Regular Board of Education Meeting
School Office

1. **Preliminary Procedures**
 - 1.1. Call to Order
 - 1.2. Roll Call
 - 1.3. Pledge of Allegiance
 - 1.4. Public Notice of the Meeting and Notification of Open Meeting Law
 - 1.5. Approve Board Member Absence(s)
 - 1.6. Approve the Agenda
2. Consent Agenda
3. Financial Reports
4. **Claims and Bills**
 - 4.1. Claims and Bills
 - 4.2. Claims and Bills.2 - 5 Loaves Market & Bakery
5. **Welcome Visitors**
 - 5.1. Public Comments not on agenda items
 - 5.2. Public Comments on agenda items
6. Grandparents Day Presentation
7. Committee Reports
8. **Discussion Items: Consider and Discuss - No Action to be Taken**
 - 8.1. Shickley Community Foundation Grants
 - 8.2. Swimming Pool
9. **Action Items: Consider, Discuss, and Take all Necessary Action**
 - 9.1. Handbook Proposal
 - 9.2. Grandparents Day
 - 9.3. Supplemental Rates for 25-26
 - 9.4. 25-26 School Calendar
 - 9.5. Classified Wage Increases
 - 9.6. Activity Account updates
 - 9.7. New Policies
 - 9.8. Title IX Policy - Rescind due to federal courts
 - 9.9. Updated IX Policy: 504.24 Title IX Nondiscrimination and associated documents.
10. **Informational Items**
 - 10.1. Administrative Reports
11. Establish Future Board of Education Meeting Date(s) and Time(s)
12. Closed Session
13. Items from Closed Session
14. Adjournment

84-1407. Act, how cited.

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

Source: Laws 2004, LB 821, § 34.

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.

Source: Laws 1975, LB 325, § 1; Laws 1996, LB 900, § 1071; Laws 2004, LB 821, § 35.

Annotations

- Nebraska's public meetings laws do not apply to school board deliberations pertaining solely to disputed adjudicative facts. *McQuinn v. Douglas Cty. Sch. Dist. No. 66*, 259 Neb. 720, 612 N.W.2d 198 (2000).
- The primary purpose of the public meetings law is to ensure that public policy is formulated at open meetings. *Marks v. Judicial Nominating Comm.*, 236 Neb. 429, 461 N.W.2d 551 (1990).
- The public meetings law is broadly interpreted and liberally construed to obtain the objective of openness in favor of the public, and provisions permitting closed sessions must be narrowly and strictly construed. *Grein v. Board of Education of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Although a committee was a subcommittee of a natural resources district board, it was not subject to the Open Meetings Act because there was never a quorum of board members in attendance and the committee did not hold hearings, make policy, or take formal action on behalf of the board. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- A county board of equalization is a public body whose meetings shall be open to the public. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

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) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

Source: Laws 1975, LB 325, § 2; Laws 1983, LB 43, § 1; Laws 1989, LB 429, § 42; Laws 1989, LB 311, § 14; Laws 1992, LB 1019, § 124; Laws 1993, LB 635, § 1; Laws 1996, LB 1044, § 978; Laws 1997, LB 798, § 37; Laws 2004, LB 821, § 36; Laws 2007, LB296, § 810; Laws 2011, LB366, § 2; Laws 2021, LB83, § 11.

Effective Date: April 22, 2021

Annotations

- A township is a political subdivision, and as such, a township board is subject to the provisions of the public meetings laws. *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- A county agricultural society is a public body to which the provisions of the Nebraska public meetings law are applicable. *Nixon v. Madison Co. Ag. Soc'y*, 217 Neb. 37, 348 N.W.2d 119 (1984).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).
- Although a committee was a subcommittee of a natural resources district board, it was not subject to the Open Meetings Act because there was never a quorum of board members in attendance and the committee did not hold hearings, make policy, or take formal action on behalf of the board. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- Although the Open Meetings Act does not define "subcommittee," a subcommittee is generally defined as a group within a committee to which the committee may refer business. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- The Open Meetings Act does not require policymakers to remain ignorant of the issues they must decide until the moment the public is invited to comment on a proposed policy. By excluding nonquorum subgroups from the definition of a public body, the Legislature has balanced the public's need to be heard on matters of public policy with a practical accommodation for a public body's need for information to conduct business. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- As an administrative agency of the county, a county board of equalization is a public body. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- The electors of a township at their annual meeting are a public body under the Open Meetings Act. *State ex rel. Newman v. Columbus Township Bd.*, 15 Neb. App. 656, 735 N.W.2d 399 (2007).

- The meeting at issue in this case was a "meeting" within the parameters of subsection (2) of this section because it involved the discussion of public business, the formation of tentative policy, or the taking of any action of the public power district. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).
- Informational sessions in which the governmental body hears reports are briefings. *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (1993).

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.

Source: Laws 1975, LB 325, § 3; Laws 1983, LB 43, § 2; Laws 1985, LB 117, § 1; Laws 1992, LB 1019, § 125; Laws 1994, LB 621, § 1; Laws 1996, LB 900, § 1072; Laws 2004, LB 821, § 37; Laws 2004, LB 1179, § 1; Laws 2006, LB 898, § 1; Laws 2011, LB390, § 29; Laws 2012, LB995, § 17.

Annotations

- There is no absolute discovery privilege for communications that occur during a closed session. *State ex rel. Upper Republican NRD v. District Judges*, 273 Neb. 148, 728 N.W.2d 275 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- The public interest mentioned in this section is that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities. *Grein v. Board of Education*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Hearing in closed executive session was contrary to this section since there was no showing of necessity or reason under subdivision (1)(a), (b), or (c), but did not result in reversal of board decision. *Simonds v. Board of Examiners*, 213 Neb. 259, 329 N.W.2d 92 (1983).
- Negotiations for the purchase of land need not be conducted at an open meeting but the deliberations of a city council as to whether an offer to purchase real estate should be made should take place in an open meeting. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Public meeting law was not violated where the Board of Regents of the University of Nebraska voted to hold a closed session to consider the university president's resignation, and also discussed the appointment of an interim president during such session. *Meyer v. Board of Regents*, 1 Neb. App. 893, 510 N.W.2d 450 (1993).

84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; virtual conferencing authorized; requirements; 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 website.

(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 website; 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) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met:

(i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity;

(ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act;

(iii) The governing body of a public power district having a chartered territory of more than one county in this state;

(iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state;

(v) An educational service unit;

(vi) The Educational Service Unit Coordinating Council;

(vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act;

(viii) A community college board of governors;

(ix) The Nebraska Brand Committee;

(x) A local public health department;

(xi) A metropolitan utilities district;

(xii) A regional metropolitan transit authority;

(xiii) A natural resources district; and

(xiv) The Judicial Resources Commission.

(b) The requirements for holding a meeting by means of virtual conferencing are as follows:

(i) Reasonable advance publicized notice is given as provided in subsection (1) of this section, including providing access to a dial-in number or link to the virtual conference;

(ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be provided if virtual conferencing was not used;

(iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and

(iv) Except as otherwise provided in this subdivision or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. 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, the organization may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing. 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 virtual conferencing if the governing body's quarterly meetings are not held by virtual conferencing.

(3) Virtual conferencing, 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 virtual conferencing. 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 to appear before the public body by means of virtual conferencing.

(7)(a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

(b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings.

(c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsections (5) and (6) of section 84-1413.

Source: Laws 1975, LB 325, § 4; Laws 1983, LB 43, § 3; Laws 1987, LB 663, § 25; Laws 1993, LB 635, § 2; Laws 1996, LB 469, § 6; Laws 1996, LB 1161, § 1; Laws 1999, LB 47, § 2; Laws 1999, LB 87, § 100; Laws 1999, LB 461, § 1; Laws 2000, LB 968, § 85; Laws 2004, LB 821, § 38; Laws 2004, LB 1179, § 2; Laws 2006, LB 898, § 2; Laws 2007, LB199, § 9; Laws 2009, LB361, § 2; Laws 2012, LB735, § 1; Laws 2013, LB510, § 1; Laws 2017, LB318, § 1; Laws 2019, LB212, § 5; Laws 2020, LB148, § 3; Laws 2021, LB83, § 12.

Effective Date: April 22, 2021

Cross References

- **Emergency Management Act**, see section 81-829.36.
- **Intergovernmental Risk Management Act**, see section 44-4301.
- **Interlocal Cooperation Act**, see section 13-801.
- **Joint Public Agency Act**, see section 13-2501.
- **Municipal Cooperative Financing Act**, see section 18-2401.

Annotations

- Under subsection (1) of this section, the Legislature has imposed only two conditions on the public body's notification method of a public meeting: (1) It must give reasonable

advance publicized notice of the time and place of each meeting and (2) it must be recorded in the public body's minutes. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).

- An emergency is "(a)ny event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition." *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- An agenda which gives reasonable notice of the matters to be considered at a meeting of a city council complies with the requirements of this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- When notice is required, a notice of a special meeting of a city council posted in three public places at 10:00 p.m. on the day preceding the meeting is not reasonable advance publicized notice of a meeting as is required by this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Teacher waived right to object to lack of public notice in board of education employment hearing by voluntary participation in the hearing without objection. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- A county board of commissioners and a county board of equalization are not required to give separate notices when the notice states only the time and place that the boards meet and directs a citizen to where the agendas for each board can be found. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- A county board of equalization is a public body which is required to give advanced publicized notice of its meetings. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Notice of recessed and reconvened meetings must be given in the same fashion as the original meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- True notice of a meeting is not given by burying such in the minutes of a prior board proceeding. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- An agenda notice which merely stated "work order reports" was an inadequate notice under this section because it did not give interested persons knowledge that plans for a 345 kv transmission line through the district was going to be discussed and voted upon at the meeting. Inadequate agenda notice under this section meant there was a substantial violation of the public meeting laws; however, later actions by the board of directors cured the defects in notice, and such actions were in substantial compliance with the statute. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

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, a 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, including meetings held by virtual conferencing. 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 shall require any member of the public desiring to address the body to identify

himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

(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 virtual conferencing available at an in-state 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; and

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

(8) Public bodies shall make available at the meeting or the in-state location for virtual conferencing as required by subdivision (6)(c) of this section, 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, either in paper or electronic form. 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.

Source: Laws 1975, LB 325, § 5; Laws 1983, LB 43, § 4; Laws 1985, LB 117, § 2; Laws 1987, LB 324, § 5; Laws 1996, LB 900, § 1073; Laws 2001, LB 250, § 2; Laws 2004, LB 821, § 39; Laws 2006, LB 898, § 3; Laws 2008, LB962, § 1; Laws 2021, LB83, § 13.

Effective Date: April 22, 2021

Annotations

- To preserve an objection that a public body failed to make documents available at a public meeting as required by subsection (8) of this section, a person who attends a public meeting must not only object to the violation, but must make that objection to the public body or to a member of the public body. *Stoetzel & Sons v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003).

84-1413. Meetings; minutes; roll call vote; secret ballot; when; agenda and minutes; required on website; 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.

(7) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public website the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the website at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the website at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public website for at least six months.

Source: Laws 1975, LB 325, § 6; Laws 1978, LB 609, § 3; Laws 1979, LB 86, § 9; Laws 1987, LB 663, § 26; Laws 2005, LB 501, § 1; Laws 2009, LB361, § 3; Laws 2015, LB365, § 2; Laws 2016, LB876, § 1; Laws 2021, LB83, § 14.

Effective Date: April 22, 2021

Annotations

- Under prior law, if a person present at a meeting observes and fails to object to an alleged public meetings laws violation in the form of a failure to conduct rollcall votes before taking actions on questions or motions pending, that person waives his or her right to object at a later date. *Hauser v. Nebraska Police Stds. Adv. Council*, 264 Neb. 944, 653 N.W.2d 240 (2002).
- Subsection (2) of this section does not require the record to state that the vote was by roll call, but requires only that the record show if and how each member voted. Neither does the statute set a time limit for recording the results of a vote, after which no corrections of the record can be made. If no intervening rights of third persons have arisen, a board of county commissioners has power to correct the record of the proceedings had at a previous

meeting so as to make them speak the truth, particularly where the correction supplies some omitted fact or action and is done not to contradict or change the original record but to have the record show that a certain action was taken or thing done, which the original record fails to show. *State ex rel. Schuler v. Dunbar*, 214 Neb. 85, 333 N.W.2d 652 (1983).

- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).
- There is no requirement that a public body make a record of where notice was published or posted. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

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.

Source: Laws 1975, LB 325, § 9; Laws 1977, LB 39, § 318; Laws 1983, LB 43, § 5; Laws 1992, LB 1019, § 126; Laws 1994, LB 621, § 2; Laws 1996, LB 900, § 1074; Laws 2004, LB 821, § 40; Laws 2006, LB 898, § 4.

Annotations

- The Legislature has granted standing to a broad scope of its citizens for the very limited purpose of challenging meetings allegedly in violation of the Open Meetings Act, so that they may help police the public policy embodied by the act. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010).

- Any citizen of the state may commence an action to declare a public body's action void. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- The reading of ordinances constitutes a formal action under subsection (1) of this section. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- Under the Public Meetings Act, a county lacks capacity to maintain an action to declare its official conduct "void" for noncompliance with the act. *County of York v. Johnson*, 230 Neb. 403, 432 N.W.2d 215 (1988).
- When a petitioner under this section is successful in the district court, that court may allow attorney fees. *Tracy Corp. II v. Nebraska Pub. Serv. Comm.*, 218 Neb. 900, 360 N.W.2d 485 (1984).
- Informal discussions between the Tax Commissioner and the State Board of Equalization in which instructions were clarified, with such clarification leading to the amendment of hearing notices, did not constitute a public meeting subject to the provisions of this section. *Box Butte County v. State Board of Equalization and Assessment*, 206 Neb. 696, 295 N.W.2d 670 (1980).
- The right to collaterally attack an order made in contravention of the Public Meeting Act must occur within a period of one year as is specifically provided by this section. *Witt v. School District No. 70*, 202 Neb. 63, 273 N.W.2d 669 (1979).
- Statutory change, requiring "publicized notice" for board of education employment hearings, occurring between dates meeting scheduled and conducted, held not to void proceedings. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. Once a meeting has been declared void pursuant to Nebraska's public meetings law, board members are prohibited from considering any information obtained at the illegal meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Actions by the board of directors were merely voidable under this section, and not void. Pursuant to subsection (3) of this section, the plaintiffs were awarded partial attorney fees because they were successful in having the court declare that the board of directors was in substantial violation of the statute, even though the plaintiffs did not get the relief requested of having the board's actions declared void. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

Accounts

GENERAL FUND

XX3840

Available balance

\$1,682,739.66

GENERAL FUND SAVINGS

XXXX5040

Available balance

\$113,414.54

BUILDING FUND

XXX0725

Available balance

\$22,453.36

BUILDING FUND SAVINGS

XX8121

Available balance

\$387,077.91

DEPRECIATION FUND

XXX4158

Available balance

\$8,174.45

DEPRECIATION FUND SAVINGS

XX0614

Available balance

\$277,229.53

LUNCH FUND

XX0648

Available balance

\$37,182.37

ACTIVITIES FUND

XX3527

Available balance

\$130,886.72

QCPUF FUND SAVINGS

XX1116

Available balance

\$112,071.28

Treasurer's Report

February 10, 2025

General Fund

Depreciation Fund

Activity Fund

School Nutrition Fund

Special Building Fund

Qualified Capital Purpose
Undertaking Fund (QCPUF)

Shickley Public Schools - Depreciation Fund

Shickley, Nebraska

Statement of Assets, Liabilities, and Fund Balance

As of January 31, 2025 and 2024

	2025	2024
Current Assets		
Depreciation Fund Checking	\$ 8,174.45	\$ 0.00
Depreciation Fund Savings	<u>277,438.87</u>	<u>0.00</u>
Total Current Assets	<u>285,613.32</u>	<u>0.00</u>
Total Assets	<u>\$ 285,613.32</u>	<u>\$ 0.00</u>

Liabilities and Fund Balance

	2025	2024
Total Liabilities	<u>0.00</u>	<u>0.00</u>
Fund Balance		
Fund Balance	415,911.68	0.00
Net Income	<u>(130,298.36)</u>	<u>0.00</u>
Total Fund Balance	<u>285,613.32</u>	<u>0.00</u>
Total Liabilities and Fund Balance	<u>\$ 285,613.32</u>	<u>\$ 0.00</u>

Shickley Public Schools - Depreciation Fund

Shickley, Nebraska

Statement of Receipts and Disbursements

For the 1 Month and 5 Months Ended January 31, 2025

	Current Month	Prior Year	Year to Date	Prior Year to Date	Total Fiscal Year Budget	% of Budget
Receipts						
Interest on Investments	\$ 209.34	\$ 0.00	\$ 1,340.24	\$ 0.00		
	<hr/>	<hr/>	<hr/>	<hr/>		
Total Receipts	<hr/> 209.34	<hr/> 0.00	<hr/> 1,340.24	<hr/> 0.00	<hr/> 102,000.00	<hr/> 1.31%
Disbursements						
Other Professional Services	73,625.00	0.00	73,625.00	0.00		
Vehicles	0.00	0.00	50,000.00	0.00		
Technology-Related Hardware	0.00	0.00	8,013.60	0.00		
	<hr/>	<hr/>	<hr/>	<hr/>		
Total Disbursements	<hr/> 73,625.00	<hr/> 0.00	<hr/> 131,638.60	<hr/> 0.00	<hr/> 480,321.00	<hr/> 27.41%
Net Income (Loss)	<hr/> \$ (73,415.66)	<hr/> \$ 0.00	<hr/> \$ (130,298.36)	<hr/> \$ 0.00		

Shickley Public Schools - Activities Fund

Shickley, Nebraska

Statement of Assets, Liabilities, and Fund Balance

As of January 31, 2025 and 2024

	2025	2024
Current Assets		
Activities Fund Checking	\$ 130,921.53	\$ 0.00
Total Current Assets	<u>130,921.53</u>	<u>0.00</u>
Total Assets	<u>\$ 130,921.53</u>	<u>\$ 0.00</u>

Liabilities and Fund Balance

	2025	2024
Total Liabilities	<u>0.00</u>	<u>0.00</u>
Fund Balance		
Fund Balance	<u>130,921.53</u>	<u>0.00</u>
Total Fund Balance	<u>130,921.53</u>	<u>0.00</u>
Total Liabilities and Fund Balance	<u>\$ 130,921.53</u>	<u>\$ 0.00</u>

Shickley Public Schools - Activities Fund

Shickley, Nebraska

Statement of Receipts and Disbursements

For the 1 Month and 5 Months Ended January 31, 2025

	Beginning Balance	Receipts	Transfers	Disbursements	Ending Balance
Activities					
Annual	\$ 12,364.10	\$ 3,555.00	\$ -	\$ (1,858.70)	\$ 14,060.40
Athletics	(8,446.73)	16,562.17	-	(19,880.87)	(11,765.43)
Athletics - Golf	205.00	-	-	-	205.00
Class of 2024	368.80	-	-	(368.80)	-
Class of 2025	4,039.82	1,422.80	-	(740.35)	4,722.27
Class of 2026	6,313.60	201.10	-	(102.90)	6,411.80
Class of 2027	7,460.00	-	-	-	7,460.00
Class of 2028	1,245.00	-	-	-	1,245.00
Class of 2029	830.00	-	-	(74.77)	755.23
College Access	250.00	1,000.00	-	(307.09)	942.91
Concessions	2,311.30	11,308.10	-	(13,583.23)	36.17
Drama	2,581.18	1,710.73	-	(2,626.26)	1,665.65
Educators Rising	1,536.40	-	-	(125.00)	1,411.40
FBLA	5,140.77	728.86	-	(1,292.38)	4,577.25
FFA	(5,593.50)	29,502.23	4,238.91	(17,187.41)	10,960.23
Grants	32,192.13	500.00	(6,750.00)	(7,362.21)	18,579.92
Interest	488.91	170.82	(488.91)	-	170.82
Library	1,297.03	3,131.30	523.50	(3,329.37)	1,622.46
Music	12,410.70	1,095.00	-	(1,390.36)	12,115.34
National Honor Society	-	221.80	-	-	221.80
PBIS	1,349.90	-	(1,349.90)	-	-
Post Prom	112.61	1,500.00	-	-	1,612.61
School Culture	-	528.40	4,096.81	(55.98)	4,569.23
Special Projects	18,826.61	983.25	-	(1,647.90)	18,161.96
Speech	2,079.30	221.80	-	(237.00)	2,064.10
Striv	5,310.00	4,095.00	-	-	9,405.00
Student Council	3,516.36	201.10	-	(223.34)	3,494.12
Sunshine Committee	(253.09)	-	253.09	-	-
Swimming Pool	21,851.22	-	-	(11,750.00)	10,101.22
Teacher Scholarship	1,900.00	-	-	(500.00)	1,400.00
Wellness	1,749.99	4,315.00	(523.50)	(826.42)	4,715.07
Total Activities	<u>\$ 133,437.41</u>	<u>\$ 82,954.46</u>	<u>\$ -</u>	<u>\$ (85,470.34)</u>	<u>\$ 130,921.53</u>
Activities Budget	<u>\$ 135,477.00</u>	<u>\$ 280,000.00</u>	<u>\$ -</u>	<u>\$ 300,000.00</u>	<u>\$ 115,477.00</u>

Shickley Public Schools - Lunch Fund

Shickley, Nebraska

Statement of Assets, Liabilities, and Fund Balance

As of January 31, 2025 and 2024

	2025	2024
Current Assets		
Lunch Fund Checking	\$ <u>37,190.27</u>	\$ <u>66,733.12</u>
Total Current Assets	<u>37,190.27</u>	<u>66,733.12</u>
Total Assets	\$ <u><u>37,190.27</u></u>	\$ <u><u>66,733.12</u></u>

Liabilities and Fund Balance

	2025	2024
Total Liabilities	<u>0.00</u>	<u>0.00</u>
Fund Balance		
Fund Balance	24,596.23	66,733.12
Net Income	<u>12,594.04</u>	<u>0.00</u>
Total Fund Balance	<u>37,190.27</u>	<u>66,733.12</u>
Total Liabilities and Fund Balance	\$ <u><u>37,190.27</u></u>	\$ <u><u>66,733.12</u></u>

Shickley Public Schools - Lunch Fund
 Shickley, Nebraska
Statement of Receipts and Disbursements
 For the 1 Month and 5 Months Ended January 31, 2025

	Current Month	Prior Year	Year to Date	Prior Year to Date	Total Fiscal Year Budget	% of Budget
Receipts						
Interest on Investments	\$ 7.70	\$ 0.00	\$ 24.33	\$ 0.00		
Daily Sales - School Lunch	7,588.95	0.00	31,831.70	0.00		
Daily Sales - Non-Reimbursable Programs	630.40	0.00	3,638.40	0.00		
Federal Nutrition Programs	2,908.90	0.00	16,414.13	0.00		
Fund Transfers In	0.00	0.00	40,000.00	0.00		
	<hr/>	<hr/>	<hr/>	<hr/>		
Total Receipts	<u>11,135.95</u>	<u>0.00</u>	<u>91,908.56</u>	<u>0.00</u>	<u>255,000.00</u>	<u>36.04%</u>
Disbursements						
Salaries	4,388.89	0.00	27,571.54	0.00		
Additional Compensation	833.00	0.00	2,550.00	0.00		
Group Insurance	807.40	0.00	4,037.00	0.00		
Social Security	393.94	0.00	2,276.66	0.00		
Retirement	435.61	0.00	2,543.40	0.00		
Food	3,171.36	0.00	40,206.31	0.00		
Dues & Fees	0.00	0.00	129.61	0.00		
	<hr/>	<hr/>	<hr/>	<hr/>		
Total Disbursements	<u>10,030.20</u>	<u>0.00</u>	<u>79,314.52</u>	<u>0.00</u>	<u>270,419.00</u>	<u>29.33%</u>
Net Income (Loss)	<u>\$ 1,105.75</u>	<u>\$ 0.00</u>	<u>\$ 12,594.04</u>	<u>\$ 0.00</u>		

Shickley Public Schools - Building Fund

Shickley, Nebraska

Statement of Assets, Liabilities, and Fund Balance

As of January 31, 2025 and 2024

	2025	2024
Current Assets		
Building Fund Checking	\$ 22,453.36	\$ 1,231.36
Building Fund Savings	387,378.23	213,481.08
County Treasurer Balance	<u>0.00</u>	<u>(214,712.44)</u>
Total Current Assets	<u>409,831.59</u>	<u>0.00</u>
Total Assets	<u>\$ 409,831.59</u>	<u>\$ 0.00</u>

Liabilities and Fund Balance

	2025	2024
Total Liabilities	<u>0.00</u>	<u>0.00</u>
Fund Balance		
Fund Balance	450,472.82	0.00
Net Income	<u>(40,641.23)</u>	<u>0.00</u>
Total Fund Balance	<u>409,831.59</u>	<u>0.00</u>
Total Liabilities and Fund Balance	<u>\$ 409,831.59</u>	<u>\$ 0.00</u>

Shickley Public Schools - Building Fund

Shickley, Nebraska

Statement of Receipts and Disbursements

For the 1 Month and 5 Months Ended January 31, 2025

	Current Month	Prior Year	Year to Date	Prior Year to Date	Total Fiscal Year Budget	% of Budget
Receipts						
Taxes Levied by the School	\$ 56,498.15	\$ 0.00	\$ 69,553.54	\$ 0.00		
Penalties and Interest on Taxes	62.28	0.00	127.71	0.00		
Interest on Investments	300.32	0.00	1,656.35	0.00		
Pro-Rate Motor Vehicle	112.89	0.00	181.56	0.00		
	<hr/>	<hr/>	<hr/>	<hr/>		
Total Receipts	<u>56,973.64</u>	<u>0.00</u>	<u>71,519.16</u>	<u>0.00</u>	<u>311,617.00</u>	<u>22.95%</u>
Disbursements						
Buildings	45,000.00	0.00	45,000.00	0.00		
Technology Hardware	67,160.39	0.00	67,160.39	0.00		
	<hr/>	<hr/>	<hr/>	<hr/>		
Total Disbursements	<u>112,160.39</u>	<u>0.00</u>	<u>112,160.39</u>	<u>0.00</u>	<u>776,005.00</u>	<u>14.45%</u>
Net Income (Loss)	<u>\$ (55,186.75)</u>	<u>\$ 0.00</u>	<u>\$ (40,641.23)</u>	<u>\$ 0.00</u>		

Shickley Public Schools - QCPUF Fund

Shickley, Nebraska

Statement of Assets, Liabilities, and Fund Balance

As of January 31, 2025 and 2024

	2025	2024
Current Assets		
QCPUF Savings	\$ 112,135.05	\$ 230,605.82
Total Current Assets	<u>112,135.05</u>	<u>230,605.82</u>
Total Assets	<u>\$ 112,135.05</u>	<u>\$ 230,605.82</u>

Liabilities and Fund Balance

	2025	2024
Total Liabilities	<u>0.00</u>	<u>0.00</u>
Fund Balance		
Fund Balance	287,675.27	230,605.82
Net Income	<u>(175,540.22)</u>	<u>0.00</u>
Total Fund Balance	<u>112,135.05</u>	<u>230,605.82</u>
Total Liabilities and Fund Balance	<u>\$ 112,135.05</u>	<u>\$ 230,605.82</u>

Shickley Public Schools - QCPUF Fund

Shickley, Nebraska

Statement of Receipts and Disbursements

For the 1 Month and 5 Months Ended January 31, 2025

	Current Month	Prior Year	Year to Date	Prior Year to Date	Total Fiscal Year Budget	% of Budget
Receipts						
Taxes Levied by the School	\$ 44,808.85	\$ 0.00	\$ 56,052.00	\$ 0.00		
Penalties & Interest on Taxes	51.50	0.00	105.04	0.00		
Interest on Investments	63.77	0.00	815.10	0.00		
Pro-Rate Motor Vehicle	93.35	0.00	150.14	0.00		
	<hr/>	<hr/>	<hr/>	<hr/>		
Total Receipts	<u>45,017.47</u>	<u>0.00</u>	<u>57,122.28</u>	<u>0.00</u>	<u>246,372.00</u>	<u>23.19%</u>
Disbursements						
Debt Related Expenses	0.00	0.00	210.00	0.00		
Redemption of Principal	0.00	0.00	230,000.00	0.00		
Interest on Long Term Debt	0.00	0.00	2,452.50	0.00		
	<hr/>	<hr/>	<hr/>	<hr/>		
Total Disbursements	<u>0.00</u>	<u>0.00</u>	<u>232,662.50</u>	<u>0.00</u>	<u>244,400.00</u>	<u>95.20%</u>
Net Income (Loss)	<u>\$ 45,017.47</u>	<u>\$ 0.00</u>	<u>\$ (175,540.22)</u>	<u>\$ 0.00</u>		

General Fund	
5 Loaves Market & Bakery	1,524.97
74 Repair LLC	6,112.20
Audio Enhancements	150.84
Boys Town - Father Flanagan's Boys Home	3,900.00
Burton Enterprises	170.00
DAS State Accounting	292.87
Diode Technologies	1,029.78
Eakes	856.74
Electronic Systems	773.60
ESU #6	2,342.10
Fillmore County Hospital	2,500.00
Fortify	100.00
Galyen Energy	9,100.59
GO Educationally Based	3,461.77
Hometown Leasing	1,630.42
Intermedia	56.64
Jim's Repair	1,862.92
JW Pepper	220.77
Matheson	102.86
NASB	3,865.00
Nebraska Safety Center	250.00
Nebraska Signal	78.35
Probitas CPA's LLC	1,750.00
Risk Administrative Services	2,297.00
Shickley Lumber Co.	\$ 121.50
Shickley Public School - Lunch Fund	939.60
Superior Exterminating	266.00
Tom's Music	239.22
Unite Private Networks (Segra)	428.98
US Bank	3,227.37
Village of Shickley	4091.23
VVS Canteen	57.78
WEX Bank	\$1,524.34
Wild Roots	108.85
Windstream	10.12
Woodward's Disposal Service, Inc	30.00
WP Properties, LLC	170.00
Payroll	

Blue Cross Blue Shield	42,526.90
Ameritas	325.75
First Concord Benefits	1,458.81
Legal Shield	215.50
Colonial Life	876.55
<i>Lunch Fund</i>	
5 Loaves Market	142.49
Cash-Wa Distributing	4,353.63
Hiland Dairy	998.99
US Foods -The Thompson Co.,	5,255.23
<i>DEPRECIATION</i>	
Bruning Davenport School	3,000.00
<i>Building Fund</i>	
Galyen Energy	11,711.75

General Fund	
5 Loaves Market & Bakery	1,524.97
74 Repair LLC	6,112.20
Audio Enhancements	150.84
Boys Town - Father Flanagan's Boys Home	3,900.00
Burton Enterprises	170.00
DAS State Accounting	292.87
Diode Technologies	1,029.78
Eakes	856.74
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ESU #6	2,342.10
Fillmore County Hospital	2,500.00
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Hometown Leasing	1,630.42
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US Bank	3,227.37
Village of Shickley	4091.23
VVS Canteen	57.78
WEX Bank	\$1,524.34
Wild Roots	108.85
Windstream	5.06
Woodward's Disposal Service, Inc	32.50
WP Properties, LLC	170.00
Payroll	

Blue Cross Blue Shield	42,526.90
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Hiland Dairy	998.99
US Foods -The Thompson Co.,	5,255.23
<i>DEPRECIATION</i>	
Bruning Davenport School	3,000.00
<i>Building Fund</i>	
Galyen Energy	11,711.75

School Board Meeting

Normally our **Grandparents Day** starts at 10:00 and then school is dismissed at 1:00.

****I am proposing that our day would start at 12:30 (after lunch) and we would have a normal Friday dismissal time of 2:30. This would require changing the master calendar.**

Rationale for changing the times:

- Providing lunch for the grandparents is **costly and extremely time-consuming** for the front office staff, which is during our busiest time of the year.
- Providing lunch forces the junior high and high school students to set up and clean up the north gym instead of being in class
- Providing lunch **costs the district money**
- **Students would eat in the cafeteria like normal for their lunch, instead of having the district pay for rest of their lunch bill**
- The **focus should be on being with their grandchildren** and not socializing with their elderly friends in the gym after lunch while the children are playing outside
- Moving the time would force the students and their grandparents to stay and socialize together while still enjoying all of the regular activities that we normally provide.
- **Other districts just provide a snack or treat**, which is much more manageable. (cookies / lemonade / coffee)
- Most of the students were usually gone by 12:30 or they had a very long recess without their grandparents so the **actual interaction time would remain the same.**
- Grandparents' Day needs to be more manageable so that another teacher can easily take over in the future.
- Some patrons will not like this change, but it is what is best for the district. Some of the grandparents just focus on the lunch, and that is not why they are at our school.



GRANT APPLICATION FORM

APPLICANT: Shickley Public School

CONTACT PERSON: Shandi Bettasso

ADDRESS: 104 E Murray; Shickley, NE 68436

PHONE NUMBER: 402-627-3375 E-MAIL: shandi.bettasso@longhornpower.org

Please attach responses for each of the following:

- A. Describe how your proposed project/program aligns with the Shickley Community Foundation’s Mission Statement and objectives (see paragraphs 1 and 2 of cover letter).**

Over the course of the last two years, SPS has implemented and begun purchasing industry standard equipment to support education in the CTE programs. Purchasing a large format printer not only aligns with these goals, but allows students to see their work take shape around the school. The large format printer not only supports the CTSOs and CTE courses, but allows students to create materials of higher quality in their academic classes and the Speech team. Media students will be able to create signage and branding materials for BDS events and Shickley Longhorns.

- B. Indicate timeframe for work on and completion of your proposed project/program:**

Will purchase ASAP and begin using upon purchase.

- C. Indicate how the funding requested through this grant shall be used. As part of your response, identify the primary source of funding for your proposed project/program.**

Purchasing a Large Format Printer and accessories would allow CTSOs, activities, academics and athletics to print their own materials for competitions and promotions. Additionally it would be a way for the emerging media students to share their work and take on real world projects.

- D. Provide a breakdown of the total amount of funds needed to complete your project/program, together with a description of how other funds have been or shall be acquired, as follows:**

FUNDING	DOLLAR AMOUNT	PERCENTAGE
Funds Available and/or Pledges Received	1200.00	50%
Source: Perkins/CTE Funds		50 %
Source:		%
Source:		%
Amount Requested through this Grant	1200.00	50 %
Balance Required to Fund Project/Program	0	0
Source:		%



Source:		%
Source:		%
TOTAL	2400.00	100%

In signing this application, I verify that (1) the information submitted is accurate; and (2) a final report shall be submitted upon completion of this project/program, detailing how the grant funds were used. I understand that my organization may not be eligible for future funding unless and until a final report has been prepared and submitted to the Shickley Community Foundation.

Shandi Bellasso _____
 Signature
2/3/2025 _____
 Date

Please return your grant application to:

Shickley Community Foundation
 PO Box 372
 Shickley, NE 68436-0372

Applications Due March 1 & September 1 Each Year

We are in the early stages with a new Entrepreneurship class at Shickley. So we have started on the education behind this along with researching what Shickley staff and students want to see as far as a school-based enterprise. Ideas range from vending machines to mobile carts or portable stations with various sales items. This would not only fill a need at our school but would prepare students with business world experiences. We are excited to see where this leads us. We may not be able to see this to fruition this year but we are laying the groundwork to establish a business by next school year. Hopefully in the future we can even expand a business beyond the school that is also supported and utilized by our local community.



GRANT APPLICATION FORM

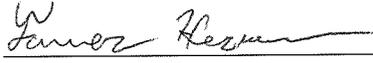
APPLICANT: Tanner Hermann
 CONTACT PERSON: Tanner Hermann
 ADDRESS: 104 E Murray St, Shickley NE
 PHONE NUMBER: 308-390-9043 E-MAIL: Tanner.Hermann@longhornpower.org

Please attach responses for each of the following:

- A. Describe how your proposed project/program aligns with the Shickley Community Foundation's Mission Statement and objectives (see paragraphs 1 and 2 of cover letter). I ~~believe~~ believe this project will be beneficial for our school for years to come in the future by providing student athletes
- B. Indicate timeframe for work on and completion of your proposed project/program. with more updated equipment May-June
- C. Indicate how the funding requested through this grant shall be used. As part of your response, identify the primary source of funding for your proposed project/program. The funding will be used everyday in our weight room. Primary funding will go to equipment, and flooring for kids safety.
- D. Provide a breakdown of the total amount of funds needed to complete your project/program, together with a description of how other funds have been or shall be acquired, as follows:

FUNDING	DOLLAR AMOUNT	PERCENTAGE
Funds Available and/or Pledges Received		
Source: <u>Community Foundation</u>	<u>\$6,600</u>	<u>60</u> %
Source:		%
Source:		%
Amount Requested through this Grant		%
Balance Required to Fund Project/Program		
Source: <u>Shickley Schools</u>	<u>\$4,400</u>	<u>40</u> %
Source:		%
Source:		%
TOTAL	<u>\$11,000</u>	100%

In signing this application, I verify that (1) the information submitted is accurate; and (2) a final report shall be submitted upon completion of this project/program, detailing how the grant funds were used. I understand that my organization may not be eligible for future funding unless and until a final report has been prepared and submitted to the Shickley Community Foundation.



 Signature
2-3-2025

 Date

Please return your grant application to:

Shickley Community Foundation
 PO Box 372
 Shickley, NE 68436-0372

A. The goal of Positive Behavior Interventions and Supports (PBIS) at Shickley Public school is to create a positive school environment where students can be successful academically, socially, and emotionally. Shickley's PBIS expectations of Be Safe, Be Respectful, Be Responsible, and Be Resourceful guide students to demonstrate acceptable behavior in the classroom, hallways, lunchroom and in the gym or on the playground. Students are able to earn tickets for demonstrating mastery of these skills in these settings. Tickets can then be used to purchase items from our PBIS Longhorn store each month.

B. Indicate timeframe for work on and completion of your proposed project/program.

Shickley Public School has been working toward positive behavior schoolwide. Students can earn Longhorn Tickets for being Respectful, Responsible, Resourceful, and Safe. The PBIS Longhorn Store is a new feature the staff has added this school year. Students can collect their tickets and cash them in to earn prizes. Some of the rewards include: Brainteaser puzzles, gum, homework passes, water bottle stickers, board games, joke books, school supplies, etc.

As the PBIS Team continues the PBIS Longhorn Store into next school year, we would like to add some Shickley items to represent our school and the pride of the community. As we build the program, we will need support to make this a successful reward for positive behavior schoolwide.

C. Indicate how the funding requested through this grant shall be used. As part of your response, identify the primary source of funding for your proposed project/program.

The table below indicates that Shickley Public School will help support the schoolwide effort in the PBIS positive reward system for Longhorns being Safe, Respectful, Responsible, and Resourceful. With the support of the Shickley Community Foundation, we feel this will grow in the upcoming school year to show success for all students.

Shickley Preschool

The Shickley Public School Preschool program offers full-time enrollment to the following eligible students at no charge. Enrollment capacity is prioritized by:

24

- students who are required by law to attend preschool program (students with IEPs)
- residents who are 4 or turning 5 (year before K)
- residents students who are 3 or turning 4
- non residents students who are 4 or turning 5 with intention to opt into the district
- resident students who are eligible for kindergarten with a birthdate from May 1 - July 31
- non residents students who are 3 or turning 4 with intention to opt into the district

~~Except for those students with IEPs, the district does not offer kindergarten eligible students access to preschool.~~

PROPOSED Supplemental Rates for 2025-26

Outline of Payment for As-Performed Duties or Assignments

Revised 1-23-2025

Position	2021-22 Rate	2022-23 Rate	2023-24 Rate	2024-25 Rate	Proposed 2025-26 Rate	NOTES
Activity School Bus Transportation: To/From/Stay	10.00	16.00	16.00	18.00	18.00	Hourly Rate - minimum of two (2) hours
Activity Van Transportation: To Site	10.00	15.00	15.00	16.00	18.00	Trip Rate - does not apply to coaches driving
Activity Van Transportation: From Site	10.00	15.00	15.00	16.00	18.00	Trip Rate - does not apply to coaches driving
Activity Van Transportation: Stay	10.00	15.00	15.00	16.00	18.00	Hourly Rate - does not apply to coaches driving
After School Program: Grades 5-12 Study Hall	25.00	25.00	25.00	25.00	25.00	Event Rate
Substitute - Certified Teacher: Daily Rate	110.00	125.00	135.00	140.00	150.00	Daily Rate
Substitute - Certified Teacher: Daily Rate		62.50	67.50	70.00	75.00	Half-Day Rate
Substitute - Certified Teacher: Long Term Daily Rate	165.00	165.00	175.00	180.00	180.00	Beginning on 11th day, \$180/day - consecutive days for same teacher
Substitute - Paraprofssional	11.00	11.00	14.00	16.00	16.00	Hourly Rate - Rate can be adjusted for prior years experience
Substitute - Kitchen	10.15	11.00	14.00	16.00	16.00	Hourly Rate - Rate can be adjusted for prior years experience
Daily School Bus Routes: AM	32.00	32.00	34.00	36.00	38.00	Trip Rate
Daily School Bus Routes: PM	32.00	32.00	34.00	36.00	38.00	Trip Rate
Daily Van Route: AM - In Place of Bus		16.00	16.00	18.00	18.00	Trip Rate
Daily Van Route: PM - In Place of Bus		16.00	16.00	18.00	18.00	Trip Rate
Summer Professional Development	25.00	25.00	25.00	25.00	25.00	Hourly Rate - does not include drive time
Summer Weightroom Supervision	25.00	25.00	25.00	25.00	25.00	Daily Rate
Ticket Taking	12.50	12.50	12.50	12.50	12.50	Event Rate - set through Negotiated Agreement

Shickley Public School
 104 E. Murray Street
 PO Box 407
 Shickley, NE 68436
 402.627.3375

Shickley Public School
2025-26 School Calendar
 shickleypublicschool.com

Superintendent:
 Dr. Stan Essink

PK-12 Principal:
 Mr. Greg Schroeder

DRAFT COPY

August 2025				
M	T	W	T	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

September 2025				
M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30			

October 2025				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

November 2025				
M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

December 2025				
M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31		

Color/Symbol Key	
	No School for students and staff
	Special Day
	No School for students, Staff in-service
	2:30 pm Dismissal for students, Staff in-service
	End of Quarter/Semester
	Other Days

August 2025
August 8: Teacher In-service 8am -12pm
August 11: Teacher In-service / Start of Fall Sports
August 12: First Day for K-12 Students - 1:00 pm Dismissal
August 13: First Day for PK Students

September 2025
September 1: No School - Labor Day
September 2: No School - Teacher In-service (BRC)

October 2025
October 1: 1:00 Dismissal; Prof. Development 1:00 - 4:30
October 9: P/T Conferences 4:00-8:00 pm (No School for PK)
October 10: No School - Fall Break
October 17: End of 1st Quarter (46 days)

November 2025
November 12: 1:00 Dismissal; Prof. Development 1:00 - 4:30
November 17: Start of Winter Sports Practice
November 19: NO SCHOOL for K-6 - Hosting CRC One Act
November 26: Early Dismissal: 1:00
November 27-28: No School - Thanksgiving Break

December 2025
December 19: End of 2nd Quarter/Sem.1 (43/89 days) 2:30 out
December 24 - 28: NSAA Moratorium
December 22-31: No School - Christmas Break

January 2026
January 1-2: No School - Christmas Break
January 5: No School - Teacher In-service
January 6 School Resumes
January 19: No School - Teacher In-service (BRC)

February 2026
February 4: 1:00 Dismissal; Prof. Development 1:00 - 4:30
February 12: P/T Conferences 2:00-7:00pm: 1:00 pm Dismissal
February 13: No School

March 2026
March 2: Start of Spring Sports Practice
March 11: End of 3rd Quarter (45 days)
March 12-13: No School - Spring Break
March 25: 1:00 Dismissal; Prof. Development 1:00 - 4:30

April 2026
April 3: No School - Easter Break
April 6: No School - Easter Break
April 17: Grandparent's Day: 2:30 pm Dismissal

May 2026
May 8: PK Graduation 1:00 pm
May 10: Graduation - Class of 2026 - 2:00 pm
May 20: End of 4th Quarter/Semester 2 (46/91 days)
May 21: Teacher Work Day - 8:00 - 12:00

January 2026				
M	T	W	T	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

February 2026				
M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27

March 2026				
M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

April 2026				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	

May 2026				
M	T	W	T	F
				1
4	5	6	7	8
10	11	12	13	14
18	19	20	21	22
25	26	27	28	29

Quarter Days		
Q	Students	Teachers
1	46	48.5
2	43	43
3	45	47
4	46	46.5
	180	185

Board of Education Approved on



ESSA NON-REGULATORY BUSINESS REQUIREMENTS

In accordance with the Every Student Succeeds Act (ESSA) and other federal programs, the District will conform to the procedures stated here.

1. Supplement not Supplant

The District may use Title I funds only to supplement and, to the extent practical, increase the level of funds that would, in the absence of Title I funds, be made available from non-Federal sources for the education of students participating in Title I programs. In no case may Title I funds be used to supplant--i.e., take the place of--funds from non-Federal sources.

2. Maintenance of Effort

The District shall maintain its fiscal effort related to ESSA programs at 90 percent of prior funding in compliance with the requirements of federal law.

3. Equitable Allocation

Federal funds shall be used in a manner to ensure equitable allocation of resources. Staff assignments, curriculum materials, and instructional supplies shall be distributed to the schools so as to ensure equivalence of personnel and materials among them in compliance with the requirements of federal law.

4. Resources

The procurement of resources, including contracts and purchase or service agreements, related to ESSA programs shall be in accordance with the District's written procedures for purchasing and contracting. Purchase orders and invoices shall indicate an appropriate record of expenditures. All equipment purchased with federal funds, including those used in nonpublic and other facilities, shall be appropriately identified, inventoried, and when no longer useful to the program, properly disposed. Resources that have been funded by Title I and IDEA, such as staff, materials and equipment, shall be used only for children participating in the program.

5. Maintenance of Records

All federal program records shall be kept for at least 5 years after the start date of the project.

6. Standards and Expectations

Students receiving services under Title I will be held to the same standards and expectations as all other students.

7. Identification of Eligible Children

The Superintendent and the designees shall implement an appropriate process to identify children eligible for services provided under federal programs.

Approved _____ Reviewed _____ Revised _____

8. Coordination of Services

Title I and IDEA services shall be coordinated and integrated with the regular classroom, with other agencies providing services and with other federal, state and local programs.

9. Assessments

Students receiving services in Title I are assessed with the regular population without accommodations.

10. Parents Right to Know

At the beginning of each school year, if the District receives Title I funding, the District shall notify the parents of each student attending any school receiving Title I funds that the parents may request the District to provide, in a timely manner, information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

- A. Whether the student's teacher-
 - (i) has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
 - (ii) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
 - (iii) is teaching in the field of discipline of the certification of the teacher.
- B. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

11. Testing Transparency

At the beginning of each school year, if the District receives Title I funding, the District shall notify the parents of each student attending any school receiving Title I funds that the parents may request the District to provide, in a timely manner, information regarding any State or District policy regarding student participation in any State or District assessments, including the District's policy or procedure on the parental right to opt the child out of such assessment(s) where applicable. The District shall make widely available through public means (including by posting in a clear and easily accessible manner on the District's website) information on each State or District assessment, including:

- A. the subject matter assessed;
- B. the purpose for which the assessment is designed and used;
- C. the source of the requirement for the assessment;
- D. the amount of time students will spend taking the assessment, and the schedule for the assessment; and
- E. the time and format for disseminating results.

12. Parental Participation in Language Instruction Programs

At the beginning of each school year, if the District receives Title I funding, the District will implement an effective means of outreach to parents of English learners to inform the parents regarding:

- A. how the parents can be involved in the education of their children;
- B. be active participants in assisting their children to attain English proficiency;

- C. achieve at high levels within a well-rounded education; and
- D. meet the challenging State academic standards expected of all students.

The District will also inform parents of any English learner identified student of opportunities to participate in various school programs such as hearing and responding to parents' recommendations, to comply with ESSA.

13. Suspension and Debarment

The District will follow the provisions of Policy 706.07 Suspension and Debarment in all applicable programs using federal funds.

14. Authority to Sign Applications

The Superintendent or Superintendent's Designee is authorized to sign applications for ESSA formula grants on behalf of the District. The Superintendent shall follow Board policies in determining whether acceptance of such grant funds is appropriate to the District.

15. Compliance with Federal Programs

The Superintendent shall be responsible for District staff to take appropriate action as required by law for the District to maintain compliance with ESSA and specific grant programs under ESSA in which the District participates.

DISPOSAL OF PROPERTY UNDER FEDERAL GRANTS

Management of Inventory

Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a Federal award, until disposition takes place will, as a minimum, meet the following requirements:

- (1) Property records must be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property including the Federal Award Identification Number (FAIN), who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.
- (2) A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
- (3) A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.
- (4) Adequate maintenance procedures must be developed to keep the property in good condition.
- (5) If the district is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

Disposition

When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, except as otherwise provided in Federal statutes, regulations, or Federal awarding agency disposition instructions, the district must request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment will be made as follows, in accordance with Federal awarding agency disposition instructions:

- (1) Items of equipment with a current per unit fair market value of \$5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency.
- (2) Except as provided in 2CFR 200.312 Federally-owned and exempt property, paragraph (b), or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair-market value in excess of \$5,000 may be retained by the district or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Federal awarding agency may permit the district to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.
- (3) The district may transfer title to the property to the Federal Government or to an

Approved _____ Reviewed _____ Revised _____

eligible third party provided that, in such cases, the district must be entitled to compensation for its attributable percentage of the current fair market value of the property.

(4) In cases where a district fails to take appropriate disposition actions, the Federal awarding agency may direct the district to take disposition actions.

Legal Reference: 2 C.F.R. §§ 200 et seq.
NDE State and Federal Grant Management Rqmnts and Guidance

Cross Reference: 904.02 Lease, Sale or Disposal of School District Property

FISCAL MANAGEMENT INTERNAL CONTROLS

The District will develop the necessary procedures to comply with the following fiscal management internal controls relating to oversight of all federal and state grant programs.

Equipment Management Requirements: The District will manage equipment (including replacement equipment), whether acquired in whole or in part under a Federal award, until the District disposes of that equipment, to meet the following requirements of 2 CFR 200.313 and 2 CFR 200.33:

- 1) Maintain property records procedure and policies (include description, serial number or other identification number, source of funding, acquisition date, etc.);
- 2) Develop and maintain a physical inventory procedure to occur a minimum of every 2 years;
- 3) A Control System procedure to ensure adequate safeguards are in place;
- 4) Develop and implement adequate maintenance procedures for such equipment;
- 5) Develop and implement sales procedures for such equipment; and
- 6) Develop and implement disposition procedures for such equipment.

Procurement: The District will use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified below from 2 CFR 200.320;

- 1) A procedure for micro-purchases (Under 10,000);
- 2) A procedure for small purchases (10,000 to 250,000);
- 3) A procedure for sealed bids (using Lowest Bidder for over 250,000);
- 4) A procedure for competitive proposals (including showing why not sealed bids were not used for over 250,000); and
- 5) A procedure for noncompetitive bids (when sole sourced, must prove only source).

Record Retention: Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a sub-recipient in accordance with 2 CFR 200.333. Other records will be retained for a period of time as required by law.

Suspension and Debarment: The District may not subcontract with or award subgrants in any Federal assistance program to any person or company who is debarred or suspended and is required to check for excluded parties at the System for Award Management, SAM (formerly the Excluded Parties List System, EPLS) website before any procurement

Approved _____ Reviewed _____ Revised _____

transaction in accordance with 2 CFR 200.213 and Policy 706.07 Suspension and Debarment.

Financial Management: The District must develop and maintain financial management systems to account for federal funds, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. Such records must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award in accordance with 2 CFR 200.302. See also §200.450 Lobbying.

The financial management system of each non-Federal entity must provide for the following;

- 1) A procedure for identification of all Federal awards received and expended and the Federal programs under which they were received;
- 2) A procedure for accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with reporting requirements
- 3) A procedure to maintain records that identify adequately the source and application of funds for federally funded activities.
- 4) A procedure for maintaining effective control over, and accountability for, all funds, property, and other assets.
- 5) A procedure for comparing District expenditures with budget amounts for each federal award.
- 6) A procedure to ensure payments of federal funds are made in accordance with 2 CFR 200.305.
- 7) A procedure for determining the allowability of costs in accordance with 2 CFR 200.305 Subpart E-Cost Principals and the term and conditions of the Federal award.

Program Income: The District will follow the guidance of the Federal awarding agency in how it uses, applies and accounts for all income received under those programs as listed below in accordance with 2 CFR 200.307;

- 1) *Deduction.* Ordinarily program income must be deducted from total allowable costs to determine the net allowable costs
- 2) *Addition.* With prior approval of the Federal awarding agency program income may be added to the Federal award by the Federal agency and the non-Federal entity. The program income must be used for the purposes and under the conditions of the Federal award.

- 3) *Cost sharing or matching.* With prior approval of the Federal awarding agency, program income may be used to meet the cost sharing or matching requirement of the Federal award. The amount of the Federal award remains the same.

Cost Sharing or Matching: For all Federal awards, any shared costs or matching funds and all contributions, including cash and third party in-kind contributions, must be accepted as part of the District's cost sharing or matching when such contributions meet all of the following criteria in accordance with 2 CFR 200.306 and a procedure must ensure these criteria are covered:

- 1) Are verifiable from the District's records;
- 2) Are not included as contributions for any other Federal award;
- 3) Are necessary and reasonable for accomplishment of project or program objectives;
- 4) Are allowable under 2 CFR 200.305 Subpart E—Cost Principles;
- 5) Are not paid by the Federal Government under another Federal award, except where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs;
- 6) Are provided for in the approved budget when required by the Federal awarding agency; and
- 7) Conform to other provisions of the law, as applicable in the terms and conditions of the federal award.

Unexpected or Extraordinary Circumstances: For all Federal awards, If the District does not currently have in place a policy that addresses extraordinary circumstances such as those caused by COVID-19, the District may later amend or create a policy in order to put emergency contingencies in place for Federal and non-Federal similarly situated employees in accordance with 2 CFR 200 et seq. If the conditions exist for charges to be made to the Federal grant, charges may also be made to any non-Federal sources that are used by the District in order to meet a matching requirement. The District may develop a procedure to ensure that federal expenditures during the unexpected or extraordinary circumstance are allowable.

Compensation for personal services: (a) *General.* Compensation for personal services includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the Federal award, including but not necessarily limited to wages, salaries, and fringe benefits in accordance with 2 CFR 200.430 and .431. Costs of compensation are allowable to the extent that they satisfy the following requirements;

- 1) Is reasonable for the services rendered and conforms to the established written policy and procedures of the District consistently applied to both Federal and non-Federal activities;

Compensation and fringe benefits: (a) Fringe benefits are allowances and services provided by employers to their employees as compensation in addition to regular salaries

and wages. Fringe benefits in accordance with 2 CFR 200.431 include, but are not limited to, the costs of leave (vacation, family-related, sick or military), employee insurance, pensions, and unemployment benefit plans. Except as provided elsewhere in these principles, the costs of fringe benefits are allowable provided that the benefits are reasonable and are required by law, District employee agreement, or an established policy of the District.

(b) *Leave*. The cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:

- 1) They are provided under established written leave policies;

Standards for Documentation of Personnel Expenses: (1) Charges to Federal awards for salaries and wages must be based on records that accurately reflect the work performed in accordance with 2 CFR 200.430. These records must:

- (i) Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- (ii) Be incorporated into the official records of the District;
- (iii) Reasonably reflect the total activity for which the employee is compensated by the non-Federal entity, not exceeding 100% of compensated activities;
- (iv) Encompass both federally assisted and all other activities compensated by the District on an integrated basis, but may include the use of subsidiary records as defined in the District's written policy;
- (v) Comply with the established accounting policies and practices of the District; and
- (vi) Support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one Federal award; a Federal award and non-Federal award; an indirect cost activity and a direct cost activity; two or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity.
- (vii) Budget estimates do not qualify as support for charges to Federal awards, but may be used for interim accounting purposes, provided that:
 - (A) The system for establishing the estimates produces reasonable approximations of the activity actually performed;
 - (B) Significant changes in the corresponding work activity (as defined by the District's written policies) are identified and entered into the records in a timely manner. Short term (such as one or two months) fluctuation between workload categories need not be considered as long as the distribution of salaries and wages is reasonable over the longer term; and

- (C) The District's system of internal controls includes processes to review after-the-fact interim charges made to a Federal award based on budget estimates. All necessary adjustment must be made such that the final amount charged to the Federal award is accurate, allowable, and properly allocated.
- (2) In accordance with Department of Labor regulations implementing the Fair Labor Standards Act (FLSA) (29 CFR part 516), charges for the salaries and wages of nonexempt employees, in addition to the supporting documentation described in this section, must also be supported by records indicating the total number of hours worked each day.

TITLE IX NONDISCRIMINATION

It is the the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. The District does not discriminate on the basis of sex in any education program or activity that it operates, including admission and employment. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Regional Office of Civil Rights of the Department of Education, or both.

The Board encourages students, employees and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the Title IX Coordinator or building principal, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination with the Title IX Coordinator.

The Board designates the following individual to serve as the District's Title IX Coordinator and may or may not have the same person serve as Compliance Coordinator:

Title: _____

Office address: _____

Email: _____

Phone number: _____

Other district employees filling key roles for implementing Title IX sexual harassment procedures include investigator(s), decision-maker(s), individuals to handle appeals, and individuals to facilitate an informal resolution process. Specific individuals filling these roles may vary from complaint to complaint as appropriate.

The Director of the Regional Office of Civil Rights can be contacted at the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, by email to OCR.KansasCity@ed.gov.

The district is committed to providing a nondiscriminatory workplace for employees. It is committed to the maintenance of a safe, positive learning environment for all students by providing student course offerings, counseling, assistance, services, employment, athletics, and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of employees and students and the educational and programmatic goals of the district and is prohibited at

Approved _____ Reviewed _____ Revised _____

or, in the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

The student's parents/guardian or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal. A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made in person, by mail, by telephone or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "Title IX sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8) or "stalking" as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual discrimination under Title IX. An education program or activity includes the locations, events, or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

When the alleged harassment or discrimination does not meet the Title IX definition of sexual discrimination, the Title IX Coordinator directs the individual to the applicable process for investigation.

Retaliation Prohibited

The District prohibits intimidation, threats, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, or acted in opposition to practices the person reasonably believes to be discriminatory, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

Confidentiality

The District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual discrimination, any individual who has been alleged to be the victim or perpetrator of conduct that could constitute sexual discrimination, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing or judicial proceeding arising under the regulations.

Notice Requirements

The District provides notice to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees and the union(s) holding collective bargaining agreements with the district with the name or title, office address, email address and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the District website and in all handbooks made available by the District.

Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including examination of evidence, handling hearings, appeals and informal resolution processes, when applicable, how to address complaints that do not qualify as Title IX sexual discrimination, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest

and bias. The District also ensures that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All materials used to train individuals who receive training under this section must not rely on sex stereotypes and must promote impartial investigations and judgments of formal complaints of sexual harassment and are made publicly available on the District's website.

Conflict of Interest and Bias

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Determination of Responsibility

The individual who has been reported to be the perpetrator of conduct that could constitute sexual discrimination is presumed not responsible for alleged conduct. A determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation in accordance with the process outlined in the accompanying regulation. No disciplinary sanctions will be imposed unless and until a final determination of responsibility is reached.

Other Title IX Coordinator Duties

The Title IX Coordinator, along with the Compliance Coordinator, shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas, as appropriate:

1. Curriculum and Materials - Review of curriculum guides, textbooks, and supplemental materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.

4. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.
5. Student Access - Review of programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
6. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas.
7. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
8. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

Legal Reference: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, Title VII; 42 USC 2000e et seq.
Education Amend. of 1972, Title IX; 20 USC 1681 et seq.
Exec. Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
34 CFR part 106

Cross Reference: 103.00 Equal Educational Opportunity
402.01 Equal Opportunity Employment
402.15 Staff Conduct with Students
403.02 Child Abuse Reporting
403.03 Abuse of Students by School District Employees
404.06 Harassment by Employees
405.00 Employee Conduct and Appearance
501.00 Objectives for Equal Educ. Opportunities for Students
504.03 Student Conduct
504.14 Hazing, Initiation, Secret Societies or Gang Activity
504.18 Harassment by Students
504.20 Bullying Prevention
504.21 Dating Violence Prevention
505.03 Suspension and Expulsion of Students
612.05 Individualized Education Program
612.10 Procedural Safeguards

TITLE IX REPORTING FORM

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from bullying, hazing, dating violence, sexual harassment and other discrimination, and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Position: _____

Address: _____

Email: _____

Phone Number: _____

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

Confidentiality

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with applicable law, regulations, Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

Note: For purposes of Title IX nondiscrimination, this Report Form serves initially as an informal report, not a formal complaint of sexual harassment under Title IX.

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

Student Parent/Guardian Employee Volunteer Visitor

Other _____ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: Your Child Another Student A District Employee

Other: _____ (please explain relationship to the alleged victim)

II. Information About the Person(s) You Believe is/are Responsible for the Bullying, Hazing, Harassing or Other Discrimination You are Reporting

Please record the name(s) of the individual(s) you believe to be responsible for the conduct you are reporting.

Name(s):

The reported individual(s) is/are:

Student(s) Employee(s)

Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

Yes No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

Signature of Person Making the Report

Date

Received By

Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual discrimination or if the matter merits review and action under other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports to assess the report.

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 504.24. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

- Student Parent/Guardian Employee Volunteer Visitor
- Other _____ (please explain relationship to the district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

- The alleged victim is: Reporter's Child Another Student Another Employee
- Other: _____ (please explain relationship to the alleged victim)

II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

- Student(s) Employee(s)
- Other _____ (please explain relationship to the district)

III. Level of Report:

- Informal Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

- Title IX Sexual Harassment Discrimination Retaliation Bullying
- Hazing Dating Violence Other _____

Nature of the Report (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Creed |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Sexual Harassment (Title IX) |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Handicap/Disability | <input type="checkbox"/> Bullying |
| <input type="checkbox"/> Hazing | <input type="checkbox"/> Dating Violence |

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Is it being repeated? Yes No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act?

No.

Yes, please identify the student with a disability and contact the Director of Special Education.

Special Education Director was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

VI. Safety Concerns

Are there safety concerns that may require Emergency Removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

No.

Yes, please describe:

VII. Other Reports

Has the conduct been reported to the police or any other agency?

No

Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

- Policy 103.00 Equal Educational Opportunity
- Policy 501.00 Equal Opportunity
- Policy 504.14 Hazing and Initiation
- Policy 504.18 Harassment
- Policy 504.24 Title IX Nondiscrimination
- Policy 504.20 Bullying
- Policy 504.21 Dating Violence
- Other _____

To meet the definition of Title IX sexual discrimination, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual discrimination occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a during a school program or activity involving a person in the United States?

Yes

No

To meet the definition of Title IX sexual discrimination, the conduct needs to satisfy one or more of the following (please check all that apply):

- A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual discrimination.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.
- Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

- No further action at this time. Reason:
- Policy 103.00 Equal Educational Opportunity
- Policy 501.00 Equal Opportunity
- Policy 504.14 Hazing and Initiation
- Policy 504.18 Harassment
- Policy 504.24 Title IX Nondiscrimination
- Policy 504.20 Bullying
- Policy 504.21 Dating Violence
- Other _____

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual discrimination, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.
2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.
3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual discrimination procedures and grievance process for formal complaints.

If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals and upon advice of legal counsel, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.
5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

Yes

No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Title IX Sexual Discrimination Formal Complaint for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____

TITLE IX NONDISCRIMINATION PROCEDURES

The Board requires the following procedures to be followed for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited as sex discrimination by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

Definitions

The following definitions apply for Title IX policies and procedures:

“Actual knowledge:” notice of sexual harassment or allegations of sex discrimination to the District’s Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary or secondary school.

“Education program or activity:” includes locations, events or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination, and the context in which the sex discrimination occurs.

“Complainant:” an individual who is alleged to be the victim of conduct that could constitute sex discrimination.

“Respondent:” an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination.

“Formal complaint:” a document filed by a Complainant or signed by the Title IX Coordinator alleging sex discrimination against a Respondent and requesting that the District investigate the allegation of sex discrimination.

“Supportive measures:” non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

For purposes of this policy and the grievance process, “Title IX sex discrimination” means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity; or

Reviewed _____ Revised _____

3. “Sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8) or “stalking” as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.
- A. “Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:
 - i. Length of relationship.
 - ii. Type of relationship.
 - iii. Frequency of interaction between the persons involved in the relationship.
 - B. “Domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
 - C. “Sexual assault” means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
 - D. “Stalking,” under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:
 - i. Fear for their safety or the safety of others.
 - ii. Suffer substantial emotional distress.

District Requirements

When the District has actual knowledge of sex discrimination in an education program or activity of the District, the District will respond promptly in a manner that is not deliberately indifferent. When the harassment or discrimination on the basis of sex does not meet the definition of sex discrimination, the Title IX Coordinator will direct the individual to the applicable sex discrimination process for investigation.

The District treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sex discrimination equitably by offering

supportive measures. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sex discrimination. Supportive measures may include counseling or employee assistance program, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, assistance from domestic violence or rape crisis programs, assistance from community health resources, changes in work locations and other similar measures.

For students, supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. If the District does not provide the Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Timelines

The District has established reasonably prompt time frames for the conclusion of the grievance process, including time frames for filing and resolving appeals and informal resolution processes. The grievance process may be temporarily delayed or extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the event the grievance process is temporarily delayed for good cause, the District will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

Response to a Formal Complaint

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or other means designated by the District. The District must follow the formal complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures.

Upon receipt of a formal complaint, the District must provide written notice to the known parties including:

1. Notice of the allegations of sex discrimination, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sex discrimination, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;
2. An explanation of the District's investigation procedures, including any informal resolution process;
3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence and
5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice initially provided, notice of the additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sex discrimination against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sex discrimination arise out of the same facts or circumstances.

Emergency Response Measures

Nothing in this policy precludes the District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sex discrimination justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. Nor does it preclude the District from placing a non-student employee Respondent on administrative leave while awaiting the determination of the complaint procedures. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties;
2. Provide an equal opportunity for the parties to present witnesses and evidence;
3. Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;
4. Allow the parties to be accompanied with an advisor of the party's choice who may be, but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate, with sufficient time for the party to prepare to participate;
6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;
7. Objectively evaluate all relevant evidence without relying on sex stereotypes;
8. Ensure that Title IX Coordinators, investigators, decision-makers, and individuals who facilitate an informal resolution process, do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
9. Not make credibility determinations based on the individual's status as Complainant, Respondent or witness;
10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

Dismissal of Formal Complaints

If the conduct alleged in the formal complaint would not constitute sex discrimination even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sex discrimination under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. A Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;
2. The Respondent is no longer enrolled or employed by the District; or
3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties.

Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the Title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.

Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold a hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up

questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting sex discrimination;
2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Include the findings of fact supporting the determination;
4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;
5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant and
6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination of responsibility for sex discrimination has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may

implement disciplinary sanctions in accordance with State or Federal law and or/the negotiated agreement.

A student who is determined to be responsible for violation of this policy shall be subject to appropriate disciplinary action consistent with school policies and regulations, which may include but is not limited to loss of school privileges, permanent transfer to another school building, classroom or school bus, exclusion from school-sponsored activities, detention, suspension, expulsion, or referral to law enforcement officials.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.

Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time that could affect the outcome;
and
3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent that affected the outcome.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

Informal resolution process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that

does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:
 - A. The allegations;
 - B. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint and
 - C. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.

Recordkeeping

The District must maintain for a period of seven years records of:

1. Each sex discrimination investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;
2. Any appeal and its result;
3. Any informal resolution and its result; and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its

response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

Collaborative Conversations

When: Built within the schedule every other week.

Why: Provides opportunity for grade level appropriate time to problem solve student needs.

What: Staff members can work to problem solve issues they see or collaborate to form new ideas to try and implement within each classroom or together as a group. Can be used to evaluate a process and make improvements within regularly programming.

Examples:

K-2 - Early year conversations with K-2 involve reaching students and what works to meet their individual needs while their skills and emotions are developing. Current conversations have been regarding reading program implementation and usage.

3-6 - Beginning conversations on a “Stampede to Read” concept in which each teacher would focus on a standard to help students close their gap. Students from those classes would be mixed and combined to work across grade levels on standards that need improvement. The hope is that this would not only be beneficial academically, but also provide a social group or circle for students that could help build connections across the grade levels and potentially provide some peer mentoring as well.

7-12 - Beginning conversations on what does quality look like across classrooms. How can we reach all of our students within a general education classroom more efficiently and effectively. What practices can we all share across the board to create a consistent expectation, yet still provide autonomy to different content areas.

Why is this important: Top down directives do not create the same ownership as teacher-led initiatives do. Collaborative times allow our staff to work together and create buy-in and purpose for what they are doing. This also promotes more fidelity in practice as the people implementing can hold each other accountable as a group and team.