Board of Education Regular Meeting
Monday, April 15, 2019 6:00 PM
Ashland-Greenwood Middle/High School
Conference, 1842 Furnas Street, Ashland, NE
68003
1842 Furnas Street
Ashland, NE 68003

1. Call to Order. Roll Call.

2. Acknowledge of Open Meetings Law posting.

3. Pledge of Allegiance.

4. Recognition of public participation

5. Visitors and Communication from the public.

6. Approval of changes in the mailed agenda and/or changes in the agenda order.

7. Approval of Consent Agenda Items.

    1. Approval of Minutes of previous meetings

    2. Acceptance of Financial Reports

    3. Action on Claims

    4. Approval of Contracts

    5. Motion to excuse /approve the absence of board member(s)

8. Administrators' and Practitioners' Reports

    1. Ms. Finkey

    2. Ms. Bray

    3. Mr. Jacobsen

    4. Mr. Libal

9. Old Business

10. New Business

    1. Discussion and action related to overnight request(s). (Attached)

    2. Discussion and action to approve certificated substitute employee.

    3. Discussion related to policy review and policy series 4000.

    4. Discussion and action to approve Wednesday night activity request.

    5. Discussion related to Board of Education Member Roles at 2019 Commencement.

    6. Discussion and action to enter into closed session for the purpose of discussing personnel.

    7. Reconvene

    8. Discussion and action to approve 2019-20 administrative salaries.

9. Certified and non-certified staff resignations.

11. Informational Items

12. Call for Next Meeting

1. The next meeting is set for Monday, May 20th, 2019 at 6;00 p.m. All meetings are held in Ashland-Greenwood Middle/High School, Conference Room at 1842 Furnas Street, Ashland, NE 68003. Notice of the meetings are posted in advance in the District Office, 1842 Furnas St., Ashland, NE, Farmers & Merchants Bank, 1501 Silver St., Ashland, NE and Bank of Ashland, 2433 Silver St., Ashland, NE. All meetings are open to the public. An agenda for the meeting shall be kept continuously current in the Office of the District Office at 1842 Furnas St., Ashland, NE 68003.

13. Adjournment.

1. Board of Education Information:

Ashland-Greenwood Public Schools
Board of Education Regular Meeting Minutes
Monday, March 18, 2019

Opening
A meeting of the Board of Education of the Ashland-Greenwood Public Schools was convened open and public session on Monday, March 18, 2019

Attendance
The roll was called and the following Board members were present:

Eric Beranek:	Present
Ally Miller:	Present
David Nygren:	Present
Suzanne Sapp:	Present
Karen Stille:	Present
Tom Walsh:	Present

Notice
Notice of the meeting was posted in advance in the Superintendent's Office, 1842 Furnas Street, Ashland, NE, Farmers & Merchants Bank, 1501 Silver St., Ashland, NE and Bank of Ashland, 2433 Silver St., Ashland, NE. Notice of this meeting was given in advance to all members of the Board of Education. All proceedings of the Board of Education, except as may be hereinafter noted, were taken while the convened meeting was open to the public.

A brief summary of board proceedings and list of claims will be published in the Ashland Gazette.

1. Call to Order. Roll Call.

A regular meeting of the Board of Education of the Ashland-Greenwood Public Schools was convened in open and public session at 6:00 p.m. on 18th of April, 2019 by President Stille. Notice of the meetings are posted in advance in the District Office, 1842 Furnas St., Ashland, NE, Farmers & Merchants Bank, 1501 Silver St., Ashland, NE Bank of Ashland 2433 Silver Street, Ashland, NE.

2. Acknowledge of Open Meetings Law posting.

President Stille announced and informed the public of the current copy of the Open Meetings Act in the meeting room.

3. Pledge of Allegiance.

All stood and recited the Pledge of Allegiance.

4. Recognition of public participation

There was no public participation.

5. Visitors and Communication from the public.

There was no visitors or communication from the public.

6. Approval of changes in the mailed agenda and/or changes in the agenda order.

7. Approval of Consent Agenda Items.

7.1. Approval of Minutes of previous meetings

7.2. Acceptance of Financial Reports

7.3. Action on Claims

7.4. Approval of Contracts

7.5. Motion to excuse /approve the absence of board member(s)

8. Administrators' and Practitioners' Reports

8.1. Ms. Finkey

Mrs. Finkey presented to the board a copy of the 2018-19 calendar to provide the board a calculation of rules and regulation of counting instructional hours. Kindergarten students are allowed less hours. Mrs. Finkey provided the hours we are currently at for primary and secondary hours and staff days. Mr. Libal added comments regarding the calendar.

8.2. Ms. Bray

Mrs. Bray reported to the board on professional and student activities. Kindergarten meeting had 63 applications and will continue to receive a few more. Preschool has 38 application for 30 openings. Candidiates were interviewed last week and recommendation will be made later in the agenda. PTO meeting. 5th grade DARE graduation. Young Authors Program. Students continue to enroll - 7 new students before the end of the year.

8.3. Mr. Jacobsen

Mr. Jacobsen reported the board on activities and instructional updates. Mr. Jacobsen reported on Class Intercom it controls social media comments out and in funded through a grant. Presented numbers in spring sports. Baylor Test Prep - John Baylor will teach here 3 of the 5 sessions. ACT test will take the April 2 - entire State of NE. Mr. Jacobsen reported that this year the Golf Team has 10 boys and 4 girls. Mrs. Sapp told the board that she was serving on the Principal of the Year application process and she wanted to give Mr. Jacobsen recognition for receiving this award as the applications are very in depth.

8.4. Kristin Fangmeyer

Mrs. Fangmeyer reported to the board on special education students all levels, evaluations, and extended school year services. Mrs. Fangmeyer reported on Section 504 is an accommodation plan - this is suppose to be separate from special education - scope of coverage is wide including covers Health Care Plans, mental health, excessive truancy, ADHD. The District did a complete review of the entire district 112 student were identified - appears 65% will participate. Ensures equal access for any all to participate in all programs and activities.

8.5. Mr. Libal

Mr. Libal reported on the area flooding and his decisions regarding school closure and busing. All residents affected by the flooding have been contacted regarding transportation. He is hopeful for no more weather events this year.

As the district continues community outreach the District will host the April Chamber meeting and provide lunch, updates on school curriculum and activities and provide a tour of the facilities. Other meetings will be planned quarterly include Rotary, Ministerial Assoc., etc. to continue to provide opportunities to reach the community.

Mr. Libal and Suzanne Sapp met with Senator Bostelman last Friday and had a good conversation with him for over an an hour discussing various legislation relating to school topics including: transportation/seatbelts, property taxes, scholarships.

9. Old Business

10. New Business

10.1. Discussion and action related to overnight trip(s). (Attached)
Motion to approve travel Summer of 2021 for FFA members to Belize, Central America and FFA Officers Retreat May 28 to May 30 to Aurora NE, made by David Nygren and seconded by Suzanne Sapp, Passed.
Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Tom Walsh: Yea

FFA trip to Belize is in conjunction with Wahoo Bishop Neumann FFA.

10.2. Discussion and action to hire certificated staff. (Attached)

Motion to hire certificated teachers: Dillon Campbell, Cassie Eickhoff and Rebecca Newton, made by Suzanne Sapp and seconded by Tom Walsh, Passed.
Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Tom Walsh: Yea

Mrs. Bray and Mr. Jacobsen presented their candidates information for the board for certificated staff hiring for the 2019-20 school year; Elementary: Dillon Campbell, 6-8 Language Arts:Cassie Eickhoff, and 9-12 Language Arts: Rebecca Newton.

10.3. Discussion and action to approve major equipment and furniture requests for 2019-20, and give the superintendent authority to purchase such items as budget allows. (Attached)
Motion to approve 2019-2020 Major Equipment and Furniture Purchases and give superintendent authority to purchase items as budget allows, made by Tom Walsh and seconded by David Nygren, Passed.
Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Tom Walsh: Yea

Mr. Libal presented the 2019 - 2020 Equipment and Furniture Items; budget numbers were slow to come in. Patio Concrete outside cafeteria, new bus bids have been sent,

10.4. Discussion and action to approve capital outlay expenditures for 2019-20, and give the superintendent the authority to take action on Priority 1 items as budget allows. (Attached)
Motion to approve 2019-2020 Capital Outlay and give the superintendent authority to take action on Priority One items as budget allows, made by David Nygren and seconded by Ally Miller, Passed.
Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Tom Walsh: Yea

Superintendent Libal presented 2019-2020 Capital Outlay - The rise in this yearly outlay is largley due to Elementary Heating and Air package which is a $310,000 - Depreactiation Fund can pay for this item as it is a replacement item - this will be bid through a formal bid process. The goal is to do priority one and as much as we can in this fiscal year. Bids for HVAC will be brought to the board for approval

10.5. Discussion and action to enter into closed session for the purpose of discussing property.
Motion to move into closed session at 7:18 p.m. with respect to discussion of property clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual in compliance with the law, made by David Nygren and seconded by Suzanne Sapp, Passed.
Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Tom Walsh: Yea

10.6. Reconvene

Motion to reconvene at 8:43 p.m., made by Tom Walsh and seconded by Eric Beranek, Passed.
Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Tom Walsh: Yea

10.7. Certified staff resignations.

There were no resignations

11. Informational Items

12. Call for Next Meeting

12.1. The next meeting is set for Monday, April 15, 2019 at 6:00 p.m. All meetings are held in Ashland-Greenwood Middle/High School, Conference Room at 1842 Furnas Street, Ashland, NE 68003. Notice of the meetings are posted in advance in the District Office, 1842 Furnas St., Ashland, NE, Farmers & Merchants Bank, 1501 Silver St., Ashland, NE and Bank of Ashland, 2433 Silver St., Ashland, NE. All meetings are open to the public. An agenda for the meeting shall be kept continuously current in the Office of the District Office at 1842 Furnas St., Ashland, NE 68003.

13. Adjournment.
Motion to adjourn the meeting at 8:46 p.m., made by Tom Walsh and seconded by Eric Beranek, Passed.
Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Tom Walsh: Yea

13.1. Board of Education Information:

BOARD OF EDUCATION MEETING INFORMATION:
The Ashland-Greenwood Public Schools Board of Education is empowered to act on any item listed on the agenda at any time during the meeting, irrespective of the time or order listed. Pages listed, or further detail, are available upon request. The Open Meetings Act requires and the intention of the Board is that agenda items be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. The Ashland-Greenwood Board of Education releases its agenda well in advance of most meetings and desires that all interested persons are fully informed. Any interested person who has a question or needs clarification about the sufficiency of a descriptive item should contact the Office of the Superintendent of Schools.
COPY OF OPEN MEETINGS ACT: *The Board of Education makes 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. The Act is posted on the North wall of the meeting room west of the main entrance.*
INSTRUCTIONS FOR THOSE WHO WISH TO SPEAK DURING PUBLIC FORUM:

Getting Started: When it is your turn to speak during the public forum portion of the agenda, please come forward, sign your name and address on the sign-in sheet and state your name to the Board of Education.
Time Limit: You may speak only one time and must limit comments to 5 minutes or less.
Personnel or Student Topic: If you are planning to speak about a personnel or student matter involving an individual, please understand that our policies require that such concerns initially be directed to the administration for consideration. Board members will generally not respond to any questions you ask or comments you make about individual staff members or students. You are cautioned that slanderous comments are not protected just because they are made at a Board meeting.
General Rules: Please remember that this is a meeting of the Board of Education held in public for conducting the business of the Board of Education. Offensive language, personal attacks and hostile conduct will not be tolerated.

REQUEST FOR CLOSED SESSIONS:

The Ashland-Greenwood Public Schools is authorized by state statue to hold closed sessions. Closed sessions may be held when clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual. Reasons that meet this standard include but are not limited to: a) strategy sessions with respect to collective bargaining, real estate matters, 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; and e) legal advice.

ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT **Mar-19**

GENERAL FUND

	Beginning Balance				$ 5,402,231.92
	RECEIPTS				
3/1/19	PS Tuition	$	150.00		
3/1/19	PS Tuition	$	150.00		
3/4/19	IDEA 4410	$	31,664.00		
3/4/19	PS Tuition	$	150.00		
3/4/19	Technology Donation	$	25.00		
3/7/19	PS Tuition	$	300.00		
3/8/19	Saunders Co MV	$	26,823.62		
3/8/19	Saunders Co Property Taxes	$	33,249.98		
3/8/19	Saunders Co Fines	$	1,789.80		
3/8/19	Saunders CoHomestead Exempt	$	18,553.27		
3/8/19	Saunders Co Personal Prop Tax	$	3,525.77		
3/11/19	Sarpy County Property Tax Credit	$	249.85		
3/14/19	MIPS	$	783.25		
3/15/19	AGPS Foundation - PlayGround Phase II	$	30,000.00		
3/18/19	Medicaid Admin	$	1,898.51		
3/18/19	Medicaid Admin	$	308.97		
3/20/19	SPED SA FFR 17-18	$	86,831.00		
3/19/19	Cass CountyFines	$	941.34		
3/19/19	Cass County Homestead	$	4,124.83		
3/19/19	Cass County MV	$	11,193.22		
3/19/19	Cass County Property Taxes	$	19,375.02		
3/22/19	Saunders County Property Taxes	$	84,372.24		
3/27/19	SPE SA Trans 17-18	$	9,357.00		
3/27/19	PS Tuition	$	150.00		
3/29/19	State Aid	$	114,011.00		
3/30/19	NLAF Interest	$	5,191.50		
3/30/19	F & M Interest	$	411.13		
				$ 485,580.30	$ 5,887,812.22
	DISBURSEMENTS				
	March Claims	$	844,106.26		
	Refunds/Rebates/Sub Reimbursement	$	(135.00)		
	Total			$ 843,971.26	$ 5,043,840.96
	ENDING BALANCE				$ 5,043,840.96
	RECONCILIATION				
	NLAF Liquid Balance	$	2,387,236.79		
	Plus F& M Bank Balance	$	1,218,670.48		
	Plus General Fund Investments	$	1,434,787.96		
	Less: Outstanding Claims	$	6,854.27		
	General Fund Processing Error	$	10,000.00		
	Reconciled Balance	$	5,043,840.96		$ 5,043,840.96

ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT **Mar-19**

ADMINISTRATIVE OPERATIONS ACCOUNT

	Beginning Balance				$ 2,930.70
	RECEIPTS				
	GF # 038604	$ 596.96			
	Total		$ 596.96		$ 3,527.66
	DISBURSEMENTS				
5949	K Fangmeyer, Sped Mileage	$ 178.64			
5949	K Fangmeyer, Sped Travel Exp.	$ 17.04			
5950	C Holz, Mileage	$ 40.60			
5951	J Finkey, Curr Dir Mileage	$ 104.40			
5952	V Washubrn, NWEA TDA Wrkshop Mil.	$ 34.80			
5953	C Brady, Elem counseling	$ 25.52			
5954	A Collins, Psyche Travel Exp.	$ 126.66			
5955	Durham Museum	$ 335.00			
5956	T Cogswell,Mileage to Conf.	$ 230.84			
	Total			$1,093.50	$ 2,434.16
	Ending Balance				$ 2,434.16
	RECONCILIATION				
	Bank Balance	$ 3,000.00			
	Less: Claims Outstanding	$ 565.84			
		$ -			
	Reconciled Balance	$ 2,434.16			$ 2,434.16

PAYROLL ACCOUNT

	Beginning Balance				$ 15,535.59
	RECEIPTS				
	General Fund	$ 588,786.88			
	Hot Lunch	$ 16,445.38			
	Employee Prems				
	FM National Bank: Interest	$ 5.49			
	Total		$ 605,237.75		$ 620,773.34
	DISBURSEMENTS				
	Net Payroll	$ 363,758.79			
	Retirement	$ 100,225.52			
	State Tax Withholdings	$ 16,732.95			
	Federal/FICA Taxes	$ 114,515.00			
	Retiree Life Insurance Mo. Premium	$ 120.00			
	Retiree Eye Insurance Mo Premium	$ 16.43			
	Total		$ 595,368.69		$ 25,404.65
	Ending Balance				$ 25,404.65
	RECONCILIATION				
	Bank Balance	$ 25,471.79			
	Outstanding Checks	$ 67.14			
	Reconciled Balance	$ 25,404.65			$ 25,404.65

ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT **Mar-19**

EMPLOYEE BENEFIT (SECTION 125) ACCOUNT

	Beginning Balance				$ 37,324.13
	RECEIPTS				
	Employee Payroll Deposit	$ 11,171.66			
	Bank of Ashland: Interest	$ 1.91			
	Total		$ 11,173.57		$ 48,497.70
	DISBURSEMENTS				
3/1/19	Employee Benefits	$ 9,602.47			
3/7/19	Employee Benefits	$ 6,042.24			
3/14/19	Employee Benefits	$ 4,295.14			
3/21/19	Employee Benefits	$ 3,529.10			
3/28/19	Employee Benefits	$ 2,839.21			
	Total		$ 26,308.16		$ 22,189.54
	Ending Balance				$ 22,189.54
	RECONCILIATION				
	Bank Balance	$ 22,189.54			
	Outstanding Claims				
	Reconciled Balance	$ 22,189.54			$ 22,189.54

SPECIAL BUILDING ACCOUNT

	Beginning Balance				$ 1,795,650.91
	RECEIPTS				
	Cass County	$ 2,497.63			
	Sarpy County	$ 24.54			
	Saunders County	$ 13,001.74			
	NLAF Interest	$ 1,588.35			
	F & M Interest	$ 74.28			
	Total		$ 17,186.54		$ 1,812,837.45
	DISBURSEMENTS				
	Total			$0.00	$ 1,812,837.45
	Ending Balance				$ 1,812,837.45
	RECONCILIATION				
	F&M Bank Balance	$ 446,427.74			
	NLAF #9300590 Balance	$ 880,409.71			
	Plus Special Building Investments	$ 486,000.00			
	Reconciled Balance	$ 1,812,837.45			$ 1,812,837.45

ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT **Mar-19**

QUALIFIED CAPITAL PURPOSE FUND

Beginning Balance				$ 79,315.65
RECEIPTS				
F & M Interest	$ 10.10			
Total		$	10.10	$ 79,325.75
DISBURSEMENTS				
Total		$	-	
Ending Balance				$ 79,325.75
RECONCILIATION				
Bank Balance	$ 79,325.75			
Less: Outstanding Claims	$ -			
Reconciled Balance	$ 79,325.75			$ 79,325.75

DEPRECIATION FUND

Beginning Balance				$ 1,669,746.53
RECEIPTS				
NLAF Interest	$ 1,906.24			
F&M National Bank, Interest	$ 47.52			
Total		$	1,953.76	$ 1,671,700.29
DISBURSEMENTS				
Total		$	-	$ 1,671,700.29
Ending Balance				$ 1,671,700.29
RECONCILIATION				
F & M Bank Balance	$ 373,086.11			
NLAF Balance	$ 1,056,614.18			
Plus Depreciation Investments	$ 242,000.00			
Less: Outstanding Claims	$ -			
	$ 1,671,700.29			
Reconciled Balance	$ 1,671,700.29			$ 1,671,700.29

ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT **Mar-19**

STUDENT FEE FUND

	Beginning Balance				$ 12,177.67
	RECEIPTS				
	Cap and Gown Fees	$ 720.00			
	Student Fees				
	College Drop Fee	$ 50.00			
	Interest Bank of Ashland	$ 1.00			
	Total		$ 771.00		$ 12,948.67
	DISBURSEMENTS				
3/22/2019	AG Act- Admissions to Musical	$ 300.00			
	Total		$ 300.00		
	Ending Balance				$ 12,648.67
	RECONCILIATION				
	Bank Balance	$ 12,668.67			
	Claims Outstanding	$ 20.00			
	Reconciled Balance	$ 12,648.67			$ 12,648.67

HOT LUNCH ACCOUNT

		Beginning Balance			$ 70,496.95
	RECEIPTS				
	Student and Staff Deposits	$ 9,518.65			
	Online Student Deposits	$ 19,947.43			
	Federal Reimbursement	$ 20,124.06			
	State Reimbursement				
	F&M National Bank: Interest	$ 10.55			
	Vending Payment	$ -			
	Total		$ 49,600.69		$ 120,097.64
	DISBURSEMENTS				
	Wages & Benefits	$ 16,790.81			
	Food/ Supplies/ Contracted Services	$ 31,659.33			
	Rebate/ Food Payment	$ (112.11)			
	Total		$ 48,338.03		$ 71,759.61
	Ending Balance				$ 71,759.61
	RECONCILIATION				
	Bank Balance	$ 71,790.96			
	Claims Outstanding	$ 31.35			
		$ 71,759.61			
	Receipts Outstanding				
	Reconciled Balance	$ 71,759.61			$ 71,759.61
	Student and Staff Deposits Held on Account - End of Month		$ 22,469.40		

ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT **Mar-19**

INVESTMENTS

Date Bought	Security Description	Rate	Investment
General Fund Investments			
1/30/15	Farmers & Merchants Bank, Ashland	0.550%	$ 861,362.22
10/22/17	Bank of Ashland, Ashland	0.850%	$ 105,425.74
11/8/18	Franklin Synergy TN	3.200%	$ 234,000.00
11/15/17	Farmers & Merchants Union Bank, WI	3.200%	$ 234,000.00
	Total Investments		$ 1,434,787.96
Depreaction Fund Investments			
12/17/18	First Capital Bank TN	3.050%	$ 242,000.00
Special Building Fund Investments			
10/10/18	Cfg Community Bank, MD	2.850%	$ 243,000.00
10/10/18	Pacific Western Bank, CA	2.800%	$ 243,000.00
			$ 486,000.00

LOCAL BANK SECURITIES PLEDGE TO SCHOOL DISTRICT DEPOSITS & FDIC INSURANCE ON DEPOSITS

BANK OF ASHLAND

FDIC INSURANCE	$ 250,000.00
Total Secured	$ 250,000.00

FARMERS AND MERCHANTS BANK

FDIC INSURANCE		$ 250,000.00
Pledged Safekeeping Security		**Actual Value**
Various pledged amounts at Agencies, Municipals, SBA, CD's etc, monitored by: Farmers Merchant Bank	**Total Face Value**	$ 2,845,516.00
Total Secured		$ 3,095,516.00

FINANCIAL STATEMENT ***FOR MONTH ENDING Mar-19***
ACTIVITY FUND

			Beginning Balance			$ 80,757.74
Date	***Check #***	***Payee***	***Description***	***Receipt***	***Disbursed***	***Balance***
ATHLETICS						$ 12,973.73
3/1/19		Gate	MSGB vs Raymond Central	$163.00		
3/6/19	014309	Dave Aschwege	JVBB Official		$ 65.00	
3/6/19	014313	Fairfield Inn & Suites	Travel		$ 499.75	
3/6/19	014314	Fort Calhoun Schools	MSWR Trny Fee		$ 85.00	
3/6/19	014315	Nathan Jatczak	MSGB Official		$ 100.00	
3/6/19	014316	Nebraska Sports	Hurdles,Track Supp.		$ 4,098.33	
3/6/19	014322	Ross A Plybon	JVBB Official		$ 65.00	
3/6/19	014323	Raymond Centrl Schls.	MSWR Trny Fee		$ 80.00	
3/6/19	014324	Paul T Reilly	JVBB Official		$ 65.00	
3/6/19	014325	Ken Scheel	MSGB Official		$ 135.00	
3/6/19	014330	Dave Aschwege	MSGB Official		$ 135.00	
3/6/19	014332	Ross A Plybon	JVBB Official		$ 200.00	
3/6/19	014333	Ken Scheel	MSGB Official		$ 135.00	
3/15/19		Various	Wr Trny Entry Fee	$240.00		
3/15/19		W. Water	Boys Sub-Dit. Reimbursemen	$292.04		
3/15/19		Various	MS Wr Trny Entry Fees	$450.00		
3/18/19	014335	DAKTRONICS INC	Equipment		$ 145.00	
3/18/19	014336	Doane College	HSTR Fee		$ 250.00	
		TOTALS		$1,145.04	$ 6,058.08	$ 8,060.69
ALUMNI Projects						$ 2,993.79
		TOTALS		$ -	$ -	$ 2,993.79
BAND						$ 5,036.40
3/4/19		Various	Donations	$295.00		
		TOTALS		$295.00	$ -	$ 5,331.40
BLUE TEAM						$ 204.43
				$ -	$ -	$ 204.43
DRAMA						$ 2,816.67
		TOTALS		$0.00	$ -	$ 2,816.67
ELM BOOK FAIR						$ 811.53
		TOTALS		$ -	$ -	$ 811.53
ELM STAFF						$ 1,024.25
		TOTALS		$0.00	$ -	$ 1,024.25

FINANCIAL STATEMENT ***FOR MONTH ENDING Mar-19***

ACTIVITY FUND

ELM STUDENT COUNCIL							$ 9,520.77
3/13/19		Various	Memory Book Sales	$168.00			
3/17/19		Various	Donation	$1,225.00			
3/18/19	014339	Raymond Geddes & Com	Supplies		$ 213.22		
3/20/19		Various	Memory Book Sales	$154.00			
3/21/19		Various	Memory Book Sales	$56.00			
3/28/19		Various	Memory Book Sales	$77.00			
		TOTALS		$1,680.00	$ 213.22	$	10,987.55
FBLA						$	3,864.40
3/5/19	014308	VISA	Community Service Proj. Supplies		$ 169.75		
3/6/19	014320	Midland University	Midland Business Competition		$ 108.00		
3/19/19		Booster Club R Goff	SLC & Concessions	$260.00			
		TOTALS		$ 260.00	$ 277.75	$	3,846.65
FFA						$	19,933.79
3/6/19	014331	David City Public School	CDE Contest Fee		$ 10.00		
3/18/19	014337	Nebraska FFA Assn	FFA Convention Fees		$ 504.00		
3/18/19	014338	NO FRILLS/SPARTANNA	Supplies		$ 252.09		
3/18/19	014341	University Of Nebraska-Li	State Contest Fees		$ 214.00		
3/27/19		T Harris	T-shirt	$10.00			
3/29/19		FFA Foundation	Donation	$36.82			
		TOTALS		$ 46.82	$ 980.09	$	19,000.52
HONOR SOCIETY						$	2,172.20
3/6/19	014317	The Leukemia and Lymph	Pennies for Patients Donation	$ -	$ 878.64		
		TOTALS		$0.00	$ 878.64	$	1,293.56
HS STUDENT COUNCIL						$	1,151.68
		TOTALS		$0.00	$ -	$	1,151.68
MS/HS STAFF						$	2,446.53
		TOTALS		$0.00	$ -	$	2,446.53
MS STUDENT COUNCIL						$	3,533.84
3/18/19	014338	NO FRILLS/SPARTANNA	Supplies		$ 15.03		
		TOTALS		$0.00	$ 15.03		3,518.81
PROM ACCT						$	2,327.57
3/4/19		Various	Donation	$50.00			
3/5/19		Various	Donations	$100.00			
3/12/19		Various	Prom Dinners	$190.00			
3/18/19	014340	Anderson's/Taymark	Prom Crown and Tiera		$ 103.77		
3/21/19		Various	Dinners/Donation	$145.00			
3/25/19		Various	Prom dinners /donations	$200.00			
3/27/19		Various	Prom dinners/donations	$295.00			
3/29/19		Various	Dinners/Donation	$530.00			
				$1,510.00	$ 103.77	$	3,733.80

FINANCIAL STATEMENT ***FOR MONTH ENDING Mar-19***
ACTIVITY FUND

SCHOOL STORE							$ 186.10
		TOTALS		$ -	$ -		$ 186.10
SENIORS							$ 817.23
		TOTALS		$ -	$ -		$ 817.23
SKILLS USA (formerly SHOP)							$ 463.55
3/6/19	014310	Baggo, Inc.	Project Supplies		$ 94.80		
3/20/19		Various	Projects	$195.00			
		TOTALS		$195.00	$94.80		$ 563.75
SPANISH CLUB							$ 244.11
		TOTALS		$ -	$ -		$ 244.11
SPIRIT SQUAD							$ (1,195.75)
3/26/19		Gate	Dance Extravaganza	$152.00			
		TOTALS		$152.00	$ -		$ (1,043.75)
SPEECH							$ 1,223.77
3/6/19	014311	Jessica Buller	Judges Fees		$ 300.00		
3/6/19	014312	David City Public School	David City Entry Fee		$ 168.00		
3/6/19	014318	Summer Lewin	Judge Fees		$ 120.00		
3/6/19	014319	Marian High School	Marian Entry Fees		$ 84.00		
3/6/19	014326	Madalyn Vernell Schuster	Judge Fees		$ 240.00		
3/6/19	014327	Jared Stander	Judge Fees		$ 120.00		
3/6/19	014329	Waverly Public Schools	Waverly Entry Fees		$ 154.00		
		TOTALS		$ -	$ 1,186.00		$ 37.77
TALENTED/GIFTED ACTIVITES							$ 133.23
		TOTALS		$ -	$ -		$ 133.23
VOCAL MUSIC							$ 3,835.04
3/4/19		Student Fee Account	School Musical	$300.00			
3/6/19	014321	Nebraska Wesleyan Unive	Rental Fee		$ 585.00		
3/1/19	014307	J Fudge	Musical Supplies		$ 526.50		
		TOTALS		$300.00	$ 1,111.50		$ 3,023.54

FINANCIAL STATEMENT ***FOR MONTH ENDING Mar-19***

ACTIVITY FUND

YEARBOOK/ANNUAL							$ 3,542.34
3/4/19		Various	Senior Ad, Business Ad		$125.00		
3/5/19		Various	Senior Ad, Business Ad		$175.00		
3/6/19		C Maack	MS Yearbook		$16.00		
3/6/19	014328	Walsworth Publishing Con	1st 2019 Yearbook Deposit			$ 3,000.00	
3/12/19		Various	Yearbook and Sr. Ad		$100.00		
3/13/19		Various	Yearbook and Sr. Ad		$175.00		
3/19/19		Various	Yearbook and Sr. Ad		$55.00		
3/26/19		Various	Yearbook and Sr. Ad		$60.00		
3/26/19		Various	Athletic Banquet video		$50.00		
3/28/19		Dynamic Phys Therapy	Business Ad		$50.00		
3/18/19	014334	Karri L Buglewicz	Ad Reimbursement			$ 35.00	
		TOTALS			$806.00	$3,035.00	$ 1,313.34
INTEREST							$ 696.54
3/31/19		Bank of Ashland	Interest	$	6.22		
		TOTALS		$	6.22	$ -	$ 702.76
ACTIVITY FUND TOTALS ALL ACCOUNTS				$	6,396.08	$ 13,953.88	$ 73,199.94

Ending Balance	$ 73,199.94
Plus: Outstanding Checks	$ 1,725.80
Less: Outstanding Receipts	
Misdirected Deposit	
Equals: Bank Balance	$ 74,925.74

Ashland-Greenwood Public Schools' Claims
General Fund Claims
15-Apr-19

Check No.	Vendor	Amount	Description
038621	VISA	$ 2,071.18	Inst Tech: Supplies
038622	CenterPoint Energy Services	$ 5,630.10	Natural Gas
038623	AG Payroll Account	$ 340,318.00	April Net Payroll
038624	BANK OF ASHLAND	$ 11,102.75	Payroll Section 125 Deduct
038625	Blue Cross Blue Shield of NE	$ 115,924.18	Payroll Health & Dental Ins
038626	Madison National Life	$ 1,385.13	Payroll LTD Insurance Prem
038627	Madison National Life	$ 815.97	Payroll Employee Life Prem
038628	Merchant Credit Adj. Inc	$ 385.05	Employee Garnishment
038629	AG Payroll Account	$ 16,022.31	Payroll Annuity Deduction
038630	AG Payroll Account	$ 109,728.28	Payroll State Tax Wthhldg
038631	Retirement	$ 95,669.45	Payroll Federal Tax Wthhldg
038632	TSA Consulting Group Inc	$ 2,225.00	Payroll Retirement Wthhldg
038633	Vision Service Plan	$ 924.10	Payroll Employee Vision Prem
038634	ABC Termite & Pest Control Inc.	$ 208.65	Termite-Pest Control
038635	Ashland-Greenwood Activities	$ 654.00	Hurdles
038636	Ashland-Greenwood Hot Lunch	$ 548.15	PS Staff and Student Meals
038637	Amsan/Supplyworks	$ 3,086.76	Custodial :Supplies
038638	Ashland Auto Parts	$ 121.86	Transportation: Supplies
038639	Ashland Disposal Service	$ 610.50	Waste Removal
038640	Awards Unlimited, Inc.	$ 63.17	Bd of Ed: Retirement Awards
038641	Baggo, Inc.	$ 101.55	Ind Tech: Foundation Project
038642	Binswanger Glass	$ 706.00	Maintenance: Replace Glass
038643	C & L Hardware	$ 15.16	Custodial :Supplies
038644	Capital Business Systems, Inc.	$ 529.01	Copier Use
038645	Charter Communications	$ 135.41	Cable
038646	Brooke L Cheleen	$ 1,351.02	Physical Therapy
038647	City Of Ashland	$ 1,562.75	Water & Sewer
038648	Comfort Inn	$ 149.95	Curr. Supervisor: Travel Exp.
038649	Cornhusker International Trucks, Inc.	$ 298.60	Transportation: Equipment
038650	Electronic Sound, Inc.	$ 241.20	Maint: Track Speakers
038651	Esu #10	$ 45.00	SPED Dir: In-Service
038652	Esu #2	$ 14,565.53	Vision Therapy
038653	General Fire and Safety	$ 972.00	Custodial: Services
038654	Golf Team Products Inc	$ 391.00	Pupil Support: Balls for golf
038655	GovConnection Inc.	$ 1,737.66	Instruction/Media: Comp. Supplies
038656	Gretna Public Schools	$ 6,500.00	ELL Services
038657	Hillyard/Sioux Falls	$ 314.39	Custodial :Supplies
038658	Jostens Inc	$ 2,166.90	General: Cap and Gowns
038659	Kansas City Audio-Visual Inc	$ 1,416.00	MS Instruct: Hovercams
038660	KSB School Law, PC LLO	$ 1,465.00	Legal Services
038661	Lampe's Clean Air Specialists	$ 934.58	Maint: filters
038662	Lincoln Public Schools	$ 1,500.00	Distance Ed Courses

Ashland-Greenwood Public Schools' Claims
General Fund Claims
15-Apr-19

Check No.	Vendor		Amount	Description
038663	Matheson Tri-Gas, Inc/Linweld	$	857.85	Voc Ag: Supplies-Gas
038664	Terri Maxon	$	140.00	Nurse Sub
038665	MCI Communications Services, Inc.	$	78.85	Long Distance Service
038666	Meininger Fire Protection Inc	$	280.00	Custodial: Services
038667	Menard Inc	$	679.98	Maintenance: Supplies
038668	NASB	$	90.00	Bus Office NAEP Convention
038669	NASCO (Aristotle Corporation)	$	155.11	HS instr: Supplies
038670	NASSP	$	385.00	Nat'l Honor Society Dues
038671	Nebraska Scientific	$	318.89	Instr: lab supplies
038672	Nebraska Sprinkler/Scott Brauckmuller	$	911.76	Maint: sprinkler service
038673	Mailroom Finance Inc	$	32.00	Supplies
038674	Nebraska State Reading Association	$	2,490.00	Elem Instruction: Conference
038675	NETA,NE Educational Tech. Assn.	$	447.00	Title II A: In-Service
038676	NO FRILLS/SPARTANNASH	$	94.55	All Areas: Supplies
038677	Kelsie Nygren	$	80.00	Nurse Sub
038678	O'Keefe Elevator Co.	$	297.56	Elevator Scheduled Maint
038679	One Call Concepts Inc	$	2.28	Locating Fee
038680	One Source, Inc	$	133.00	Empl Background Checks
038681	Omaha Public Power District	$	8,940.98	Electricity
038682	Ashley Pratt	$	50.00	Nurse Sub
038683	Quill Corp	$	61.28	Instruction: Supplies
038684	Ramada Midtown Conference Center	$	89.95	NAEP Lodging
038685	S & S Welding, Inc.	$	187.00	Metal for college welding
038686	Saunders Medical Center	$	120.00	Empl Physical
038687	Schmitt Music Center	$	121.40	HS Reg Instruction Supplies
038688	Student Assurance Services Inc.	$	1,560.00	Student Accident Ins
038689	TSA Consulting Group Inc	$	83.33	Third Party Admin Monthly Fee
038690	Ty's Outdoor Power & Service Inc	$	151.99	Maintenance: Supplies
038691	US Mechanical Service Inc	$	2,431.50	Maint: Elem Repair
038692	U.S. Post Office	$	375.00	Bulk Mail Account
038693	Western Psychological Services	$	235.40	SPED: Elem. SPED Supplies
038694	Beverly WIggs	$	6,201.37	Occupational Therapy
038695	Williams Sales & Service	$	1,803.64	Transportation: Bus Inspect
038696	Windstream	$	230.50	Local Telephone Service
038697	Eliza Zaragoza.c	$	92.60	Elem Instruction: Spanish Interpreter

Incomplete

Administrative Operations	Travel, lodging, Field Trips, Supplies
Centerpoint Energy	Natual Gas
Mailroom Finance/NEOPOST	Supplies, Meter Postage
PayFlex	Employee Benefit

Ashland-Greenwood Public Schools' Claims
General Fund Claims
15-Apr-19

Check No.	Vendor	Amount	Description
	Powerschool		Fees
	Sparkling Klean		Cleaning
	United Electrical Supply		Parts and Service
	US Mechanical		Equipment Repair
	VISA		Travel, lodging, Field Trips, Supplies
	Wahoo-Waverly Ashland News		Advertising & Printing

Authorized by:

_____ _____

Ashland-Greenwood Public Schools
March 18, 2019 to April 15, 2019
Administrative Operations Account

Date	Check No	Description		Amount
3/22/19	5955	Durham Museum	$	335.00
3/25/19	5956	T Cogswell,Mileage to Conference	$	230.84
4/4/19	5957	Lincoln Child Museum, Ktg Field Trip	$	390.50
4/5/19	5958	A Collins; MIleage	$	118.32

**this may be updated prior to the board meeting*

Authorized by:

_____ _____

Ashland-Greenwood Public Schools
Hot Lunch Claims
4/1/19

DATE	Check #	VENDOR	Amount	Description
4/7/2019	010915	VISA	$ 499.00	HL: Software
4/7/2019	010916	AG Payroll Account	$ 9,642.49	April Net Payroll
4/5/2019	010917	BANK OF ASHLAND	$ 68.91	April PR 2019
4/5/2019	010918	Blue Cross and Blue Shield of Ne	$ 94.52	April PR 2019
4/5/2019	010919	Madison National Life	$ 36.12	April PR 2019
4/5/2019	010920	Madison National Life	$ 69.56	April PR 2019
4/5/2019	010921	AG Payroll Account	$ 299.48	April PR 2019
4/5/2019	010922	AG Payroll Account	$ 2,942.48	April PR 2019
4/5/2019	010923	Retirement	$ 2,593.83	April PR 2019
4/5/2019	010924	Vision Service Plan	$ 81.95	April PR 2019

**this will be updated prior to the board meeting*

Authorized by:

_____ _____

Ashland-Greenwood Public Schools

Activities Account

Date: March 19, 2019 to April 15, 2019

Date	Check #	Vendor	Description	Disbursed	Activity
4/7/2019	014342	VISA	Fundraising Supplies	$ 46.58	Yearbook
4/7/2019	014342	VISA	Kindness Week Supplies	$ 100.37	MS Student Co
4/5/2019	014343	Barn Candle Co LLC	Fundraising Supplies	$ 1,674.50	Band
4/5/2019	014344	Classic Sportswear & Awards	Letter Bars	$ 269.42	Athletics
4/5/2019	014345	Fort Calhoun Comm Scls	MSTR Entry Fee	$ 150.00	Athletics
4/5/2019	014346	Gretna Public Schools	Golf Trny Fee	$ 100.00	Athletics
4/5/2019	014347	Scott Hayman	HSTR Rotary Invite	$ 150.00	Athletics
4/5/2019	014348	Nebraska Sports	Track Equip and Supplies	$ 517.22	Athletics
4/5/2019	014349	LIFETOUCH	Memory Books	$ 975.02	Elem Student Co
4/5/2019	014350	Milford Public Schools	HSTR Fee	$ 170.00	Athletics
4/5/2019	014351	Douglas Niemiec	MS Wr Trny software	$ 457.50	Athletics
4/5/2019	014352	Norris Public Schools	HSTR Fee	$ 150.00	Athletics
4/5/2019	014353	Platteview High School	MSTR Entry Fee	$ 125.00	Athletics
4/5/2019	014354	Kyle Poore	Varsity GB Officials	$ 80.00	Athletics
4/5/2019	014355	Amelia Marie Reisen	Speech Judge	$ 120.00	Speech
4/5/2019	014356	Isaak Russell	Varsity GB Officials	$ 80.00	Athletics
4/5/2019	014357	School Specialty Inc	Clipboards	$ 25.75	Athletics
4/5/2019	014358	DC West Comm Schools	Golf Trny Fee	$ 105.00	Athletics
4/5/2019	014359	Windstar Lines, Inc.	Travel	$ 1,478.00	Band
4/5/2019	014360	DC West Comm Schools	HSTR Fee	$ 180.00	Athletics

**this may be updated prior to the board meeting*

Authorized by:

_____ _____

learn2move, PLLC
Brooke L. Cheleen, PT
9205 South 170th Street
Omaha, NE 68136
402-676-7961

Date: March 23, 2019

Subject: Physical Therapy Contract 2019-2020

Dear Mr. Libal,

Enclosed is the proposal for a renewal contract of physical therapy services to the Ashland-Greenwood Public School District, covering the 2019-2020 school year. It continues to be my pleasure to provide educational based physical therapy services to the students and families of your district. For the 2019-2020 school year, I hope to continue providing physical therapy services through *learn2move, PLLC* with an individual provider contract. I appreciate your review and consideration to continue these services for your students and staff. Please contact me if there are ever any questions or concerns with staff or student needs in your district.

Sincerely,

Brooke L. Cheleen, PT

learn2move, LLC
Brooke L. Cheleen, PT
9205 South 170th Street
Omaha, NE 68136
402-676-7961

SERVICE PROVIDER CONTRACT

This contract made by and between the Ashland-Greenwood Public School District, in the State of Nebraska, and learn2move, LLC.

The Ashland-Greenwood Public School District hereby agrees to contract physical therapy services with learn2move, LLC for the 2019-2020 school year.

TERMS AND CONDITIONS

Brooke L. Cheleen, PT on behalf of learn2move, LLC will provide Ashland-Greenwood Public School District physical therapy services to those students identified as needing services by the I.E.P. /M.D.T. /I.F.S.P. Team. The frequency of physical therapy services will be provided as specified on the I.F.S.P. / I.E.P for each student.

learn2move, LLC will submit an itemized monthly billing summary to the Ashland-Greenwood Public School District. These monthly billing summaries will reflect the current state approved rate for physical therapy services. Within a reasonable time frame (30 days), the Ashland-Greenwood Public School District will reimburse learn2move, LLC for the amounts billed.

learn2move, LLC will only bill the Ashland-Greenwood Public School District for those items/services that are reimbursable by the State of Nebraska.

Brooke L. Cheleen, PT will provide proof that she is licensed by the State of Nebraska, and that learn2move, LLC is an Approved Service Provider by the State of Nebraska per request.

Either party may terminate this contract within thirty (30) day written notice to the other party.

learn2move, LLC	March 23, 2019
By: Brooke L Cheleen, PT - member	**Date**
	4/1/19
Superintendent of Schools	**Date**
	4/1/19
Director of Special Education	**Date**

Board Report - April 15, 2019
Jill Finkey - Curriculum Director

Topic: State Testing Season

<u>April 2nd - State ACT</u>

All juniors in the state (in districts who chose to administer the test paper/pencil) took the test on April 2nd

It was a good day at AGPS and a great example of how an entire building/a team must work together to create and support a positive testing environment!

- 72 juniors (3 ELL students served at Gretna)
- 68 of the 69 served at AGPS - Showed up!
    - And those 68 showed up with a great attitude!
- 15 rooms/"spaces" - 3 standard time classrooms and 11 other locations
    - 9 SPED and 2 504's - all required one on one settings
        - 7 required a human reader
    - Several of these students required additional time on additional days as well - all AGPS students completed the ACT by Friday of that week
- 18 staff members - 15 Room Supervisors/Proctors, 2 Roving Proctors, 1 Test Coordinator
- Classes for 6th-10th, and 12th grade students were still able to meet
    - Multiple classes had to be relocated
    - Some staff members had to absorb additional students and cover other classes
    - All students in the building were respectful of the testing environment

Current sophomore class has 79 students … we will need to use at least 4 classrooms for standard time testing. As our numbers grow, we may not be able to continue to administer the state ACT while also still holding school for all other grade levels in the building.

<u>March 18th - April 26th - NSCAS State Testing Window</u>

All 3rd-8th grade students take the ELA and Math test. 5th and 8th grade students also take the state Science test.

- 440 students - 90 (of the 440) are SPED students that require accommodations that usually need to be delivered in an alternate environment

Each content area test is administered in at least 2 sessions of approx. 60 minutes each

- 87 general education test sessions
- (Many, many accommodated sessions administered over multiple days)

All NSCAS tests are administered on-line. Fortunately, the new on-line test system (this is year 2) is much more user friendly for overall test management and for teachers as well as for students.

May 8th - Pre-Act (this is not a required state test)

This year represents the second year that our 10th graders will take the Pre-ACT. This is the first year this is paid for by the state. Districts had the option of state paying for the Pre-Act for a grade-level or for AOP - ACT On-line Prep./Practice for a grade level.

Board of Education Meeting
Elementary Principal's Report

April 15, 2019

Elementary Activities:

Fourth grade teachers were the guest speakers at the April 8th PTO meeting. They shared information on the state testing (NSCAS), use of technology and online programs such as IXL and the upcoming Pioneer Festival.

Kindergarten Round-Up was held on April 12. Our current 19.20 enrollment is 73 students (compared to 68 at this time last year). A parent coffee was held during the morning and afternoon Round-Up sessions. The parent coffees are designed to provide parents with additional information about the kindergarten program, early literacy and elementary procedures. A tour of the elementary school is also provided. The coffee enables parents to ask questions in an informal setting and meet other parents of the 19.20 kindergarten class.

A preschool family night and EC Advisory Committee meeting was held on April 4th. Education specialists from the Henry Doorly Zoo brought animal furs and live animals/reptiles for the students to see and touch. Students also learned the different ways that animals communicate with each other. The event was well attended and very interactive.

Upcoming Activities

April 18	5th Grade Field Trip to Platte River State Park for the Outdoor Education Program
April 25	3rd Grade Field Trip to Mallory Kountze Planetarium at UNO
May 3	2nd Grade Field Trip to Morrill Hall
May 8	4th Grade Field Trip to Camp Creek for Pioneer Festival
May 9	1st Grade Field Trip to the Henry Doorly Zoo

Track & Field Days:
Grades 1st and 2nd: Wednesday, May 1 from 12:45-2:30 at the MS/HS
Grades 5th and 6th: Wednesday, May 8 from 11:45-2:30 at the MS/HS track
Kindergarten Fitness Frolics: Monday, May 13 from 2:00-3:00 at the elementary
Grades 3rd and 4th: Wednesday, May 15 from 10:30-2:30 at the MS/HS track

Professional Activities:

Preparations are underway for several end-of-year assessments. All students in grades K-5 will take a writing assessment to measure growth in writing. Students in the primary grades will be assessed in the area of reading through running record and DIBELS assessments. Students in 3rd-5th grade are currently taking the Nebraska State Assessments in reading and math. Fifth grade students take a science assessment as well. The students will take the Measure of Academic Progress Assessment in May.

Evaluation conferences for certified and non-certified staff will take place in May.

Update on staffing changes and assignments for 2019-2020:

- Jan Gutierrez will be transitioning to fourth grade in the fall as four classrooms will be needed due to the number of students (78 students). Third grade will have 62 students and go from four classrooms to three.
- Brandon Nygren will be transitioning to second grade in the fall as four classrooms are needed due to student enrollment of 72 students. Four classrooms at second grade will keep classroom numbers at 20 or less.
- Recent hire, Dillon Campbell, will be teaching in fifth grade.

Grade Levels	**19.20 – Anticipated number of students based on current enrollment**	**Number of Classrooms**
Kindergarten	73	4
1st Grade	73	4
2nd Grade	72	4
3rd Grade	62	3
4th Grade	78	4
5th Grade	67	3

April 15, 2019 Board of Education Meeting: MS/HS Principal's Report, Brad Jacobsen

Staff Development/personal development:

- I have 1 formal observation remaining for the year. I will continue with informal visits and begin now to schedule end of year SLO/PD review meetings along with the staff member's Formative or Summative evaluations.

Highlights & Activities:

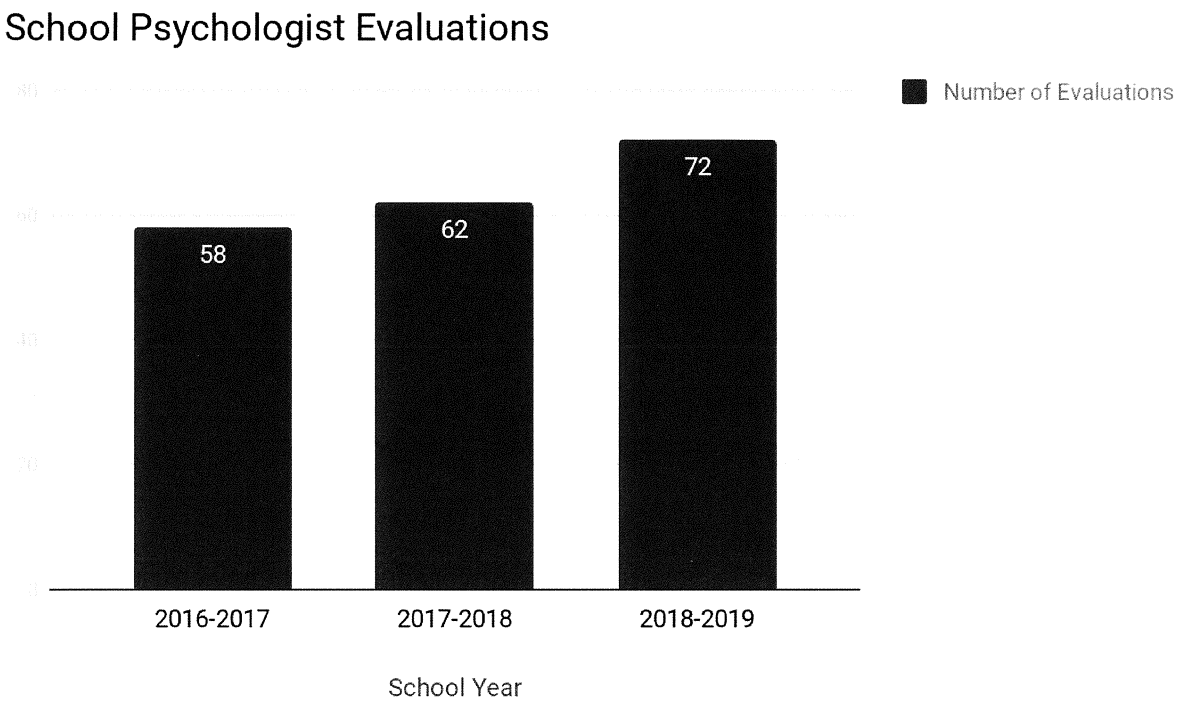
- Academic Awards night scheduled for May 1….90+ high school students receive honors for academic excellence following our induction ceremony for the National Honor Society! We had to move to a Wednesday night at 5:00 pm due to so many springtime calendar conflicts. I believe this is the 20th year of this event.
- Middle School Career and Academic Awards night is May 21, 2019 at 6:30 pm. This is a chance to hear from 8th graders that did a career research project for English and to honor involvement, growth, and those who perform at a high level on Maps standardized testing.
- Prom, 2019 is in the books. Prom was held at Ashland Golf Club and catered by the club. King was Logan Thomas. Queen was Becca Wilson. All students are breath-tested as they enter prom and post prom with another year of NO positive tests!
- AGHS Juniors took the ACT as the State Assessment on Tuesday, April 2. We had one that missed school, so, only 1 make-up tester! We will have some great scores. We will also likely have some low scores. This group has 11 kids that qualified for some sort of accommodation.
- AGMS 7th and 8th graders will complete their NSCAS (new acronym for state test) tests over about a 3-week period.
- District Music contest was last weekend in Nebraska City. Highlight was concert choir receiving a 1+ rating!
- Seniors last day is May 14. We needed that much time to get our 1080 hours to meet requirements.
- Senior Tribute rally is April 24th, 2019.
- Commencement is May 19th, 2:30 pm
- There are 65 graduates in the class of 2019. As of the day of this report, through end of 3rd quarter we have 3 perfect 4.0 GPA's!!! Assuming students pass the classes they are currently enrolled in, we have 14 that are on the bubble as far as taking part in the ceremony and finishing all credits (13 here, 1 at Waverly LIFE).
    - 10 of 14 are 'on track' to finish but have either a borderline grade or slow progress on an online make-up class. 4 others (have a bit more work to do or are failing one or more CURRENT class (which they need)…which puts them in greater peril.
    - We have 1 student attending Waverly Alternative School and is progressing well.
- Graduation ceremony, as usual, includes the Board President, Superintendent, and usually any Board member that may have a connection to a graduate. You will be asked to be in the cafeteria by 2:15 for final reminders, then, we will proceed to the stage (entering backstage).
- Graduation/Commencement will have a couple of changes this year to honor a classmate that has passed away, and, adding what we are calling the "Honor Vase" of flowers to recognize anyone that cannot attend the ceremony to celebrate with the graduates. This was really intentional and well-received a year ago. We have a student we lost a year ago, Nolan Beckenhauer, so I am currently in discussion with seniors about how they would like to honor his memory this year.

School Psychologist - Board Report for April 15, 2019
Alysha Collins, EdS, NCSP

School Psychologist Duties:

- Special education evaluations at all levels (birth to 21)
    - Academic or IQ assessments
    - Social-emotional rating scales
    - Teacher and parent input
    - Classroom observations
    - Medical or outside provider collaboration
    - Parent/guardian phone calls
    - Report writing
    - Multi-disciplinary meetings and/or IEP meetings
- BLUE Team (Boosting Learning and Understand for Everyone)
    - Elementary School
    - Middle School and High School
    - Serve as a consultant to help teachers with academic or behavioral supports
        - Check-in and check-out
        - Tracking data
        - Behavior plans
    - MTSS (multi-tiered systems of support)
        - Help collect school-wide data to make data-based decisions
        - Brainstorm tier 1, tier 2 and tier 3 supports to help students
- 504 Team
    - Middle School and High School
- Determine need for students and run small groups
    - Mindfulness group or social-emotional group
    - Circle of Friends at High School
- One-on-one meetings with students
    - At all levels
- Provide professional development for teachers and social-emotional supports for staff

Evaluation Numbers and Future Needs



2018-2019 School Year

- Projected number of evaluations to be completed by the end of the year = 72
    - 2019-2020 school year = starting with 59 evaluations
        - This year, started the school year with 50 evaluations
- Duane's current caseload = 13 students (ideal caseload is 10-12 students)
    - Duane is currently only in the district two days, which is 6 students a day.
    - 6 students on waitlist
    - 7 cases that were closed out this school year because all 7 successfully completed their service plan goals or made significant progress and are doing well at school, home and socially.
- Alysha currently is seeing 9 students on a one-on-one basis, weekly
    - This varies depending on need and may be more if there is a crisis
- Multiple hospitalizations this year for suicidal concerns

2017-2018 School Year

Evaluations completed = 62

Duane's caseload = 10-12 students (6 students/day, which is very busy)

- 9 were discharged, so 9 students were added this school year with 3 that carried over

2016-2017 School Year (Employed through ESU 2 and shared responsibilities with another school district)

- Evaluations completed = 58

National Association of School Psychologists (NASP) Recommended Ratios

- School Psychologist - 500-700:1
    - Our ratio - 970:1
- School Counselor - 250:1
    - MS (225) HS (283) - 508:1
    - Elementary K-5 - 422:1
    - Birth to Pre-K - 40 students
- School social workers - 400:1
    - We do not have a current social worker

Future needs

- Increased mental health and social-emotional needs to continue to support students and staff at all levels
    - New study showed that 1 in 7 US children and teens have a mental health condition and half go untreated.
        - **Tier 1, Tier 2** and Tier 3
        - Limited immediate community resources
        - Students' needs must be met in the school
- Increased academic needs to continue to support students at all levels
    - **Tier 1, Tier 2** and Tier 3
- Multi-tiered systems of support (MTSS)
    - District-wide data collection to help make data-based decisions at all levels

Awaken, Develop, Enhance

Jason Libal – Board Report – April 15th, 2019

1. **School Psychologist Report:** As a reminder, two years ago our district made the commitment to bring on board our own school psychologist. At that time, I so greatly appreciated the board's support for allowing this to occur. I hold an even greater appreciation today. The work and support that Alysha Collins provides our district is of extreme benefit. I have asked Alysha to provide the board an update related to her duties, and position.

2. **April 11th Chamber Meeting:** It was a pleasure to host the April Chamber meeting on Thursday, April 11th. We had over 20 members in attendance. We received very postive feedback related to hosting the meeting. I look forward to hosting additional community groups in the future. In my opinion, it is a great way to build and maintain a connection with our community.

3. **2019 Foundation Dinner**: The final touches are being made on the 2019 AGPS Foundation Dinner. The dinner is set for Friday, April 26th. Once again, it will be held at Round The Bend Steakhouse, with the social hour beginning at 6:00 p.m. Our foundation continues to do outstanding work, and provides tremendous support to our district. Please let me know if you will be attending and we will arrange your ticket.

4. **End Year Staff Outing:** Our end of the year staff outing is scheduled for Friday, May 24th. This year's event will be held at Parker's Smokehouse starting at 4:00 p.m. There will be an opportunity to play golf at 5:30 p.m. as well. Please let me know if you and your staff are planning to attend. A huge thank you to the board for allowing us to hold this event in place of our last staff contract day.

5. **Questions, Comments, Concerns**

Board of Education Approval

FBLA National Leadership Conference Trip 2019

A) Itinerary

a. Traveling June 28-July 3 to San Antonio Texas
b. Competing in National Competition - 3rd Place Introduction to Financial Math (Aiden Lindley), 1st Place Securities and Investments (Nick Starns) and 1st Place Publication Design (Camryn Ray, Kiara Libal, and Miya Carson)
c. Tours - Alamo, Riverwalk, Sea World

https://nebraskafbla.org/wp-content/uploads/itinerary-nlc_2019_Draft.pdf

B) Summary of Cost and Funding Source

a. Estimated Costs Include:
    i. Travel Package - Lodging, Events, & Ground Transp - See Below
        1. Single: $1,194
        2. Double: $677
        3. Triple: $524
        4. Quad (4 members/room): $433
    ii. Registration - $125
    iii. Flights - $275-425
b. The trip is financed through FBLA's fundraising activities. Students must fundraise to attend.
    i. Fundraising Activities
        1. Student Sponsorships
        2. Concession Sales
        3. Chapter Direct Sales Fundraising
c. REQUESTING
    i. Adviser: Travel Package, Registration, and Flights @ $983 + Food Per Board Policy
    ii. Student: Travel Package, Registration, and Flights - Match $500 * 5 = $2,500

C) Mode of Transportation

a. Transportation will by plane and charter bus to and from competitions and tours organized by travel through Nebraska FBLA.

D) List of students traveling

a. Aiden Lindley, Nick Starns, Camryn Ray, Kiara Libal, Miya Carson

E) Sponsors

a. Amber Dutcher

F) Plan for supervision

a. General-Sponsor will have a complete list of students and cell phone numbers. During the day, all students are competing in different rooms throughout the hotel in which we are staying. There are several general sessions and workshops where the supervisors will meet with the students throughout the day. While at the hotel, students will need to use the buddy system to complete simple tasks such as going to get ice, swimming, and going down to the front desk. Students will not be allowed to have students of the opposite gender in their rooms unless I am in my room, and the door MUST remain open to the hallway for the entire time of the visit.
b. Nights- Students have a specific bed check time each night; it varies depending on activities done that day. Once each room is checked the doors will be shut. There will be random room checks throughout the night. Sneaking out of rooms is unacceptable.

G) Eligibility

a. The district eligibility policy applies to all FBLA events and competitions.

Nebraska FBLA
2019 National Leadership Conference
San Antonio, TX Tentative Itinerary: June 28 – July 3

Required Activities: 2 Nebraska meetings, the opening session, 2 regional meetings, Nebraska FBLA Group Photo, Awards Program

- *The online testing will be at the Grand Hyatt San Antonio.*
- *FBLA competitive events, workshops, exhibits, the Opening Session, and Awards of Excellence Program will be at the Henry B. Gonzalez Convention Center.*
- ***Nebraska Meetings both located in the hotel assigned to Nebraska***

Friday, June 28

Travel to San Antonio, TX
- Arrive by 4pm — Nebraska Travel bus to hotel and Sea World.

Nebraska Travel Group
- 3:00 pm – Close — Sea World – Nebraska Travel Activity

Conference Registration
- 2:00 pm – 7:00 pm — Pick up your conference registration packets– **Advisers Only**

Saturday, June 29

Adviser Orientation
- 7:30 am – 8:15 am — Conference Updates from National Staff – **Advisers Only**

Nebraska Meeting
- 8:20 am – 9:00 am — Located in the Nebraska assigned hotel - **Required**

Conference Registration
- 8:00 am – 7:00 pm — Pick up your conference registration packets– **Advisers Only**

Nebraska Travel Group
- 9:00 am – 12:15 pm — Alamo Downtown – City Hop on Hop off Bus

NLC Begins
- 12:15 pm — Conference competition begins **- *Business attire.***
- 7:00 – 9:00 pm — NLC Opening Session and Campaign Rally – **Required - *Business attire.*** *Doors open at 6:00 pm.*

Sunday, June 30

National Leadership Conference – *Business attire*.
- 8:15 am – 5:30 pm — Competitive Events
- 12:30 – 5:30 pm — Advisers Assist with Public Speaking and Partnership with Business
- 5:30 – 6:30 pm — Mountain Plains Regional Campaign Rally and Recognition Session – **Required (Business attire required)**

Monday, July 1

National Leadership Conference – *Business attire*.
- 8:00 am – 5:30 pm — Competitive Events
- 9:30 am – 12:30 pm — Open Events
- 12:30 pm – 5:00 pm — 2 Advisers Assist with Public Speaking Finals
- 5:00 pm – 6:00 pm — Nebraska Meeting **– Required (*Casual attire acceptable*)**

Nebraska Travel Group
- 6:00 pm – 11:00 pm — Dave and Busters – meal included with travel package

July 2

National Leadership Conference – *Business attire*.
- 9:00 – 9:45 am — Mountain Plains Regional Voting – **Required of Chapter Voting Delegates**
- 10:00 pm – 11:00 am — March of Dimes Mini March for Babies
- 4:15 pm – 4:45 pm — Group Photo – All Nebraska FBLA delegation – **Required**
- 6:00 – 9:00 pm — Awards of Excellence Program – **Required**
- Doors open at 5:00 pm.

July 3

Travel to Nebraska — Casual attire if traveling with Nebraska FBLA - Shorts and jeans acceptable

Travel coordinated by the Nebraska FBLA Travel Team and Board of Directors

High School Basketball Overnight Team Camp Request -- Board Policy 6153.1

The Bluejay Basketball Team would like to request the approval of attending the Mr Basketball Slamfest in Kearney, NE. The camp will be held on June 1 and June 2 (Saturday & Sunday).

We will be taking 1 team (9-10 players) and 1-2 coaches. We are planning on staying at a hotel in Kearney.

Using Mapquest, the distance to Kearney is 155 miles one way (310 round trip). This would take about 2 hours and 15 minutes without any stops.

We would leave AGHS on early Saturday morning and be returning Sunday evening. We do not yet have a schedule of our games. If we were to play early Saturday morning, there is a chance we would leave Friday evening.

Transportation:

We have requested 2 vans from Rod Kissel to be driven by coaches. If 2 vans are not available, we will take a coaches vehicle. Players parents have signed a transportation waiver.

This is the same camp and routine we have followed in previous years.

Please let me know of anything else that I need to do on my part in order to have the players attend this camp. Thanks.

Jacob Mohs

Board Policy 6153.1

Students

Field Trips

Long Distance and Over Night Travel

The Board recognizes that valuable experiences can be gained by participating in field trips and that on occasion it may be necessary to travel some distance or stay over night on these trips. The Board of Education shall, however, approve all school sponsored student travel which will cause the student to travel more than 200 miles from Ashland or which will result in an over night stay. Board approval should be requested prior to any plans being made, fund raising (if necessary) taking place, or discussions with students being held.

In considering overnight or long distance travel the board shall first consider the necessity of the trip. The board may approve the travel when:

a) The travel is a result of district or state competition for an approved student activity; or
b) The opportunities to participate are extraordinary and the same opportunities do not exist within a proximity to Ashland that would not require overnight or long distance travel.

The board shall make a determination on the necessity of overnight travel. The district shall minimize the amount of travel done by student groups to reduce the amount of fundraising required by organizations, to minimize the loss of school time and to reduce the district's liability for students when they are under the district's care and custody over night. The Board may, however, permit over night or long distance travel and will consider the following issues:

a. The event is more than a one day event and as a result, to save travel costs, save time spent in travel or in order to participate in the entire event it is necessary to stay overnight;
b. The types of activities that may be taking place before or after the main event for which the group is traveling are valuable enough to warrant lengthening the stay;
c. The departure time for the event would be prior to 6:00 AM or the arrival home is anticipated to be after 12:00 Midnight;
d. The arrival home will not unreasonably impact a Sunday, holiday or other family time; and/or
e. The travel will be taken during a period of time when traveling conditions can deteriorate due to poor weather.

The Superintendent or his/her designee may approve an overnight stay if prior permission of the board cannot be reasonably obtained or due to an emergency situation such as vehicle breakdown, poor travel conditions, postponement of activities or other reasons of an emergency nature or beyond the control of the district or its staff.

Final details and plans shall be approved by the Superintendent of Schools prior to departure of any groups. The Superintendent shall implement regulations for long distance and over night trips.

Approved: July 16, 1990
Revised: April 4, 2005

Dear Esteemed Members of the AGHS School Board:

The Ashland-Greenwood cross country team would like to submit a request for an overnight camp this summer. The camp would take place July 1-3, 2019 in Norwalk, Iowa. The camp is being run by Bridge 23 and is a reputable camp that many Nebraska, Iowa, and Kansas teams attend, as well. At this camp, athletes would further develop racing skills, as well as learn information about training, nutrition, and injury prevention. This past year, students fundraised in order to pay all camp related expenses. They decided that this camp was the best way to utilize the funds we were able to collect.

The total, round-trip mileage to attend the camp is 332 miles (166 each way). We would like to request access to either a school van or Expedition. We will use funds from our account to pay for gas. The total number of student athletes attending the camp has not been solidified yet, but will be between 4-6 runners.

We would greatly appreciate the opportunity to attend this camp. We believe it is a crucial step in establishing a competitive, successful team culture. The student athletes are eager to strengthen their abilities and apply them in the 2019 cross country season.

Sincerely,

Andrea King
Head Cross Country Coach

Tom Walsh
Assistant Cross Country Coach

Karen Haase
Steve Williams
Bobby Truhe
Tim Malm
Shari Russell, Paralegal

MEMORANDUM

The following is a description of the policies in the 4000 series.

Policy 4001. Nondiscrimination. This policy satisfies the requirement that a school district have a policy which forbids discrimination for unlawful reasons.

School districts with 50 or more employees are required to appoint a responsible person to coordinate the administrative requirements of ADA compliance and to respond to complaints filed by the public. In this policy, the 504 coordinator is the same person as the ADA coordinator. If you do not want your 504 coordinator to serve as your ADA coordinator let us know and we can work with you to customize this policy.

Policy 4002. Drug Free Workplace. This policy satisfies the federal law requirement that school districts have a policy which prohibits the possession of illegal drugs and the improper use of alcohol. Federal regulations require employers to provide all employees with a copy of this policy. Be sure to either distribute copies of this policy or to reproduce it in your staff handbook.

Policy 4003. Drug Testing of Drivers. This policy satisfies the federal law requirement that school districts have a policy that requires drivers to be free from drug and alcohol abuse and that prohibits the possession of unlawful drugs on school property. It sets forth the protocol for requiring and administering testing of drivers.

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Policy 4004. Employment of Relatives. This policy addresses the employment of relatives, "domestic partners" and "significant others." It states that both may be employed but, as a general rule, one should not manage, supervise, or report directly to the other. This policy is not required by law and the board and the superintendent have the authority to modify the policy to fit the practice of the school district.

Policy 4005. Communication between Board and District Employees. This policy refers employees to the board's policy on chain of command for raising employment-related issues. It acknowledges that employees have the same right to communicate with the board about matters of public concern as other patrons of the district but it requires them to submit their communications about employment-related issues pursuant to the board's other policies on complaints, chain of command, grievances and the like before the employee can communicate with the board. This is proper procedure but it will require the commitment of board members to follow it if it is to be effective.

Policy 4006. Insurance. This policy requires the district to purchase workers' compensation insurance in compliance with statutory requirements. It authorizes the board to purchase insurance coverage that it has agreed to provide pursuant to negotiations with teacher association and such other insurance as it deems appropriate.

Policy 4007. Personnel Records. This policy complies with the requirements of section 79-8,109 regarding the confidentiality of the contents of teachers' files. It states that the school attorney is "school official" so that the attorney may have access to personnel records when that is necessary for employment-related purposes.

Policy 4008. Outside Employment. Though school districts may not prohibit teachers from holding jobs outside the school district, they may require teachers to give precedence to their school employment, to avoid conflicts of interest, and to comply with statutory requirements and restrictions. It includes the statutory restrictions on a teacher's tutoring a student in his/her class for compensation. It prohibits teachers selling, soliciting or promoting the sale of goods or services to students or using their influence with the students or parents to do so. It also addresses the ownership of written or artistic works, instructional materials, inventions, procedures, ideas, innovations, systems, programs, or other work product created or developed by any

employee in the course and scope of performance of his or her employment duties on behalf of the district. This sometimes becomes an issue when a teacher develops something on school time that he or she wants to sell.

Policy 4009. Restrictions on Employees Receiving Gratuities. This policy requires employees to inform the superintendent of receipt of any gift or bonus merchandise with a value of more than $50. The board may set the threshold value at any level it wishes. Rule 27 of the Department of Education states that teachers may not accept any gift which will impair the professional judgment of the recipient. We have incorporated that standard into this policy.

Policy 4010. Inclement Weather. The board has authority to determine whether staff members are required to report on days school is closed for inclement weather. The policy has two options, one which requires staff members to report unless told otherwise by the superintendent. The second does not require staff members to report unless told otherwise by the superintendent. You must select the option which aligns with your practices.

Policy 4011. Family Medical and Military Leave. Federal law requires school districts to have a policy on their rights under the Family and Medical Leave Act. Congress amended the initial Family and Medical Leave Act to entitle employees to leave related to military service. Nebraska also has a Family Military Leave Act, which is addressed in a stand-alone policy.

Schools have very little discretion under the law and the primary decision for them to make is defining the 12-month period for determining eligibility. In section I(A)(2), we defined this period as "the 12-month period measured forward from the date such employee's first FMLA leave begins." In our experience, this is the most advantageous choice for school districts.

Forms: We recommend that you use the forms offered by the Department of Labor. While you can use your own forms, there is no advantage in doing so. In fact, in some cases, asking for additional information not requested on the DOL's forms can violate the law.

Once the school acquires knowledge that the leave is being requested for a FMLA-qualifying reason, we suggest you work with your human resource personnel or legal counsel to determine if the employee provided appropriate notice of the need for leave and to determine if any special school rules apply.

After the preliminary review, you must notify the employee, preferably using Form WH-381 (Notice of Eligibility and Rights & Responsibilities) from the DOL Website. This notice must be provided within 5 business days of initial request for leave or when you acquire knowledge of the FMLA-qualifying reason. Advise the employee of his or her eligibility status. If the employee is not eligible, you must state the reason why. Include a copy of your FMLA Policy with Form WH-381.

In addition to the Notice, you should deliver the appropriate certification form from the following selections:

- Employee's Serious Health Condition (WH-380-E)
- Family Member's Serious Health Condition (WH-380-F)
- Qualifying Exigency for Military Family Leave (WH-384)
- Serious Injury or Illness of Current Servicemember (WH-385)
- Serious Injury or Illness of a Veteran for Military Caregiver Leave (WH-385-V)

Include a written job description (preferred) with the Certification or list the essential functions of the job in the Certification.

When the employee returns the Certification, work with human resources or your legal counsel to determine if it is timely; whether it is clear, complete, and sufficient; and whether it would be appropriate to seek a second opinion.

Once you have completed the review, complete and deliver Designation Notice (Form WH-382).

Policy 4011.1. Nebraska Family Military Leave. The Nebraska Military Leave Act has some key differences from the FMLA, which is why we created a stand-alone policy to cover this separate, state-created form of leave. Any employee with an immediate family member with deployment orders for 179 days or more is entitled to this

unpaid leave under state law. The policy outlines specific leave timelines, as well as notice requirements for the employee.

Policy 4012. Staff Internet Use. This policy addresses school employees' use of the district's computers and networks. It addresses "on duty" versus "off duty" use, including requirements which extend to the employees even when they are using the resources personally while off duty. Employee use of social media is broken out separately in policy 4051, but this policy addresses staff websites (e.g. Wordpress pages) that are operated by teachers for their classrooms.

Policy 4013. Grievance Policy. Though employees do not file grievances very often, it is important for a school district to have a policy defining a grievance and setting forth the procedure to processing it. Our policy limits grievances to allegations that there has been a violation of the negotiated agreement or a board policy. **Many districts have a grievance procedure in their negotiated agreement, which is our recommendation to clients. If you do, you should not adopt this policy and should instead leave this policy number blank.** Grievance procedures are a mandatory subject of bargaining so if you do not have a grievance procedure in your negotiated agreement and the teachers' union asks to include one in your collective bargaining agreement, you must agree to do so. We think this is best practice, as well.

Policy 4014. Employee Sex Harassment. Sex harassment is a violation of federal and state law. This policy defines sex harassment and sets forth a procedure for a person who feels he or she has been harassed to report it.

Policy 4015. Employment of Board Members. Section 79-544 of the statutes prohibits a board member from being employed by a contract to teach as a teacher in a school district where he or she also serves on the board. We interpret section 79-544 to permit a board member to serve as a substitute teacher in his or her district, but not as a teacher on a regular teaching contract. Section 79-544 states:

> No member of a school board shall be engaged in a contract to teach pursuant to sections 79-817 to 821 with the school district which he or she serves as a board member.

Two Versions of Policy 4015. We have provided two versions of policy 4015. One version prohibits board members from being employed by the district in any capacity, classified or certified. The other version permits board members to be employed as substitute teachers and as classified employees. The board may choose one of the two versions or may modify the policy as it sees fit – that is discretionary with the board.

Policy 4016. Jury Duty and Witness in Court. This policy states the state statutory requirement that an employee who has been called for jury duty will be paid his/her wages or salary while serving on a jury. It requires the employee to sign over to the district his/her compensation as a juror (but not expense payments).

The second paragraph of the policy states that an employee who has been subpoenaed to testify in court will be entitled to one day of paid leave. It requires the employee to sign over to the district his/her witness fee (but not expense payments). This is optional with the district and is not required by statute. Boards should check their leave policies to see whether such an absence is covered by a leave policy or a provision of the negotiated agreement.

Policy 4017. Relations with Collective Bargaining Associations. This policy states that the board will negotiate with recognized employee associations and "will allow associations to make reasonable use of district facilities for meetings outside the school's and the employees' work hours." It states that the associations will be responsible for paying the district for "all supplies used, damage caused, or the loss or theft of borrowed property." Though it is common for schools to permit employee associations to use school facilities for their meetings, we have found it to be rare that associations are responsible for paying for all supplies, damage to property and loss of property.

Policy 4018. Corporal Punishment. State statute prohibits corporal punishment. This policy prohibits corporal punishment and defines it as that term was defined by the Nebraska Supreme Court.

Policy 4019. Workplace Injury Prevention and Safety Committee. School districts are statutorily required to have safety committees. This policy repeats the statutory requirement that the safety committee be set up through the collective bargaining process.

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Additionally, the statute requires employees serving on safety committees be paid their "regular hourly wage" for safety committee work. We interpret that to mean that so long as your safety committee meets during the regular work day, staff members are not entitled to additional compensation for this committee work.

Policy 4020. Ownership of Copyrighted Words. Works created by employees of the school district are considered "work for hire." A work made for hire is defined as a work prepared by an employee within the scope of his or her employment. 17 U.S.C. § 101. Thus, the school owns all of the results of the work of a teacher if the teacher produced the work within the scope of his or her employment. It would be inefficient to require a new teacher to reproduce questions, lesson plans, or a syllabus each time a new teacher is hired. Policy 4020 makes this provision of law clear and allows the district under certain unusual circumstances to share ownership of the "work for hire" with an employee.

The policy also states that if a staff member shares the school's property on in-state collaborative learning platforms like Safari Montage, distance learning, or an ESU curriculum collaborative, the school district still owns the material but has granted a license to other educational entities to use it. This protects both the school district other educational partners within the state.

Policy 4021. [Intentionally Left Blank]

Policy 4022. Certification. This policy repeats the statutory requirement that educators must be certified by the Nebraska Department of Education. A key element is that it requires them to maintain all their endorsements and prohibits them from permitting any endorsement to lapse or from removing it from their certificates. It also permits the board or superintendent to require a certified employee to obtain a new endorsement when it is deemed necessary for the benefit of the school district and/or to comply with federal or state requirements.

Policy 4023. Professional Ethics. This policy adopts the Regulations and Standards for Professional Practices Criteria, commonly known as Rule 27 of the Nebraska Department of Education, as the minimum standards for all certificated staff members of the school

district. It requires all certified employees to read, understand, and comply with these standards. In our experience, this policy can be very helpful in personnel cases.

Policy 4024. Teachers' Rights, Responsibilities & Duties. This policy is a generally-worded statement about the broad responsibilities of certificated employees.

Policy 4025. Superintendent. This policy articulates the general responsibilities of the superintendent of schools. We recommend that you place specific performance expectations into compare it to any current description of the superintendent's responsibilities.

Policy 4026. [Intentionally Left Blank]

Policy 4027. Part-Time Certificated Employees. This policy addresses various issues regarding part-time certified employees such as their compensation, benefits, acquisition of permanent (tenured) status, movement on the salary schedule, attendance at in-service meetings, faculty meetings, school activities, etc. It states that a part-time teacher is responsible for attending "in-service meetings, faculty meetings, and school activities that take place outside the teacher's assigned duty hours without additional compensation." We have encountered instances when teachers who teach half a day expect to be paid for attending meetings that are scheduled during the other half of the day.

Policy 4028. Substitute Teachers. This policy defines the term substitute teachers and states the board's authority to establish their pay and benefits.

Policy 4029. Salary Schedule for Certificated Employees. This policy defines the limitation of advancing one step vertically on the salary schedule per year, the requirements for teachers to advance horizontally on the salary schedule, the requirement to earn a masters degree to move past the BA columns, and the requirements to move past the MA column on the salary schedule.

Policy 4030. Evaluation of Certificated Employees. This policy sets forth requirements of statute and the Nebraska Department of Education regarding the evaluation of certificated employees.

Policy 4031. Evaluation of Probationary Certificated Employees. This policy sets forth requirements of statute and the Nebraska Department of Education regarding the evaluation of probationary certificated employees. It also adds some definitions that are not provided by statute or the rules of the Nebraska Department of Education.

Policy 4032. Professional Growth. Certificated employees are required to show evidence of professional growth every six years after they become permanent (tenured). Six hours of college credit automatically count toward meeting this requirement and, at its discretion, the board may count other activities such as non-credit courses, lecture series, workshops, conferences, study groups, local in-service courses, committee service, supervising a student teacher, serving with professional groups, and travel of significant educational value. This policy addresses those issues.

Policy 4033. [Intentionally Left Blank]

Policy 4034. Staff Handbook. This policy is a general statement that the superintendent or a designee will see to the formulation of a staff handbook. It also makes clear that the handbook has the force of board policy.

Policy 4035. [Intentionally Left Blank]

Policy 4036. [Intentionally Left Blank]

Policy 4037. Reduction in Force. A school district must have a reduction in force policy in order to reduce certificated staff. Policy 4037 is a general reduction in force policy. The Nebraska statute on school district reduction-in-force policies states, "If employee evaluation is to be included as a criterion to be used for reduction in force, specific criteria such as frequency of evaluation, evaluation forms, and number and length of classroom observations shall be included as part of the reduction-in-force policy." The highlighted section of policy 4037 recites these requirements. We generally recommend against using

evaluations as part of staff reductions for legal and practical reasons. Therefore, we would prefer that you delete the highlighted wording, but this is ultimately a decision for the board. Districts who use evaluation instruments as part of the reduction-in-force process are more likely to face legal challenge on the procedure and on the merits of the evaluation process.

Policy 4038. Classified Staff Defined. This policy defines the term "classified staff" as all employees other than certificated teachers and administrators. It states that they are employed at will, and their employment may be amended or terminated at any time and without any cause. We believe that classified staff members must be treated fairly, but strongly oppose giving them due process rights because hearings can prove very costly and divisive.

Policy 4039. Employment of Classified Staff. This policy authorizes the superintendent or designee to hire, discipline, and discharge classified staff members "to meet personnel needs consistent with the district's budget, instructional needs, and non-instructional operations."

Policy 4040. Employment Terms for Classified Staff. This policy is optional. It defines the terms of employment for classified staff members. It must be reviewed carefully and changed as necessary to make sure that it conforms to the school district's practices.

Policy 4041. Staff Dress and Appearance. This policy provides two options to choose from regarding staff dress code. The options are similar, but the first is more formal (requiring ties for men, for example) and the second is less formal to account for things like polo shirts. You should select the version which conforms to the school district's practices. If your district has different or additional standards related to staff dress and appearance, contact us and we will assist you in creating a customized policy.

Policy 4042. Employee Social Security Numbers. This policy states the statutory prohibition against an employer using or publishing an employee's social security number except under certain specified circumstances. It affirms that the district will comply with this law and take reasonable steps to protect the confidentiality of employees' social security numbers. However, neither state law nor this policy prohibits

the district from using the last four digits of an employee's social security number as an employee identification number or in any other reasonable manner.

Policy 4043. Professional Boundaries Between Employees and Students. Establishing standards of behavior and professional boundaries between employees and students has become increasingly important over the past several years. This policy endeavors to describe those standards and boundaries.

Policy 4044. Staff Election Conduct. The Nebraska Accountability and Disclosure Act sets out specific limitations regarding the use of school property or resources in election or ballot issues. This policy endeavors to describe the behavior that is prohibited.

Policy 4045. Milk Expression. This policy states the new federal requirement that the district provide reasonable break time for an employee who wishes to express breast milk for her nursing child in a place, other than a bathroom, which is shielded from view and free from intrusion from co-workers and the public for one year after the child's birth.

Policy 4046. Internet Searches Regarding Potential Employees. This policy authorizes administrators and members of a hiring committee to conduct internet research about job applicants, and it sets forth the procedure and limitations for doing so. This includes a prohibition against requiring job applicants to provide their usernames and passwords to personal social media accounts.

Policy 4047. [Intentionally Left Blank]

Policy 4048. Assessment Security. This policy sets forth the obligations of certificated staff regarding testing and assessments to measure students' knowledge, skills or abilities.

Policy 4049. [Intentionally Left Blank]

Policy 4050. Overtime and Compensatory Time. The federal Fair Labor Standards Act governs the compensation of non-exempt employees. This policy requires that all overtime work be authorized by an employee's supervisor before it may be performed. It authorizes the

school district to use compensatory time in lieu of overtime pay. It states the statutory requirement that an employee be paid for unused compensatory time when he or she terminates employment.

Policy 4051. Use of Social Media by School District Employees. As with the use of the internet and computers, the use of social media by school district employees has become of great relevance and importance to school districts over the past several years. This policy defines what is a "school owned" versus a "personal" social media account and states that the school district will not require staff members to provide the username or password to personal social media accounts.

Policy 4052. Job References to Prospective Employers. This policy addresses requests for job references or employment history. The administrator will either provide a references in compliance with this policy or will forward the request to the Superintendent. If the school district is not bound by a separation agreement and receives a legally enforceable written consent to release the information, the district will provide the information.

Policy 4053. Conflict of Interest. This policy sets out the conditions that an employee would have to meet to be deemed to have a business or financial conflict of interest.

Policy 4054. Reporting Child Abuse or Neglect. This policy addresses the reporting procedures for school employees to report child abuse or neglect should they have reasonable cause to believe that a child has been subjected to such abuse or neglect. Often teachers would prefer that an administrator make the report of suspected child abuse and the school district has an institutional interest in tracking the reports made about its students. This policy makes it clear that (1) staff must always tell the principal when they suspect abuse or neglect and (2) staff must also either report the abuse or neglect or cause a report to be made to the authorities by another person. That allows the district to have one staff member or administrator to report the observations of multiple employees.

Policy 4055. Head Teacher. This policy addresses creating a position for a Head Teacher. This policy is optional and is not necessary if you do not use a head teacher in your chain of command.

Policy 4056. Resignation of Certificated Staff. This policy addresses the process for Certificated Staff to provide their resignation as early as possible to allow the district to find suitable replacements. Please note there are two paragraphs to choose from. Please make sure to select one.

Philosophically, we prefer not to release teachers after the April 15 deadline since the teachers' union would never agree to extend the notice deadline to teachers. However, this is a matter for the board to decide. You should be sure to check your negotiated agreement to be sure that there is not a provision in that document which gives teachers the right to resign late. If there is, you should revise this policy (or call us to revise it) to ensure that it is consistent with your negotiated agreement.

Policy 4057. Superintendent Evaluation. This policy addresses how a superintendent shall be evaluated and how often the evaluation needs to take place. The dates in this policy can be changed to conform to your district's practice and the superintendent's employment contract. We strongly encourage boards to evaluate superintendents at or prior to the January board meeting since many superintendents' contracts automatically renew in February or March.

Please read carefully the process we have described in the section headed "evaluation procedures." This policy contemplates that each board member will individually complete an evaluation instrument and that the board president will then compile the individual ratings into a final document. This is not the only lawful process – if your board has a different practice please let us know so that we can assist in revising this policy for you. Your board should also discuss what the board president will do with the individual board members' evaluation drafts. Your board's practices may affect your requirement to disclose each individual's draft evaluations under Nebraska's public records laws.

Policy 4058. Confidentiality in Counseling and Guidance. We have had a few guidance counselors mistakenly believe that they discharge their obligation to report suspected child abuse and neglect if they discuss the situation with the student's parents. That is not true. This policy makes the counselor's obligation to report explicit.

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Policy 4059. Suicide Prevention Training. Nebraska statute requires the Nebraska Department of Education to provide annual suicide prevention training to schools. The statute provides, "Beginning in school year 2015-16, all public school nurses, teachers, counselors, school psychologists, administrators, school social workers, and any other appropriate personnel shall receive at least one hour of suicide awareness and prevention training each year." It is up to the board to determine who constitutes "other appropriate personnel." The Department of Education's school safety center recommends that "[a]ny school staff member having contact with students" participate in this training, including "para-professionals, administrative/secretarial staff, bus drivers, custodians, kitchen staff, etc." The attached policy lists all of the staff members who are required to complete the suicide awareness training. The highlighted positions are staff members who your board ***may*** deem to be "appropriate personnel" to receive the staff. If there are positions which you determine to not be an appropriate staff member to participate in suicide awareness training, please delete it from the version of the policy that your board adopts.

Policy 4060. School Vehicle Use. This policy is optional and provides certain standards for use of school vehicles in circumstances when students are not being transported. For example, it states that drivers with certain convictions or "points" against their driver's license are not allowed to operate school vehicles. We know some insurance companies also have screening processes for staff members which determine who can drive school vehicles. You should consider this policy and the multiple options within it carefully. If you believe your insurance company's screening process is sufficient, this policy is not required. However, you should still review it to be sure.

Policy 4061. Workplace or Non-Workplace Injuries or Illness and Return to Work. This policy discusses reporting injuries both by the injured employee and any witnesses. It addresses circumstances when an employee may be given a modified or limited duty assignment or may be terminated before or after the employee is otherwise able to return to work. It also contains provisions for non-workplace injuries or illness. You can use the accompanying "Return to Work" form in most, if not all, return to work circumstances relating to workplace injury or non-workplace injury or illness.

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4001
Nondiscrimination

The School District does not discriminate on the basis of prohibited factors in employment and educational programs/activities. The School District affirmatively strives to provide equal opportunity for all as required by:

Title VI of the Civil Rights Act of 1964 - prohibits discrimination on the basis of race, color, religion, or national origin

Title VII of the Civil Rights Act of 1964 as amended - prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin

Title IX of the Education Amendments of 1972 - prohibits discrimination on the basis of sex

Age Discrimination in Employment Act of 1967 (ADEA) as amended - prohibits discrimination on the basis of age with respect to individuals who are at least 40

The Equal Pay Act of 1963 as amended - prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment

Section 504 of the Rehabilitation Act of 1973 - prohibits discrimination against the disabled

Americans with Disabilities Act of 1990 (ADA) - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications

The Family and Medical Leave Act of 1993 (FMLA) - requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons

The Pregnancy Discrimination Act of 1978 - prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions

The Uniformed Services Employment and Reemployment Rights Act (USERRA) – provides job protections and reemployment rights

Adopted on: _____
Revised on: _____
Reviewed on: _____

4002
Drug Free Workplace

It is vitally important to have a healthy workforce that is free from the effects of illegal drugs. The use or possession of unlawful drugs in the workplace has a very detrimental effect upon safety and morale of the affected employee, coworkers, and the public at large; and on productivity and the quality of work.

Federal law requires this school district, as a recipient of federal funds, to maintain a drug-free workplace. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the district's workplace is prohibited. The term "workplace" includes every location where district employees may be found during their working hours or while they are on duty, regardless of whether the location is within the geographic boundaries of the district. Any employee who violates this policy will be disciplined with measures up to and including discharge. The district may, in its sole discretion, require or allow an employee who violates this policy to participate in and satisfactorily complete a drug abuse assistance or rehabilitation program.

The district shall provide every current employee with a copy of this policy, and shall provide each newly hired employee with a copy upon hiring. Every employee shall be required to signify receipt of a copy of the policy in writing. All district employees must abide by this policy, including those who are not directly engaged in the performance of work pursuant to a federal grant.

An employee must notify his/her supervisor of any conviction of a criminal drug statute for a violation occurring in the workplace within five days. The failure to report such a conviction will be grounds for dismissal. If the employee convicted of such an offense is engaged in the performance of work pursuant to the provisions of a federal grant, the district shall notify the grant agency within 10 days of receiving notice of a conviction from the affected employee or of receiving actual notice of such a conviction.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4003
Drug Policy Regarding Drivers

Policy Statement. Drivers for the school district must be free from drug and alcohol abuse, and the use of illegal drugs or improper use of alcohol is prohibited. The overall goal of drug and alcohol testing is to insure a drug-free and alcohol-free transportation environment, and to reduce accidents, injuries and fatalities.

Types of Testing. Pursuant to regulations promulgated by the Department of Transportation (DOT), the district has implemented four types of testing: (1) pre-employment testing, (2) reasonable cause testing, (3) post-accident testing and (4) random testing.

Refusal to Submit to Testing. The refusal to submit to the testing used by the district will be grounds for refusal to hire driver applicants and to terminate the employment of existing drivers. Any driver who becomes unqualified on the basis of violation of the terms of this policy will be subject to disciplinary action which may include termination of the driver's employment.

Disqualification. Any applicant who tests positive for the presence of the following drugs is medically unqualified to drive and will not be considered for the position of driver: (1) marijuana, (2) cocaine, (3) opiates, (4) amphetamines, or (5) phencyclidine (PCP). Any district driver who tests positive shall be medically unqualified and removed from service immediately.

Pre-employment Testing. All applicants for employment must submit to drug and alcohol tests as a condition of being considered for employment.

Reasonable Cause Testing. The district shall have reasonable cause to require a driver to submit to drug testing when a driver manifests physical or physiological symptoms or reactions commonly attributed to the use of controlled substances or alcohol.

Post-Accident Testing. A driver who has been involved in a reportable accident must submit to drug and alcohol testing as soon as possible. A reportable accident includes any accident in which there is a fatality, a person is injured and must be treated away from the accident site, the driver receives a citation for a moving violation, or a vehicle is towed from the scene. The driver must notify the district immediately regarding any reportable accident.

Serious Injury to the Driver. If a driver is so seriously injured that he or she cannot submit to testing at or immediately after the time of the accident, the driver must provide the necessary authorization for the district to obtain hospital reports or other documents that would indicate whether there were controlled substances or alcohol in the driver's system.

Random Testing. All drivers will be subject to unannounced random testing for drugs and alcohol. The district or its agents will periodically select drivers at random for testing. A district official will notify a driver when his or her name has been selected and will instruct the driver to report immediately for testing. By its very nature, random selection may result in one driver being tested more than once in a 12-month period, while another driver may not be selected at all during the same 12 months.

Frequency of Random Testing. Under DOT regulations, the district must test at least 50 percent of its average number of driver positions for drugs and 25 percent of its average number of driver positions for alcohol each year. The tests must be unannounced and spread evenly throughout the year. DOT regulations also require that every driver selected at random must have his or her name placed back in the random pool for the next selection period.

Testing Procedure. All urine and blood specimens collected under the policy will be submitted to an approved laboratory for testing. Specimens that initially test positive for drugs will be subjected to a subsequent confirmation test before being reported by the laboratory as positive.

Medical Resource Officer. All laboratory test results will be reported by the laboratory to a medical review officer (MRO) designated by the district. Negative test results will be reported as such by the MRO to the district. Before reporting a positive test result to the district, the MRO will attempt to contact the driver to discuss the test result. If the MRO is unable to contact the driver directly, the MRO will contact a district official designated in advance by the district, who shall in turn contact the driver and direct the driver to contact the MRO. Upon being so directed, the driver shall contact the MRO immediately or, if after the MRO's business hours and the MRO is unavailable, at the start of the MRO's next business day.

Confidentiality. Pursuant to DOT regulations, individual test results for applicants and drivers will be released to the district and will be kept confidential unless the tested individual consents to their release. Any person who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon timely written request.

Retesting. An individual who tested positive for the presence of drugs may request that the original sample be retested. The request for a retest must be submitted in writing on a form provided by the district within 3 working days of the district's notification to the individual that he or she has a positive test result. The individual making the request must pay all costs associated with the retest and transfer of the sample to another laboratory before the retest will be performed.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4004
Employment of Relatives, Domestic Partners and Significant Others

It is in the school district's best interest to hire the best qualified candidate for employment. However, the district must use sound judgment in hiring and placing employees who are closely related, reside together as domestic partners, or are involved in close relationships for the following reasons: avoiding conflict of interest and the appearance of a conflict of interest; avoiding favoritism and the appearance of favoritism; promoting collegiality among employees; minimizing lost productivity; easing the task of managing employees; avoiding friction and conflict when marriages or relationships break down; and avoiding claims of sexual harassment.

For the purposes of this policy, the term "relative" refers to a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or "step" relation. "Domestic partner" refers to individuals who reside in the same household and are involved in a relationship, who may hold themselves out to the public as marital partners, but who are not legally married. "Significant others" refers to individuals who are dating or engaged to be married but may or may not reside together. This policy applies to all categories of employment including regular, temporary, and part-time classifications.

Generally, an employee's relative, domestic partner, or significant other should not be hired to work in the same department as the employee or in any other position in which the district believes a conflict or the appearance of a conflict may exist. Relatives, domestic partners, and significant others are permitted to work at the district provided one does not report directly to, supervise, or manage the other. The superintendent and/or board may make exceptions to this general rule.

Employees in a supervisory-subordinate relationship or employed in the same department who marry, become domestic partners, or become significant others while employed will be treated in accordance with these guidelines, and one of the employees will be transferred at the earliest practicable time. The transfer will be voluntary when possible. When a voluntary transfer is not possible, the superintendent will make the decision based upon the importance of each job, the needs of the district, and the availability of candidates to fill either position. The district shall endeavor to place the transferred employee in a position which is similar in terms of pay and benefits. The superintendent and/or board may make exceptions to this general rule.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4005
Communication Between the Board and District Employees

Employees have the same right to communicate with the board about matters of public concern as other patrons of the district. Regarding employment-related issues, employees must follow the applicable board policies and/or contractual procedures regarding the administrative chain of command, complaints, grievances and other applicable processes.

When appropriate, the superintendent shall inform employees of official board policies, directives, actions and concerns.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4006
Insurance

The school district shall provide workers' compensation insurance for the protection of the district and its employees, and such other insurance as the board deems appropriate or has agreed to provide pursuant to a contract or collective bargaining agreement.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4007
Personnel Records

The district shall maintain a personnel file regarding each employee. All materials in a personnel file, except for employment references and information that was gathered in the process of assessing an applicant for hiring, shall be available to the employee for review within a reasonable period of time of the employee's request. Employees (or individuals to whom employees have given written authorization) may inspect the contents of their personnel files only in the presence of an administrator or a person designated by the administration.

An employee may respond to any document(s) in his or her personnel file by submitting a written response to the person responsible for keeping the file, who shall attach the response to file copies of the disputed document.

No person other than school officials engaged in their professional duties shall be granted access to employees' personnel files, and the contents of such files shall not be divulged in any manner to any unauthorized person. An attorney acting on behalf of the board of education or administration is deemed to be a school official.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4008
Outside Employment

1. An employee's responsibilities to the district take precedence over personal responsibilities during school hours. Employees may not engage in other employment business activity during assigned duty hours.

2. Tutoring

   a. Teachers are expected to assist students who are having learning problems as part of the teachers' employment. Such assistance is expected both in the classroom and at other times during the school day.

   b. A teacher shall not solicit a student or parent to retain the teacher as a tutor and shall not act as a tutor for pay or other remuneration for any student who is then enrolled in any class taught by that teacher.

   c. In all other cases during the school year, a teacher may act as a tutor for pay or other remuneration upon prior approval of the building principal and superintendent or designee.

3. Employees shall attend to personal matters outside their assigned duty hours with the district whenever possible.

4. Employees may conduct business on behalf of the district during assigned duty hours, but at times that do not disrupt or interfere with teaching responsibilities or student activities.

5. Employees shall not misrepresent, either expressly or by implication, that any activity, solicitation, or other endeavor is sponsored, sanctioned, or endorsed by the district.

6. In any written or verbal presentation by an employee that might be perceived as being sanctioned, sponsored, or endorsed by the district, other than district-related instruction or presentation to district students or personnel, the employee shall communicate to the audience or recipients that the views expressed are those of the employee and not necessarily those of the district or board.

7. Sale of goods or services by employees.

a. Employees shall not sell, solicit or promote the sale of goods or services to students.

b. Employees shall not sell, solicit or promote the sale of goods or services to parents of students when the employee's relationship with the district is used to influence any sale or may be reasonably perceived by parents as attempting to influence any sale.

c. Employees with supervisory or managerial responsibilities shall not sell, solicit or promote the sale of goods or services to employees over whom they have such responsibilities in any manner that could reasonably be perceived as coercive by the subordinate employee(s).

d. Employees shall not use employee, student, or parent directories in connection with the solicitation, sale, or promotion of goods or services and shall not provide any such directory to any person or entity for any purpose without the prior knowledge or approval of the building principal.

8. No school board member, administrator, teacher, or other employee shall use the personnel, facilities, resources, equipment, property, or funds of the district for personal financial gain or business activities.

9. All written or artistic works, instructional materials, inventions, procedures, ideas, innovations, systems, programs, or other work product created or developed by any employee in the course and scope of performance of his or her employment duties on behalf of the district, whether published or not, shall be the exclusive property of the district; and the district has the sole right to sell, license, assign, or transfer any and all right, title, or interest in and to such property.

10. Staff may not exploit their professional relationships for personal gain.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4009
Restrictions on Employees Receiving Gratuities

An employee who, because of his or her employment by the school district, receives any bonus merchandise or gift with a value over $ 50.00 must disclose the receipt of such gift to the superintendent, who will then report that gift to the board. The superintendent, at his or her discretion, may require that the gift become the property of the district. No certificated staff member may accept any gift which will impair the professional judgment of the recipient.

Employees are directed to discourage merchants from offering bonus paraphernalia in exchange for the school's patronage.

Adopted on: _____
Revised on: _____
Reviewed on: _____

NOTE TO BE DELETED: PICK OPTION A OR OPTION B AND DELETE THE OPTION NOT USED

4010
[Option A] Inclement Weather

Unless the superintendent directs otherwise, the following personnel shall report to work when school is canceled because of inclement weather: the superintendent, principals, secretaries, and custodians/maintenance staff.

If school is canceled during the day because of inclement weather, classified and certified personnel not listed above may be released after students have been excused. Classified and certified personnel who miss work due to inclement weather when school is in session will not be paid for time missed or will be charged an applicable leave day.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4010
[Option B] Inclement Weather

Unless the superintendent directs otherwise, staff shall not be required to report when school is canceled due to inclement weather.

If school is canceled during the day because of inclement weather, classified and certified personnel may be released after students have been excused. Classified and certified personnel who miss work due to inclement weather when school is in session will not be paid for time missed or will be charged an applicable leave day.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4011
Employee Leave Under the Family and Medical Leave Act (FMLA)

The school district shall provide leave to its employees in accordance with the Family and Medical Leave Act ("FMLA"). The terms used herein shall have the meaning ascribed to them under the FMLA. Employees may also qualify for leave under the Nebraska Family Military Leave Act, which is covered under the district's policy for that law. If an employee qualifies for leave under both the Family and Medical Leave Act and the Nebraska Military Leave Act, any leave taken by the employee will count concurrently toward the leave limits of both acts.

I. Qualifying for Leave

A. Qualified Employees

1. To be eligible for ***unpaid*** leave under this policy, an employee must:

    a. Make the request for leave at a time when the school district employs 50 or more workers;

    b. Have been working for the school district for at least 12 months prior to the request; and

    c. Have worked a minimum of 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

2. The applicable 12-month period for computing an employee's entitlement to FMLA leave shall be the 12-month period measured forward from the date such employee's first FMLA leave begins.

3. Employees ineligible for FMLA leave for any reason may be eligible for leave under the Nebraska Family Military Leave Act and should consult policy 4011.1.

B. Qualified Circumstances Necessitating Leave

1. The school district will grant an eligible employee up to a total of 12 workweeks of ***unpaid*** leave under the following conditions:

   a. For birth of a son or daughter, and to care for the newborn child;

   b. For placement of a son or daughter with the employee for adoption or foster care;

   c. To care for the employee's spouse, son, daughter, or parent with a serious health condition;

   d. Because of a serious health condition that makes the employee unable to perform the functions of his or her job;

   e. Because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a Military Member on Covered Active Duty (or has been notified of an impending call or order to Covered Active Duty) in National Guard, Reserves, and/or Regular Armed Forces in support of a contingency operation; or

2. The school district will grant an eligible employee who is the spouse, son, daughter, parent or next of kin of a Covered Servicemember a total of 26 workweeks of ***unpaid*** leave during a 12-month period to care for the service member as permitted under the FMLA. The leave described in this paragraph shall only be available during a single 12-month period.

   For purposes of this provision and this policy, "Covered Servicemember" includes both Military Members and covered Veterans, so long as the covered Veteran was discharged or released under conditions other than dishonorable at any

time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered Veteran.

3. During the single 12-month period described in paragraph I(B)(2), an eligible employee shall be entitled to a combined total of 26 workweeks of leave under paragraphs I(B)(1) and I(B)(2). Nothing in this paragraph shall limit the availability of leave under paragraph I(B)(1) during any other 12-month period.

C. Limitations on Leave

1. Leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement.

2. In any case in which a husband and wife both employed by the school district are entitled to FMLA leave:

   a. The aggregate number of workweeks of FMLA leave to which both are entitled is limited to 12 during any 12-month period if such leave is taken (i) because of the birth of a son or daughter of the employee and in order to care for such son or daughter; (ii) because of the placement of a son or daughter with the employee for adoption or foster care; or (iii) to care for a sick parent who has a serious health condition; and

   b. The aggregate number of workweeks of FMLA leave to which both that husband and wife are entitled is limited to 26 during the single 12-month period in which leave is taken to care for a Covered Servicemember and the husband and wife employees are both either the son, daughter, parent, or next of kin of such Covered Servicemember, if the leave is

taken for this reason or a combination of this reason and one of the three reasons described in paragraph I(C)(2)(a). If the leave taken by the husband and wife includes leave described in paragraph I(C)(2)(a), the limitation in paragraph I(C)(2)(a) shall apply to the leave described in I(C)(2)(a).

D. Qualifying Notice and Certification

Employees seeking to use FMLA leave will be required to provide:

1. 30-day advance notice when the need to take the leave is foreseeable; provided, if (a) the leave is for needed treatment which is required to begin in less than thirty days or (b) the leave is for the reason set forth in paragraph I(B)(1)(e), the employee shall provide such notice to the school district as is reasonable and practical;

2. Medical certification supporting the need for leave due to a Serious Health Condition affecting the employee or family member or to care for a Military Member, and/or due to a Serious Injury or Illness to care for a Veteran;

3. Second or third medical opinions and periodic re-certifications (at the school district's expense);

4. Certification supporting the need for leave because of a qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a Military Member on Covered Active Duty (or has been notified of an impending call or order to Covered Active Duty) in the National Guard, Reserves, and/or Regular Armed Forces in support of a contingency operation;

5. Certification supporting the need for leave to care for a Veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered Veteran, and who is undergoing medical treatment, recuperation, or therapy for a Serious Injury or Illness; and

6. Periodic reports during leave, at a frequency reasonably requested by the superintendent, regarding the employee's status and intent to return to work.

E. Scheduling Leave

When leave is needed to care for a family member, for the employee's own illness, or to care for a Covered Servicemember, and such leave is foreseeable based on planned medical treatment, the employee must attempt to schedule treatment so as not to unduly disrupt the school district's operations.

II. Relationship with District During Leave

A. Leave to Be Unpaid

All leave provided to employees under the provisions of the FMLA and this policy shall be unpaid leave.

B. Substitution of Paid Leave

1. The school district requires employees to substitute any accrued paid vacation leave, paid personal leave, paid family leave, paid medical leave or paid sick leave for FMLA leave. However, nothing in this policy shall require the school district to provide paid sick or medical leave in any situation in which the school district would not normally provide such paid leave.

2. If an employee uses paid leave under circumstances which do not qualify as FMLA

leave, the leave will not count against the number of workweeks of FMLA leave to which the employee is entitled.

3. Any paid leave which is substituted for FMLA leave will be subtracted from the number of workweeks of unpaid leave provided by the FMLA and this policy.

C. Group Health Plan Benefits

1. The school district will continue group health plan benefits on the same basis as coverage would have been provided if the employee had been continuously employed during the FMLA leave period.

2. Any share of health plan premiums which have been paid by the employee prior to FMLA leave must continue to be paid by the employee during the FMLA leave period.

D. Intermittent or Reduced-Schedule Leave

1. Leave may be taken under this policy intermittently or on a reduced-leave schedule under certain circumstances.

   a. When leave is taken because of a birth or because of a placement of a child for adoption or foster care, an eligible employee may take leave intermittently or on a reduced-leave schedule only with the agreement of the school district. In such a case, the superintendent shall have the authority to approve or disapprove such intermittent or reduced leave schedule, in the superintendent's sole discretion.

   b. When leave is taken to care for a sick family member, for an employee's own serious health condition, or to care for a covered Veteran or Military Member, an

eligible employee may take leave intermittently or on a reduced-leave schedule when medically necessary.

c. When leave is taken by an eligible employee because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a Military Member on Covered Active Duty (or has been notified of an impending call or order to Covered Active Duty) in National Guard, Reserves, and/or Regular Armed Forces in support of a contingency operation, the employee may take leave intermittently or on a reduced-leave schedule.

d. When leave is taken by an eligible employee to care for a Covered Servicemember, including a Veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered Veteran, and who is undergoing medical treatment, recuperation, or therapy for a Serious Injury or Illness

e. Intermittent or reduced leave shall not result in a reduction in the employee's total amount of leave beyond the amount of leave actually taken.

f. When an instructional employee seeks to take intermittent leave in connection with a family or personal illness (e.g. physical therapy or periodic care for a sick relative) or to care for a covered Veteran or Military Member, and when such leave would constitute at least 20 percent of the total number of working days in the period during which the leave would extend, the school district may require the employee

to elect to take leave in a block, instead of intermittently, for the entire period or to transfer to an available alternative position within the school system that is equivalent in pay, for which the employee is qualified, and which better accommodates the intermittent leave.

2. If an eligible employee requests intermittent leave or leave on a reduced-leave schedule that is foreseeable based on planned medical treatment, including during a period of recovery from a serious health condition, the school district may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position. Such alternative position must have equivalent pay and benefits as the employee's permanent position.

3. Leave taken on an intermittent or reduced-schedule basis will be tracked hourly.

III. Return from Leave

A. Restoration to Position

1. On return from FMLA leave, an employee is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

2. Any leave taken under this policy will not result in the loss of any employment benefits accrued prior to the date on which the leave commenced.

3. An eligible employee is not entitled to accrual of any seniority or employment benefits during any period of leave, or any right, benefit, or

position of employment other than to which the employee would have been entitled had the employee not taken leave.

B. Denial of Restoration

1. The school district reserves the right to deny restoration to any eligible employee who is a "key employee" (that is an employee who is salaried and among the highest paid 10% of the employees of the school district) if such denial is necessary to prevent substantial and grievous economic injury to the operations of the school district.

2. If the school district intends to deny restoration to such an employee, it will:

   a. notify the employee of his/her status as a "key employee" in response to the employee's notice of intent to take FMLA leave;

   b. notify the employee as soon as the school district decides it will deny job restoration and explain the reasons for this decision;

   c. offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice; and

   d. make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration.

C. Failure to Return from Leave

   a. If an employee fails to return from FMLA leave after the period of leave to which the employee is entitled has expired, the employee shall reimburse the district for any premiums the employer paid for

maintaining health insurance coverage for the employee during the employee's FMLA leave unless the reason the employee does not return is due to: (1) the continuation, recurrence, or onset of the serious health condition which entitled the employee to FMLA leave and the employee provides the district with sufficient certification from the proper health care provider of such continuation, recurrence, or onset of the serious health condition or (2) other circumstances beyond the employee's control.

IV. Notice to Employees

A. The school district will post in conspicuous places where employees are employed notices explaining the FMLA and providing information concerning the procedures for filing complaints of FMLA violations with the U.S. Wage and Hour Division.

B. When an employee provides notice of the need for FMLA leave, the school district shall provide the employee with a copy of the "section 301(c) notice" which is attached to this policy.

C. To the extent that any provision in this policy is in any manner inconsistent with the provisions of the Act or the regulations promulgated thereunder, the Act and regulations shall prevail over the provisions of this policy. The school district reserves the right to modify this policy from time to time in its sole discretion.

D. Employees may direct any questions or concerns regarding FMLA leave to the superintendent.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4011.1
Nebraska Family Military Leave Act

The school district shall provide leave to its employees in accordance with the Nebraska Family Military Leave Act (NFMLA). The terms used herein shall have the meaning ascribed to them under the NFMLA. Employees may also qualify for leave under the Family and Medical Leave Act (FMLA), which is detailed in the district's FMLA policy. If an employee qualifies for leave under both the FMLA and NFMLA, any leave taken by the employee will count concurrently toward the leave limits of both.

I. Qualifying for Leave

A. Qualified Employees

To be eligible for unpaid leave under the NFMLA, an employee must:

1. Have been working for the school district for at least 12 months prior to the request; and

2. Have worked a minimum of 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

B. Qualified Circumstances for Requesting Leave

The school district will grant a qualified employee up to a total of 30 days of unpaid leave if:

1. The employee is the spouse or parent of a person called to military service lasting 179 days or longer with the state or United States pursuant to orders of the Governor or the President of the United States and;

2. The leave is scheduled to be taken during the time federal or state deployment orders are in effect.

C. Qualifying Notice and Certification

Employees seeking to use the NFMLA will be required to provide:

a. A consultation with the District to schedule leave so as not to unduly disrupt the operations of the school.

b. Certification from the proper military authority to verify the employee's eligibility for the family military leave requested.

c. 14-day advance notice of the intended date upon which the leave will begin, if leave will consist of five or more work days.

d. As much advance notice as possible of the intended date upon which the leave will commence, if leave will consist of less than five work days.

II. Relationship with District During Leave

A. Leave to Be Unpaid

All leave provided to employees under the provisions of the NFMLA and this policy shall be unpaid leave.

B. Benefits

1. Taking leave under the NFMLA shall not result in the loss of any employee benefit accrued before the date on which the leave commenced.

2. Any employee who takes leave under the NFMLA will be permitted to continue their benefits at their own expense.

3. Payment for benefits must be made to the district in advance of the date on which they are due. For example, if health insurance premiums are paid to the carrier by the district on the 1st of the month, the employee taking leave under the NFMLA must provide

the full cost of the premium to the district prior to that date. Failure to provide the full costs for all benefits the employee wishes to continue in advance of their due date may result in cancellation of benefits as permitted by law.

III. Return from Leave

A. Restoration to Position

1. Any employee who exercises the right to leave under the NFMLA shall be restored by the district to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment.

2. This section does not apply if the district proves that the employee was not restored because of conditions unrelated to the employee's exercise of rights under the NFMLA.

B. Failure to Return

If an employee fails to return after the period of leave to which the employee is entitled has expired, and no additional qualifications for leave exist, the employee will be subject to the district's policies governing unexcused absences up to and including termination of employment.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4012
Staff Internet and Computer Use

Internet access is an important tool for communicating, keeping up-to-date with current developments in education, and for conducting research to enhance management, teaching and learning skills. The following procedures and guidelines are intended to ensure appropriate use of the Internet at the school by the district's faculty and staff. Staff should also refer to the district's policy on Staff and District Social Media Use.

I. Staff Expectations in Use of the Internet

A. Acceptable Use While on Duty or on School Property

1. Staff shall be restricted to use the Internet to conduct research for instructional purposes.

2. Staff may use the Internet for school-related e-mail communication with fellow educators, students, parents, and patrons.

3. Staff may use the Internet in any other way which serves a legitimate educational purpose and that is consistent with district policy and good professional judgment.

4. Teachers should integrate the use of electronic resources into the classroom. As the quality and integrity of content on the Internet is not guaranteed, teachers must examine the source of the information and provide guidance to students on evaluating the quality of information they may encounter on the Internet.

B. Unacceptable Use While on Duty or on School Property

1. Staff shall not access obscene or pornographic material.

2. Staff shall not engage in any illegal activities on school computers, including the downloading and reproduction of copyrighted materials.

3. Staff shall not use school computers or district internet access to use peer-to-peer sharing systems such as BitTorrent, or participate in any activity which interferes with the staff member's ability to perform their assigned duties.

4. The only political advocacy allowed by staff on school computers or district internet access is that which is permitted by the Political Accountability and Disclosure Act and complies with district policy.

5. Staff shall not share their passwords with anyone, including students, volunteers or fellow employees.

II. School Affiliated Websites

Staff must obtain the permission of the administration prior to creating or publishing any school-affiliated web page which represents itself to be school-related, or which could be reasonably understood to be school-related. This includes any website which identifies the school district by name or which uses the school's mascot name or image.

Staff must provide administrators with the username and password for all school-affiliated web pages and must only publish content appropriate for the school setting. Staff must also comply with all board policies in their school-affiliated websites and must comply with the board's policy on professional boundaries between staff and students at all times and in all contexts.

Publication of student work or personality-identifiable student information on the Internet may violate the Federal Education Records Privacy Act. Staff must obtain the consent of their building principal or the superintendent prior to posting any student-related information on the Internet.

III. Enforcement

A. Methods of Enforcement

The district owns the computer system and monitors e-mail and Internet communications, Internet usage, and patterns of Internet usage. Staff members have no right of privacy in any electronic

communications or files, which are stored or accessed on or using school property and these are subject to search and inspection at any time.

1. The district uses a technology protection measure that blocks access to some sites that are not in accordance with the district's policy. Standard use of the Internet utilizes a proxy server-based filter that screens for non-curriculum related pages.

2. Due to the nature of technology, the filter may sometimes block pages that are appropriate for staff research. The system administrator may override the technology protection measures that blocks or filters Internet access for staff access to a site with legitimate educational value that is wrongly blocked.

3. The district will monitor staff use of the Internet by monitoring Internet use history to ensure enforcement of this policy.

B. **Any violation of school policy and rules may result in that staff member facing:**

1. Discharge from employment or such other discipline as the administration and/or the board deem appropriate;

2. The filing of a complaint with the Commissioner of Education alleging unprofessional conduct by a certified staff member;

3. When appropriate, the involvement of law enforcement agencies in investigating and prosecuting wrongdoing.

IV. Off-Duty Personal Use

School employees may use the internet, school computers, and other school technology while not on duty for personal use as long as such use is (1) consistent with other district policies, (2) consistent with the provisions of Title 92, Nebraska Administrative Code, Chapter 27 (Nebraska Department of Education "Rule 27"), and (3) is reported as compensation in accordance with the Internal Revenue Code of 1986,

as amended, and taxes, if any, are paid. All of the provisions of Rule 27 will apply to non-certificated staff for the purposes of this policy. In addition, employees may not use the school's internet, computers, or other technology to access obscene or pornographic material, sext, or engage in any illegal activities.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4013
Grievance Procedure

Definition of Grievance. A grievance is an allegation by an employee or group of employees that there has been a violation of a provision of the negotiated agreement or a policy of the board of education.

Procedural Steps. The procedure for handling grievances is as set forth below.

Step 1 - Oral Notice to Principal. The grievant shall initiate the grievance by presenting it to his or her principal or immediate supervisor within seven (7) days from the date that the grievant knew or should have known of the incident giving rise to the grievance.

Step 2 - Written Grievance to the Principal. If the grievance is not resolved to the satisfaction of the grievant within five (5) days of the meeting with the principal, the grievant representative may present the grievance in writing to the principal.

The principal shall schedule a meeting within three (3) days of receipt of the written grievance to discuss the elements of the grievance. The principal shall submit his or her determination in writing to the grievant within five (5) days of the meeting.

Step 3 - Written Appeal to the Superintendent of Schools. If the determination of the principal is not satisfactory to the grievant, the grievant may appeal it to the superintendent of schools or his or her designated representative. Said appeal shall be presented, in writing, to the office of the superintendent of schools within five (5) days of receipt of the principal's determination.

The superintendent of schools or a designee shall hold a formal meeting within seven (7) days of receiving the written appeal. The superintendent of schools or a designated representative shall make a written determination regarding the grievance within five (5) days of the date of the meeting.

Step 4 - Appeal to the Board of Education. If the determination of the superintendent of schools is not satisfactory to the grievant, the grievant may appeal it to the board within five (5) days of receipt of the superintendent's decision. The board

shall hear the grievance within thirty (30) days in open or closed session in accordance with the law. The board shall notify the grievant of its decision within five (5) days of hearing the grievance.

Written Presentation. All grievances presented at Step 2 and subsequent steps of the procedure shall set forth in writing all facts giving rise to the grievance, the provision(s) of the Agreement or policy alleged to have been violated, the names of the grievant(s), the names of all witnesses, and the remedy sought by the grievant. All grievances at Step 2 and appeals at Step 3 and Step 4 shall be signed and dated by the aggrieved employee. All written answers submitted by the district shall be signed and dated by the appropriate district representative.

Grievance Meetings or Hearings. All meetings and hearings conducted under this procedure up to and including Step 3 shall be conducted in private and shall include only the administration's representatives, the grievant, the grievant's representatives, and witnesses as necessary.

Association Representation. A grievant shall have the right to have an Association representative present to represent the grievant at each level of the grievance procedure.

Reprisals. No reprisals of any kind shall be taken against any employee who uses this grievance procedure in good faith.

Withdrawal of a Grievance. A grievant may withdraw his or her grievance at any level of the procedure without fear of reprisal from any party.

Advanced Step Filing. A grievance shall be filed initially at the level at which the decision resulting in the grievance was made.

Time Limitations. Time limitations herein are critical. All references to days are to calendar days. No grievance shall be accepted by the district unless it is submitted or appealed within the time limits set forth in this Agreement. If at any time during the grievance process, it is discovered that the grievance was not filed or appealed in a timely manner, the grievance shall be dismissed. If the grievance is not submitted in a timely manner at Step 1 or Step 2, it shall be deemed to be waived. If the grievance is not appealed to Step 3 in a timely manner, it shall be deemed to have been settled in accordance with the

district's Step 2 determination. If the district fails to answer within the time limits set forth in this Agreement, the grievance shall automatically proceed to the next step.

When the deadline for taking an action falls on a Saturday, a Sunday or a legal holiday, the time for taking the action shall be extended to the next working day.

Requirement to Grieve. This grievance procedure is not discretionary and cannot be waived except through the express written consent of the board. No administrator or board member, individually, has the authority to waive the requirements of this procedure. Any grievance covered by this procedure but not raised pursuant to the requirements herein, including any grievance abandoned, will be forfeited.

Bad Faith or Serial Filings. The purpose of the grievance procedure is to resolve complaints and grievances regarding covered matters at the lowest level possible within the chain of command. Grievances filed without any intention to attempt to resolve the issues raised; for the purpose of adding administrative burden; or for purposes inconsistent with the professional obligations of district staff members may be dismissed by the superintendent without providing final resolution other than noting the dismissal on a basis in this section.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4014
Employment-Related Sexual Harassment

It is the policy of the school district to provide an environment free of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication constituting sexual harassment. Sexual harassment by any employees and students is unequivocally prohibited. Sexual harassment is misconduct that interferes with work productivity and wrongfully deprives employees of the opportunity to work and students of the opportunity to study and be in an environment free from unsolicited and unwelcome sexual overtones. Sexual harassment includes all unwelcome sexual advances, requests for sexual favors and other such verbal or physical misconduct. Sexual harassment is a prohibited practice and is a violation of the law.

The U.S. Equal Employment Opportunity Commission has issued guidelines interpreting Section 703 of Title VII as prohibiting sexual harassment. Sexual harassment is defined in those guidelines as follows:

> Unwelcome sexual advances, requests for sexual favors, and other verbal or physical misconduct of a sexual nature constitutes sexual harassment when:
>
> (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
>
> (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
>
> (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

A person who feels harassed is encouraged to inform the person engaging in sexually harassing conduct or communication directly that the conduct or communication is offensive and must stop. If the person who feels harassed does not wish to communicate directly with the person whose conduct or communication is offensive, or if direct communication with the offending person has been ineffective, the person who feels harassed should report the conduct or communication

using the district's complaint policy. Complaints involving sexual harassment may also be submitted at any time to the district's Title IX coordinator.

Regardless of the means selected for resolving the problem, the good faith initiation of a complaint of sexual harassment will not affect the complainant's employment, compensation or work assignments as an employee, or status as a student.

Sexual harassment of students is addressed in a separate policy.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4015
Prohibition Against Employment of Board Members

Nebraska statutes prohibit board members from serving as a teacher on a regular teaching contract.

The board will allow a member of the board of education to be employed by the school district in a non-teaching capacity, including substitute teaching. Board members who are also employed by the district are strictly prohibited from discussing any issue with students, staff or parents in their capacity as an employee that may come before the board.

This policy does not prohibit the board from contracting with members of the board for services or products when the relationship is not one of employer/employee and such contracts are in compliance with the requirements of statute and board policy regarding conflicts of interest.

4015
Prohibition Against Employment of Board Members

Nebraska statutes recognize the inherent conflict of interest that is created when a member of the board of education serves as a certificated employee of the district. Consequently, section 79-544 of the statutes prohibits a board member from being engaged in a contract to teach pursuant to sections 79-817 through 79-821 with the school district where he or she also serves on the board.

A conflict of interest is also created when a board member serves simultaneously as both a board member and an employee in any capacity, whether certified or non-certified. Therefore, a board member shall not be employed by the school district when serving on the board. If an employee is elected or appointed to the board, his or her employment shall be terminated upon being seated on the board. Because of the conflict that is created by a board member applying for employment while sitting on the board, a board member who wishes to apply for employment shall be required to resign from the board before applying.

This policy does not prohibit the board from contracting with members of the board for services or products when the relationship is not one of employer/employee and such contracts are in compliance with the requirements of statute and board policy regarding conflicts of interest.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4016
Jury Duty/Service as Witness in Court

An employee who has been called to serve as a juror will be granted paid leave. Employees must sign over to the district the compensation they receive for jury duty, but not compensation for expenses.

An employee who has been subpoenaed to testify as a witness in a court proceeding shall be entitled to one day of paid leave. To receive paid leave, the employee must sign over to the district his or her witness fee.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4017
Relations with Employee Collective Bargaining Associations

The board of education recognizes the right of staff members to belong to organizations for bargaining purposes pursuant to state statutes. The board will negotiate with employee associations that have been established in accordance with public employee bargaining statutes and will negotiate with local collective bargaining unit representatives at mutually agreeable times.

To facilitate an amicable relationship between the district and any local employee associations, the district will allow associations to make reasonable use of district facilities for meetings outside the school's and the employees' work hours. With administrative approval, associations may use district resources, post notices of meetings and other information on bulletin boards designated for this purpose, and use district e-mail and mail boxes for delivery of employment-related information. Associations must pay for all supplies used, damage caused, or the loss or theft of borrowed property.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4018
Corporal Punishment

Corporal punishment, defined as the infliction of bodily pain as a penalty for disapproved behavior, is prohibited. Some physical contact is inevitable, and most of it is appropriate. Therefore, physical contact, short of corporal punishment, is acceptable to promote personal interaction with students, to maintain order and control, and to protect persons and property.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4019
Workplace Injury Prevention and Safety Committee

The school district is committed to providing and maintaining a safe work environment, and to taking reasonable precautions for the safety of the students, employees, visitors, and all others having business with this school district. Every employee district should show concern for the safety of fellow employees, students, and members of the public. The district shall have a safety committee as required by Nebraska law. Members of the safety committee shall be established through the collective bargaining process.

The committee shall adopt and maintain a written injury prevention program. The committee shall participate in the development of safety education, training, and the establishment of safety rules, policies and procedures pursuant to this policy, the district's written injury prevention program, or as otherwise provided by law. Training for employees shall be conducted annually.

The workplace injury prevention and safety committee shall maintain minutes of all meetings and file them in the district office. The committee shall implement accident investigation, record keeping procedures, safety rules, safety and health training, and policies. The district shall maintain records for at least three years, or longer if directed by the Department of Labor.

The committee shall meet at least once every three months or more frequently in the event of an employee complaint or of a job-related injury or death. The workplace injury prevention and safety committee shall keep written minutes of all meetings, and provide a copy to the superintendent or designee who shall maintain the minutes in the district's administrative offices for a period of at least three years, unless otherwise instructed by the Department of Labor.

The workplace injury prevention and safety committee shall develop an injury prevention plan and present it to the board. The plan should be developed and presented in the spirit of employees working together in a cooperative, non-adversarial effort to promote safety at the work sites within the district.

The superintendent or designee shall assure that the safety training for employees is reviewed annually or more frequently, if needed. He or she shall provide the following, as set forth in the initial written Employer's Injury Prevention Plan:

1. Initial safety orientation on rules, policies, and job specific procedures for new employees or employees who are assuming new and different duties within the school district, if appropriate.
2. Job specific training for employees before they perform potential hazardous work.
3. Periodic refresher training and dissemination of information on an annual basis, or more frequently if so designated by the administrator, for employees regarding the injury prevention plan of the unit and safety rules, policies, and procedures pertaining to safety within the school district.

In the event of a death in the workplace, the workplace injury prevention and safety committee shall forward to the Department of Labor within 15 working days a copy of any review of the matter made by the workplace injury prevention and safety committee.

The superintendent or designee shall establish or cause to be established record-keeping procedures to control and maintain all accident and injury records pertaining to accidents and injuries within the district or activities under the control of the district. Such records shall be kept for at least three years, or longer if so advised by the Department of Labor.

The workplace injury prevention and safety committee will confer with the district's crisis team and shall review the district's All-Hazard School Safety Plan upon its adoption by the crisis team.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4020
Ownership of Copyrighted Works

Works created by district employees in the course and scope of their employment remain the property of the district. The board may enter into a written agreement with a staff member allowing the staff member to share ownership of a copyright in the covered work. The board will only enter into such an agreement if the written work was created apart from, and in addition to, what the district requires and if the district will not incur an expense to replace the work.

The board hereby expressly grants to other educational entities located within Nebraska a non-exclusive license to use the district's copyrighted works for educational purposes within Nebraska when those works have been placed onto collaborative learning systems within the State.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4022
Certification and Endorsements

All educators must be duly certified by the Nebraska Department of Education in accordance with the Department's rules and the laws of Nebraska. They must file copies of their teaching certificates, including endorsements, with the superintendent of schools, and must promptly file any changes in certification or endorsements. Certified employees are required to maintain all their endorsements, and may not permit any endorsement to lapse or remove it from their certificates. The board or superintendent may require a certified employee to obtain a new endorsement when it is deemed necessary for the benefit of the school district and/or to comply with federal or state requirements.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4023
Professional Ethics

The Regulations and Standards for Professional Practices Criteria, commonly known as Rule 27 of the Nebraska Department of Education, are the minimum standards for all certificated staff members of the school district. All certificated employees are responsible for reading, understanding, and complying with these standards.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4024
Teachers' Rights, Responsibilities and Duties

All certificated employees shall assume the duties and responsibilities assigned by the superintendent or designee. Teachers' professional responsibilities involve considerably more than merely classroom instruction. They include, but are not limited to, study and research to keep abreast of new knowledge and instructional techniques; assessment of students' work; record-keeping; lesson planning and preparation; conferences with students, parents and administrators; in-service meetings; and supervision of pupils outside the classroom.

Teachers must be in their classrooms or assigned areas as instructed by the building principal. All duty time is necessary for educational planning, preparation, and conferences with students, parents and faculty members.

All teachers must maintain a standard of dress, personal appearance, general decorum, moral standards and behavior that reflects their professional status in the community.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4025
Superintendent

The superintendent is hired by and shall report directly to the board of education. The superintendent will be the chief administrative officer of the board of education and shall keep the board informed on important issues. The board delegates to the superintendent the general power and authority to make necessary decisions to ensure the efficient and effective operations of the school.

The superintendent is charged with timely preparing, presenting, and filing an annual school budget, subject to the approval of the board at the annual budget hearing.

All school employees shall be under the direct and/or delegated supervision of the superintendent. The board delegates to the superintendent the authority to hire and terminate the employment of all classified staff. He or she shall review all certified and non-certified employees applying for vacancies and shall make recommendations regarding these employees.

All of the grounds and buildings are supervised by the superintendent, including necessary repairs and improvements unless the board is required to approve such repairs or improvements.

The superintendents other duties shall be included in his or her job description, contract, or as otherwise assigned by the board.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4027
Part-Time Certified Employees

Percentage of Time. The percentage of time that a teacher works will be determined by calculating the amount of time that the teacher is required to be at school to teach or supervise classes, plus any assigned preparation time, as a percentage of the entire school day. Extracurricular assignments shall not be considered in determining a teacher's percentage of time. Part-time and temporary teachers may or may not be assigned preparation time, at the sole discretion of the board of education, upon the recommendation of the superintendent of schools.

Acquiring Permanent Status. A part-time teacher may become a permanent certificated employee pursuant to the provisions of state statutes.

Salary. The salary, benefits and leave entitlement of a part-time teacher shall be determined by reference to the negotiated agreement between the district and the teacher's association.[1] The percentage of time a part-time teacher is required to be on duty shall be determined by the board of education upon the recommendation of the superintendent of schools.

Horizontal Movement on the Salary Schedule. A part-time teacher may qualify for movement horizontally on the salary schedule by earning graduate hours of college credit as set forth in the guidelines of the school district's salary schedule, and according to the applicable district policies.

Attendance at In-service Meetings, Faculty Meetings, and School Activities. A part-time teacher is responsible for attending in-service meetings, faculty meetings, and school activities that take place outside the teacher's assigned duty hours without additional compensation. A part-time teacher is responsible for performing such tasks as selling or taking tickets, and will be compensated for such tasks pursuant to the policy, practice or negotiated agreement of the school district.

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[1] If your negotiated agreement is silent on this issue, substitute the following sentence for this one preceding this footnote: The salary, benefits and leave entitlement of a part-time teacher shall be determined by multiplying the percentage of time the individual works by his or her placement on the full-time salary schedule contained in each academic year's negotiated agreement.

Continuation of Employment. The school district administration and board will deal with the continuation of a part-time teacher's employment pursuant to state statute and the procedures prescribed for full-time employees in these policies.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4028
Substitute Teachers

A substitute teacher is an educator who possesses the required certification from the Nebraska Department of Education and is employed to fill a teaching position on a temporary basis. The board shall establish the pay and benefits for substitute teachers.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4029
Salary Schedule for Certificated Employees

The board of education recognizes the "salary schedule" and related provisions for compensation currently in effect resulting from negotiations between the board and the education association. This policy is intended to supplement the terms and conditions contained in the collective bargaining agreement. If there is any conflict between the terms of this policy and the collective bargaining agreement, the terms of the negotiated agreement shall control.

Horizontal Advancement. Teachers who wish to advance horizontally on the salary schedule must notify the superintendent in writing prior to June 1 of the preceding school year. The teacher must furnish the superintendent with college transcripts by September 10 for the teacher to qualify to move horizontally on the salary schedule. If an institution will not issue an official transcript by September 10, the teacher must provide the superintendent with written confirmation by September 10 from a college official attesting that the teacher has satisfactorily completed the courses.

Movement Past the BA Column. Teachers who wish to advance beyond the BA column must be accepted in a Masters Program that relates to their teaching field, as determined by the superintendent. Teachers must inform the superintendent of their enrollment prior to the beginning of their class to discuss its work-related objectives.

Movement Past the MA Column. Teachers who wish to advance beyond the MA column must be enrolled in course work that relates to their teaching field, as determined by the superintendent. Teachers must inform the superintendent of their enrollment prior to the beginning of their class to discuss its work-related objectives.

Superintendent's Review. The superintendent shall review all requests for advancement on the salary schedule resulting from a teacher's acquiring additional teaching experience or for completion of college courses, and shall report all changes to the board of education annually.

Vertical Advancement. A teacher may advance only one step vertically on the schedule in any year.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4030
Evaluation of Certificated Employees

All certificated employees to be evaluated shall be notified annually in writing of the evaluation process. A certificated administrator, with the exception of the local board of education when it is evaluating the superintendent, will observe and evaluate each probationary certificated employee for a full instructional period once each semester and each permanent certificated employee for a full instructional period once each school year. If the probationary certificated employee is a superintendent, he or she shall be evaluated twice during the first year of employment and at least once annually thereafter. The evaluation will include, but not be limited to evaluating the employee's instructional performance, classroom organization and management, personal conduct, and professional conduct. Evaluation of instructional performance and classroom organization and management is applicable to teachers only. The administrator will provide the employee with a written list of deficiencies, suggestions and a timeline for correcting the deficiencies and improving performance, and sufficient time to improve. The evaluation form will include notice that the employee may respond to the evaluation in writing.

The school district will train administrators in evaluation annually through meetings with the superintendent or other administrator, attendance at regional, state or national workshops, or any other method approved by the superintendent.

For the purposes of this policy, the terms "actual classroom observation" and "entire instructional period" are defined as follows:

> **Entire Instructional Period.** For certificated employees whose classes are held during defined periods of time (e.g., senior high classes), an entire instructional period consists of one such time period. For those whose time periods are not so defined (e.g., elementary classroom teachers), an entire instructional period consists of 40 minutes. The instructional period for those whose work does not necessarily involve continuous instruction for 40-minute periods (e.g., librarians or speech therapists) consists of no less than 40 minutes total during the semester. The entire instructional period for administrators cannot be defined in terms of an instructional period and shall be satisfied by the actual observation of an administrator's work during the semester for no less than 40 minutes.

Actual Classroom Observation. Actual classroom observation consists of observing the certificated employee in any activities in a classroom setting. When a certificated employee does not have classroom responsibility (e.g., administrators or librarians), the requirement of "actual classroom observation" will be satisfied by observing the certificated employee performing activities that are typical of his or her position.

This policy and the evaluation instrument shall be included in the teacher handbook which will be distributed to staff members upon their employment and annually thereafter.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4031
Evaluation of Probationary Certified Employees

A certificated administrator will observe and evaluate each probationary certified employee for a full instructional period once each semester. The administrator will provide each employee with a written list of deficiencies, concrete suggestions for improvement, and sufficient time to improve.

For the purposes of this policy, the terms "actual classroom observation" and "entire instructional period" are defined as follows:

Entire Instructional Period. For certified employees whose classes are held during defined periods of time (e.g., senior high classes), an entire instructional period consists of one such time period. For those whose time periods are not so defined (e.g., elementary classroom teachers), an entire instructional period consists of 40 minutes. The instructional period for those whose work does not necessarily involve continuous instruction for 40-minute periods (e.g., librarians or speech therapists) consists of no less than 40 minutes total during the semester. The entire instructional period for administrators cannot be defined in terms of an instructional period and shall be satisfied by the actual observation of an administrator's work during the semester for no less than 40 minutes.

Actual Classroom Observation. Actual classroom observation consists of observing the certified employee in any activities in a classroom setting. When a certified employee does not have classroom responsibility (e.g., administrators or librarians), the requirement of "actual classroom observation" will be satisfied by observing the certified employee performing activities that are typical of his or her position.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4032
Professional Growth

Every six years, permanent certificated employees shall give evidence of professional growth. Six semester hours of college credit shall be accepted as evidence of professional growth.

The board of education believes the goal of professional self-improvement to be inherent in the responsibilities of each certificated district employee.

Other professional growth activities which may count toward the six-year requirement include non-credit courses, lecture series, workshops, conferences, study groups, local in-service courses, committee service, supervising a student teacher, serving with professional groups, travel of significant educational value, and membership in professional organizations. The employee must receive prior approval from the building principal for any of these activities to count toward professional growth.

No professional growth units will be awarded if the applicant has been paid for a non-college activity either by released time or by an additional amount paid by the school district.

One unit of professional growth credit will generally be equivalent to ten hours of personal time spent on an educational activity.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4034
Staff Handbook

The superintendent or designee shall annually formulate, review and revise a staff handbook that will contain information about the district's employment policies and practices. The staff handbook is an extension of these policies and has the force and effect of board policy when approved by the board of education.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4037
Reduction In Force

The board of education may determine that a reduction in force of certificated staff members is appropriate due to declining enrollment in a grade or grades, changes in financial support, changes in curricular programs, a decline in the taxable value of property located within the school district, increased costs of operating the school district, or another change or changes in circumstances. If the board, in its sole discretion, determines that a reduction of certificated staff is necessary, the superintendent shall notify those employees whose contracts may be reduced. However, the employment of a permanent employee may not be terminated through a reduction in force while a probationary employee is retained to render a service that the permanent employee is qualified to perform by reason of certification and endorsement, or when certification is not applicable, by reason of college credits in the teaching area.

1. **Definition of Reduction in Force.** A reduction in force shall consist of a reduction of one or more positions or a reduction in the percentage of employment of one or more certificated staff members, even if the number of percentage of employment of the certificated staff overall may be increased by other hirings or increases in the percentage of employment of other employees. Reduction in force may result in the termination of employment or an amendment to an employee's contract reducing the extent of the employee's employment.

2. **Restriction of Right to Administrative Position.** Due to the confidential and unique personal working relationship necessary between the administration and the board of education, a certificated employee who is not currently serving in a predominantly administrative capacity shall have no rights under this policy to any administrative position within the school system.

3. **Criteria for Reduction in Force.** The criteria set forth below shall be considered in selecting the personnel to be reduced. The criteria are not listed in any order of priority, and shall be given the weight that the board considers appropriate.

    a. Programs to be offered;
    b. Areas of endorsement that are of present or future value to the district. This criterion shall be based upon the

endorsement(s) shown on each teacher's Nebraska Teaching Certificate;

c. State and federal laws or regulations that may mandate certain employment practices;

d. Involvement in the programs and activities sponsored by the school district;

e. Special or advanced training consisting of college credit or other training that would be of present or future value to the district;

f. The organizational and educational effect caused by multiple part-time certificated employees;

g. Formal and informal evaluation of staff performance by supervising administrators and if evaluations will be used as a criterion for a given reduction-in-force, the evaluation procedures shall be those adopted by board policy in effect at the time of the reduction and the evaluation forms shall be those on file with the Nebraska Department of Education for the district;

h. Any other reasons that are rationally related to the instruction in or administration of the school district.

4. **Consideration of Uninterrupted Service.** If, after consideration of the criteria listed above, it is the opinion of the superintendent that there is no significant difference between or among certificated employees being considered for reduction, the employee(s) with the longest uninterrupted service to the district shall be retained.

a. Uninterrupted length of service is defined as the number of continuous full-time equivalent years of employment in the district as a teacher.

b. A full-time equivalent year is defined as employment on a full-time basis for an entire school year.

c. Less than full-time employment reduces the teacher's full-time equivalent employment for a school year. For example, a teacher employed on a half-time basis would be credited with half a year full-time equivalent employment.

d. A break in service will terminate a teacher's seniority and length of service under this provision. That period of time when a teacher is on a leave of absence shall not constitute a break in service; however, any years of absences or fractions of years of leave of absence will not count as years of employment for the purposes of determining the length of a teacher's uninterrupted service.

5. **Rights of Recall.**
   a. Any certificated employee whose contract has been terminated shall be considered to have been dismissed with honor and shall, upon request, be provided a letter to that effect.
   b. Such employee shall have preferred rights to re-employment for a period of 24 months commencing at the end of the contract year, and the employee shall be recalled on the basis of length of service to the district to any position that he or she is qualified to teach by endorsement or college preparation.
   c. Upon re-employment, a recalled employee shall be placed on the salary schedule and provided fringe benefits based on existing district policies and the current negotiated agreement. Any year of years of absence from employment shall not be considered as a year or years of employment by the district.
   d. An employee under contract to another education institution may waive recall, but such waiver shall not deprive the employee of his or her right to subsequent recall.

6. **Current Teaching Certificate.**
   a. Upon initial employment with the district, each certificated employee shall file a copy of his or her teaching certificate, including endorsements with the superintendent of schools.
   b. The employee shall be responsible for filing any changes in certification or endorsements with the superintendent.

7. **Address Records.**
   a. A certificated employee whose employment contract has been terminated because of a reduction in force shall, during the period which he or she is eligible for recall, be responsible for reporting any change of address to the superintendent of schools.
   b. If there is a vacancy to which a former employee has a right of recall, the district may communicate an offer of re-employment by telephone, by e-mail, or by United States mail sent to the former employee's last known address. If the school district does not receive written acceptance of the offer within seven days, the former employee shall be deemed to have waived his or her rights to be recalled to the employment position.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4038
Classified Staff Defined

The term "classified staff" means all employees other than certificated teachers and administrators. Classified staff employees are employed at will, and their employment may be amended or terminated at any time and without any cause.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4039
Employment of Classified Staff

The superintendent or designee shall hire classified staff to meet personnel needs consistent with the district's budget, instructional needs, and non-instructional operations. The superintendent or designee may, but is not required to, conduct a criminal background check on any classified staff applicant, provided that such check shall occur only after the school district has determined that the applicant meets the minimum employment qualifications. This policy shall not prevent the school district from requiring an applicant to disclose his or her criminal record or history relating to sexual or physical abuse prior to any minimum employment qualification determination.

The superintendent or designee shall discipline and discharge classified staff as appropriate.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4040
Employment Terms for Classified Staff

If you have set out the terms of employment for classified staff in a staff handbook or individual staff contracts you do not need to adopt this policy

Each position listed below shall be hired by the superintendent on the terms stated.

Head and Assistant Custodian

Employed on a 12-month basis
Provided appropriate level of full coverage insurance
Allowed two weeks paid vacation after 1 full school term of employment; 3 weeks after 3 years.
Allowed 15 days of sick leave per year, cumulative to 40 days
Paid holidays to include Labor Day, Thanksgiving, Christmas Day, New Year's Day, the Fourth of July and Memorial Day

Superintendent's Secretary

Employed on a 12-month basis
Provided appropriate level of full coverage insurance
Allowed two weeks paid vacation after 1 full school term of employment; 3 weeks after 3 years.
Allowed 15 days of sick leave per year, cumulative to 40 days
Paid holidays to include Labor Day, Thanksgiving, Christmas Day, New Year's Day, the Fourth of July and Memorial Day

Principal's Secretary

Employed on an hourly basis only as needed
Allowed 5 days of paid sick leave, cumulative to 15 days
No paid holidays are granted for this position
Allowed 2 personal days per year

Cooks

Employed during the school term only
Allowed 5 days of paid sick leave, cumulative to 15 days
No paid holidays are granted for this position
Allowed 2 personal days per year
Paid from the Hot Lunch Fund

Physical Exam

Any non-certified school employees who are required to do so by law must have a yearly physical examination.

Required physical exams will be paid for by the district and a written notice given to the superintendent previous to September 1 of the ensuing year.
The physical from a doctor may be specified by the board on a proper form to be provided by the superintendent.
If the employee wishes to go to a doctor other than the one specified by the board, the expenses will not be borne by the district.

Summer Workshops for Food Handlers

Those employed to handle and prepare food for the Hot Lunch Program are asked to attend the school provided by the State Department of Food Services.
All costs of the school and registration fees will be paid by the board of education. Transportation will be provided.

Non-Certified Substitute Pay

A substitute for a non-certified staff member will be paid on an hourly rate set each year at the regular April school board meeting.

Paraeducators

Employed on an hourly basis only as needed
Allowed 5 days of paid sick leave, cumulative to 15 days
No paid holidays are granted for this position.
Allowed 2 personal days per year

Other Provisions Applicable to All Classified Staff

Rate of Pay

All classified staff shall be paid an hourly rate.
Classified employees who work more than 40 hours in a workweek shall receive 1½ times their regular hourly rate for each hour over 40 worked.

Adopted on: _____
Revised on: _____
Reviewed on: _____

NOTE TO BE DELETED: PICK OPTION A OR OPTION B AND DELETE THE OPTION NOT USED

4041
[Option A] Staff Dress and Appearance

The attire worn by staff members conveys an important image to students and the general public.

Certified staff, paraeducators and office staff should generally dress in business casual attire.

Classroom staff **may not** wear the following types of clothing during the traditional school day from, when students or visitors are in attendance, or when the employee is supervising, directing or coaching students when the public is in attendance:

- For men: shirts worn without ties, except when the shirt has a logo which identifies the school and/or the school's mascot.
- Sweat, jogging and wind suits, except when teaching a physical education activity in the gymnasium or on a playing field or at athletic or other activity practices.
- Shorts, except when teaching physical education class or at athletic or other activity practices.
- Blue jeans, except at athletic or other activity practices.
- Any clothing which is immodest and may distract other employees or students in the learning environment.

The building principal may temporarily suspend all or a portion of the dress code when other factors support a lower dress expectation for school employees (e.g., special "casual days").

The appearance of professional staff members shall be appropriate to their assigned duties and indicative of their professional standing in the school and community. To help meet that end, jeans of any color may not be worn except on Friday which is considered a "dress down" day.

Custodial, maintenance and transportation staff should dress in attire appropriate to the work they are performing.

Adopted on _____
Reviewed on _____
Revised on _____

4041
[Option B] Staff Dress and Appearance

The attire worn by staff members conveys an important image to students and the general public. The appearance of professional staff members shall be appropriate to their assigned duties and indicative of their professional standing in the school and community.

I. Staff Expectations in Dress and Appearance

A. General Expectations in Dress and Appearance

1. Certified staff, paraeducators, and office staff should generally dress in business casual attire that is clean and professional.

2. Custodial, maintenance, and transportation staff should dress in attire appropriate to the work they are performing.

B. Unacceptable Forms of Dress and Appearance

1. The following are examples of unprofessional attire which should not be worn by classroom staff during the traditional school day, when students or visitors are in attendance, or when the employee is supervising, directing, or coaching students when the public is in attendance:
   - For men: shirts without collars, unless the shirt can be deemed professional by other standards.
   - Athletic wear, including sweat, jogging and wind suits, except when teaching a physical education activity in the gymnasium, on a playing field, or at athletic or other activity practices.
   - Shorts, except when teaching physical education class or at athletic or other activity practices.
   - Blue jeans, except at athletic or other activity practices, or on days considered to be "dress down" days.
   - Hats, except when worn outside for sun coverage.
   - Rubber soled 'flip flop' thong sandals.
   - Any attire which is excessively wrinkled or torn, so that it is no longer neat and professional.
   - Any attire which is immodest or may distract other employees or students in the learning environment.

II. Enforcement

The superintendent or principal shall maintain the discretion to make determinations on staff dress and appearance. Administrators may temporarily suspend all or a portion of the dress code when other factors support a lower dress expectation for school employees (e.g., special "casual days" or field days). Any violation of school policy and rules may result in disciplinary action.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4042
Employee Social Security Numbers

Nebraska law prohibits employers from using or publishing an employee's social security number except under certain specified circumstances. This district shall comply with this law and take reasonable steps to protect the confidentiality of employees' social security numbers. However, neither state law nor this policy prohibits the district from using the last four digits of an employee's social security number as an employee identification number or in any other reasonable manner.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4043
Professional Boundaries Between Employees and Students

School district employees are responsible for conducting themselves professionally and for teaching and modeling high standards of behavior and civic values, both at and away from school. Employees are required to establish and maintain professional boundaries with students. They may be friendly with students, but they are the students' teachers, not their friends, and they must take care to see that this line does not become blurred. This applies to employees' conduct and interactions with students and to material they post on personal web sites and other social networking sites including, but not limited to, Instagram, Facebook, and Twitter. The posting or publication of messages or pictures or other images that diminish an employee's professionalism or ability to maintain the respect of students and parents may impair his or her ability to be an effective employee. Employees are expected to behave at all times in a manner supportive of the best interests of students.

Unless an employee has a legitimate educational purpose, the following behavior is a violation of the professional boundaries that employees are expected to maintain with students. The following list is intended to illustrate inappropriate behavior involving students but not to describe every kind of prohibited behavior.

- Communicating about sex when the discussion is not required by a specific aspect of the curriculum.
- Joking about matters involving sex, using double entendre or making suggestive remarks of a sexual nature.
- Displaying sexually inappropriate material or objects.
- Making any sexual advance, whether written, verbal, or physical or engaging in any activity of a sexual or romantic nature.
- Kissing of any kind.
- Dating a student or a former student within one year of the student graduating or otherwise leaving the district.
- Intruding on a student's personal space (e.g. by touching unnecessarily, moving too close, staring at a portion of the student's body, or engaging in other behavior that makes the student uncomfortable).
- Initiating unwanted physical contact with a student.
- Communicating electronically (e.g. by e-mail, text messaging, or through social media) on a matter that does not pertain to school. Electronic communications with students generally are to be sent simultaneously to multiple recipients and not just to one student except when the communication is clearly school related and

inappropriate for persons other than the individual student to receive (i.e. grades).

- Playing favorites or permitting a specific student to engage in conduct that is not tolerated from other students.
- Discussing the employee's personal issues or problems that should normally be discussed with adults.
- Giving a student a gift of a personal nature.
- Giving a student a ride in the employee's vehicle without first obtaining the express permission of the student's parents or a school administrator.
- Taking a student on an outing without first obtaining the express permission of the student's parents or a school administrator.
- Inviting a student to the employee's residence without first obtaining the express permission of the student's parents and a school administrator.
- Going to a student's home when the student's parent or a proper chaperone is not present.
- Repeatedly seeking to be alone with a student.
- Being alone in a room with an individual student at school with the door closed.
- Any after-school hours activity with only one student.
- Any other behavior which exploits the special position of trust and authority between an employee and student.

This list is not exhaustive. Any behavior which exploits a student is unacceptable. If in doubt, ask yourself, "Would I be doing this if my family or colleagues were standing next to me?"

An employee is required to make a report to the superintendent if the employee reasonably believes that another employee has violated or may have violated this policy. Minor concerns or violations shall be reported within 24 hours. Major concerns or violations shall be reported immediately. Violations committed by or concerns about the superintendent shall be reported to _____.

A student who feels his or her boundaries have been violated should directly inform the offender that the conduct or communication is offensive and must stop. If the student does not wish to communicate directly with the offender or if direct communication has been ineffective, the student should report the conduct or communication to a teacher, administrator, counselor, the Title IX coordinator, or other school employee with whom she or he feels comfortable.

Retaliation for good faith reports or complaints made as a result of this policy is prohibited. Individuals who knowingly and intentionally make a false report shall be subject to discipline as provided by district policy and state law.

A violation of this policy will form the basis for employee discipline up to and including termination or cancellation of employment, filing a report with law enforcement officials, and filing a report with the Commissioner of Education.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4044
Political Activity by Staff Members

The Board recognizes its individual employees' rights of citizenship, including, but not limited to, engaging in political activities. An employee of the District may seek an elective office, provided that the staff member does not campaign on school property during working hours, and provided all other legal requirements are met. The District assumes no obligation beyond making such opportunities available.

The following activities are prohibited during an employee's work time (including duty-free lunch and planning periods):

1. Soliciting votes or contributions for or against a particular candidate or ballot proposition.

2. Discussing with students opinions regarding a political candidate or ballot proposition unless the topic is part of the approved curriculum.

3. Preparing, displaying, wearing or distributing campaign literature, materials, or signs for or against a candidate or ballot proposition (this prohibition does not apply to bumper stickers on personal vehicles).

4. Soliciting volunteers to assist with a campaign for or against a political candidate or ballot proposition.

5. Preparing for, organizing, or participating in any political meeting, petition, rally, or event.

6. Other prohibited political activity as defined by state law.

The following activities are prohibited at all times:

1. Using any school district resources including, but not limited to, facsimile machines, copy machines, computers or e-mail accounts, for political campaign activities.

2. Using school district property or facilities for any political campaign activities, unless such use is approved pursuant to school board rules or policy.

3. Spending district funds to urge votes to vote for or against a candidate or ballot proposition

4. Requiring employees to engage in political campaign activities as part of their job duties.

5. Providing employees with additional compensation or benefits for engaging in political activities.

6. Representing an employee's personal political position as the position of the school district or the board of education.

7. Engaging in any other activity prohibited by state law.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4045
Milk Expression

The district will provide reasonable break time for an employee who wishes to express breast milk for her nursing child in a place, other than a bathroom, which is shielded from view and free from intrusion from co-workers and the public for one year after the child's birth.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4046
Internet Searches Regarding Potential Employees

Members of the administrative team or of a hiring committee (hereinafter "the committee") may conduct internet research about job applicants by using the following protocol, except that no criminal history record information check shall be made until the school district has determined that the applicant meets the minimum employment qualifications:

1. The committee may conduct internet searches using candidates' full names and any aliases. The committee may also search candidates' full names and any aliases on Facebook, Instagram, LinkedIn, Twitter, YouTube, and other social networking websites.

2. All applicants or all finalists must have the same research conducted about them. For example, if the committee conducts a search on Google using the name of one applicant in order to determine whether to include that applicant in the list of finalists, the committee must also conduct an identical search of all applicants' names.

3. The committee may not use deception to gain access to applicants' social networking pages, blogs, or other on-line media and will not require applicants for employment to provide the district with their username or password to personal social media accounts.

4. The committee must take reasonable steps to verify the reliability of the information obtained in the search, including consulting with the applicant for confirmation of accuracy, if appropriate.

5. The committee will consider the following information to be relevant in making hiring decisions about an applicant based on information obtained through internet research:

    a. Disparaging remarks made about current or former co-workers, supervisors, or employers;

    b. Discriminatory, harassing, or demeaning behavior or comments;

    c. Unprofessional, lewd, or obscene behavior or remarks;

    d. Criminal activity;

e. Information which indicates the applicant will or will not be able to perform the essential functions of the position sought; and

f. Information which indicates that the applicant is particularly suited or unsuited to the position sought.

6. The committee will retain documents to demonstrate its compliance with this policy with other documentation relevant to the job search.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4048
Assessment Administration and Security

The purpose of all testing and assessments is to measure students' knowledge, skills or abilities in the area tested. All staff members are prohibited from engaging in any behavior that adversely affects the validity of test scores as a measure of student achievement. This policy applies to all national, state, and local assessments, including both standardized and general classroom assessments.

1. Assessment Responsibilities

a. Each building principal, in consultation with the Superintendent and classroom teachers, will be responsible for:

- overseeing the scheduling of state administered assessments, training all staff who administer assessments, and ensuring that all assessments, including make-up testing, is completed within required testing windows;
- obtaining Standards, Assessment and Accountability Updates from the Department of Education and circulating the relevant portions of those updates to other staff members;
- informing the board of education of changes to the Nebraska State Accountability Security Procedures; and
- signing and enforcing the Nebraska State Accountability Test Security Agreement.

b. Every classroom teacher or other staff member who administers assessments is responsible for:

- complying with the Nebraska State Accountability Security Procedures;
- taking all reasonable and prudent steps to ensure the accuracy and integrity of all academic testing, including statewide assessments; and
- ensuring the security of all test materials.

2. Security Violations and Cheating

a. Classroom assessments

Staff members who suspect students of having cheated on a classroom assessment should conduct a reasonable inquiry and impose consequences on the student consistent with classroom rules and the student handbook.

b. State Accountability Tests

Staff members who suspect a breach of security on State Accountability Tests, must promptly report their suspicions to the building principal or superintendent. The superintendent must notify the Department of Education's Statewide Assessment Office and follow the Department's protocol for Reporting and Investigating Test Security Violations.

Staff members who engage in or enable students to engage in academic dishonesty in any testing or assessment will be subject to discipline up to and including the immediate cancellation of their employment contract.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4050
Overtime and Compensatory Time

Employees who are "non-exempt" under the Fair Labor Standards Act and who work more than 40 hours in a workweek will be paid at the rate of time-and-one-half (1½) times their regular rate of pay for all overtime hours or will be provided compensatory time. All overtime must be approved in advance by the employee's supervisor. Scheduled holidays, vacation days, time off for jury duty, and time off for sickness, emergencies or other personal reasons will not be considered hours worked for overtime purposes.

The district may grant compensatory time in lieu of overtime pay at a rate of one and one-half (1½) hours off for each hour of overtime the employee worked. Employees may accrue a maximum of 240 hours of compensatory time, which represents 160 hours of actual overtime worked. When an employee has accrued 240 hours of compensatory time, the district shall pay him/her at the rate of one and one-half (1½) times his/her regular rate of pay for each additional hour of overtime. An employee who asks to use compensatory time shall be permitted to use it within a reasonable period after the request if its use does not unduly disrupt the district's operations.

Upon termination of employment, an employee shall be paid for unused compensatory time at a rate of compensation not less than: (1) the average regular hourly rate paid to the employee during the last three years of his/her employment, or (2) the final regular hourly rate paid to the employee, whichever is higher.

Payment for unused compensatory time shall be at the employee's regular rate of pay for each hour of compensatory time, not one and one-half (1½) times the regular rate of pay.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4051
Staff and District Social Media Use

Social media is an important tool for communicating, keeping up-to-date with current developments in education, and for conducting research to enhance management, teaching, and learning skills. The district also uses social media accounts to provide information to district stakeholders. This policy is intended to ensure (1) appropriate use of social media by staff and (2) appropriate control of social media accounts belonging to or affiliated with the district. Staff should also refer to the district's policy on Staff Computer and Internet Usage.

I. Personal Versus School-Affiliated Social Media Use

A. Personal Social Media Use

1. The school district will not require staff members or applicants for employment to provide the district with their username and password to personal social media accounts.

2. The district will not require staff to add anyone to the list of contacts associated with the staff member's personal social media accounts or require a staff member to change the settings on his or her personal social media accounts so that others can or cannot view their accounts.

3. Staff members whose personal social media use interferes with the orderly operation of the school or who use social media in ways that are not protected by the First Amendment may be subject to discipline by the district.

4. Staff members who wish to begin using or to continue using the school district name, programs, mascot, image or likeness as part of any social media profile must notify their supervising administrator of the use, and must secure the administrator's permission to do so.

B. School-Affiliated Social Media Use

1. Any social media account which purports to be "the official" account of the school district (e.g., "Bulldog Wrestling"), or any of its programs, classes or entities will be considered to be an account that is used exclusively for the school district's business purpose. Staff members may not use "official" accounts for personal use.

2. Staff may be required to provide their supervising administrator with the username and password to school-affiliated social media accounts.

3. Staff may be required to interact with specified individuals on school-affiliated social media accounts.

4. When staff use school-affiliated social media accounts to comment on school-related matters, they do not do so as private citizens and are therefore not entitled to First Amendment protections.

II. Staff Expectations in Use of Social Media – Applicable to Both Personal and School-Affiliated Use

A. General Use and Conditions

Staff must comply with all board policies, contract provisions, and applicable rules of professional conduct in their social media usage. They must comply with the board's policy on professional boundaries between staff and students at all times and in both physical and digital environments.

Staff must obtain the consent of their building principal or the superintendent prior to posting any student-related information in order to make sure that the publication does not violate the Federal Education Records Privacy Act or any other laws. Staff must also comply with all applicable state and federal record retention requirements, even with regard to personal social media usage.

Staff must comply with all applicable laws prohibiting the use or disclosure of impermissible content, such as copyright laws, accountability and disclosure laws, and any other law governing the use of resources of a political subdivision. Questions about

appropriate content should be referred to the staff member's supervising administrator.

B. Acceptable Use

1. Staff may use social media for instructional purposes.

2. Staff may use social media for school-related communication with fellow educators, students, parents, and patrons.

3. Teachers should integrate the use of electronic resources, which may include social media, into the classroom. As the quality and integrity of content on social media is not guaranteed, teachers must examine the source of the information and provide guidance to students on evaluating the quality of information they may encounter.

C. Unacceptable Use

1. Staff shall not access obscene or pornographic material while at school, on school-owned device or on school-affiliated social media accounts.

2. Staff shall not engage in any illegal activities, including the downloading and reproduction of copyrighted materials.

3. Staff shall not access social media networking sites such as Facebook, Twitter, and Instagram on school-owned devices or during school time unless such access is for an educational activity which has been preapproved by the staff member's immediate supervisor. This prohibition extends to using chat rooms, message boards, or instant messaging in social media applications and includes posting on social networking sites using personal electronic devices.

III. School-Affiliated Digital Content

A. General Use and Conditions for School-Affiliated Accounts

Staff must obtain the permission of their supervising administration prior to creating, publishing, or using any school-affiliated web pages, microblogs, social media pages or handles, or any other digital content which represents itself to be school-related, or which could be reasonably understood to be school-related. This includes any content which identifies the school district by name in the account name or which uses the school's mascot name or image.

Staff must provide administrators with the username and password for all school-affiliated accounts and must only publish content appropriate for the school setting. Staff may not provide the username and password to school-affiliated accounts to any unauthorized individual, including students and volunteers.

B. Moderation of Third Party Content

The purpose of school-related social media accounts is to disseminate information. No school-related or school-affiliated social media account covered by this policy shall permit comments by the public unless otherwise approved by the superintendent. All comment functions for applications such as Facebook and Instagram must be turned to "off" without this approval.

In the event the superintendent permits content created by anyone other than the administrator of the account to appear on the account's pages, such as comments made by students, parents, and patrons, the account administrator must monitor the content to ensure it complies with this policy. Posts, comments, or any other content made on the account's pages may be removed when the content meets any of the following conditions:

1. Is obscene, lewd, or appeals to prurient interests;

2. Contains information relating to a student matter or personnel matter which is protected under or prohibited by state or federal law;

3. Contains threatening, harassing, or discriminatory words or phrases;

4. Incites or is reasonably anticipated to incite violence, illegal activity, or a material and substantial disruption to school operations or activities; or

5. Contains any other threat to the safety of students and staff.

Every account administrator must keep a copy of any removed content and must provide a copy to the superintendent along with written notification for the reason the post has been removed. All questions about the appropriateness of removal must be directed to the superintendent.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4052
Job References to Prospective Employers

All requests for employment-related references or employment history by prospective employers of current or former employees must be referred to a member of the administrative team. The administrator will either provide a reference in compliance with this policy or will forward the request to the superintendent.

If the school district is subject to a written separation agreement regarding a particular employee, the terms of that agreement will govern the district's response to requests for information, regardless of any written consent provided to the school district.

If the school district is not bound by a separation agreement and receives a legally enforceable written consent to release information, the district may provide the information authorized by that document. The school district may provide additional truthful information to prospective employers of current and former employees.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4053
Conflict of Interest

Any school district employee who meets the conditions set forth in this policy shall be deemed to have a business or financial conflict of interest.

1. Definitions. For the purposes of this policy:

   a. Business with which an employee is associated shall include the following:

      (1) A business in which the employee or a member of his or her immediate family is a partner, a limited liability company, or serves as a director or an officer.

      (2) A business in which the employee or a member of his or her immediate family is a stockholder in a closed corporation with stock worth one thousand dollars or more, or he or she, or his or her immediate family owns more than a five percent equity interest or is a stockholder of publicly traded stock worth more than ten thousand dollars or more at fair market value, or which represents more than ten percent equity interest. This shall not apply to publicly traded stock under a trading account if the employee reports the name and address of the company and stockbroker.

   b. A business association shall be defined to include an individual as a partner, limited liability company member, director or officer, or a business in which the individual or member of the immediate family is a stockholder.

2. Contracts with the School District.

   a. No employee or member of his or her immediate family shall enter into a contract valued at two thousand dollars or more, in any one year, with this school district unless the contract is awarded through an open and public process that (1) includes prior public notice and (2) allows the public to inspect during the school district's regular business hours the proposals considered and the contract awarded.

b. The existence of any conflict of interest in any contract in which the employee has an interest and in which the school district is a party, or the failure to make public the employee's interest known, may render a contract null and void.

c. The prohibition of a conflict of interest or requirement for public notice shall apply when the employee, or his or her immediate family (parent, spouse, or child) has a business association with the business involved in the contract or will receive a direct pecuniary fee or commission as a result of the contract.

3. Employing Members of the Immediate Family.

a. An employee may employ or recommend or supervise the employment of an immediate family member if:

(1) The employee does not abuse his or her position.

(a) Abuse of official position shall include, but not be limited to, employing an immediate family member:

(i) who is not qualified for and able to perform the duties of the position;

(ii) for any unreasonably high salary;

(iii) who is not required to perform the duties of the position.

(2) The employee makes a reasonable solicitation and consideration of applications for employment.

(3) The employee makes a full disclosure on the record to the governing body of the school district and to the secretary of the board.

(4) The board approves the employment or supervisory position.

b. The employee shall not terminate the employment of another employee so as to make funds or a position available for the purpose of hiring an immediate family member.

4. Gifts, Loans, Contributions, Rewards, or Promises of Future Employment

a. No employee shall offer or give to the following persons anything of value, including a gift, loan, contribution, reward, or promise of future employment, based upon an agreement that a vote, official action, or judgment would be influenced thereby:

(1) a public official, public employee, or candidate.

(2) a member of the immediate family of an individual listed in Subparagraph 'a' above.

(3) a business with which an individual listed in Subparagraph (1) or (2) above is associated.

b. No employee shall solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action, or judgment of the employee would thereby be influenced.

c. An employee shall not use or authorize the use of his or her public employment or any confidential information received through the public employment to obtain financial gain, other than compensation provided by law, for himself or herself or a member of his or her immediate family, or a business with which he or she is associated.

d. An employee shall not use or authorize the use of personnel, resources, property, or funds under that person's official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items for personal financial gain, other than compensation provided by law.

5. Conflict of Interest Relating to Campaigning or Political Issues

a. Except as provided below, an employee shall not authorize the use of school district personnel, property, resources, or funds for the purpose of campaigning for or against the nomination

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

b. This does not prohibit an employee from making school district facilities available to a person for campaign purposes if the identity of the candidate or the support for or opposition to the ballot question is not a factor in making the facilities available or a factor in determining the cost or conditions for use.

c. This does not prohibit an employee from discussing and voting upon a resolution supporting or opposing a ballot question.

d. This does not prohibit an employee under the direct supervision of a public official from responding to specific inquiries by the press or the public as to the board's opinion regarding a ballot question or from providing information in response to a request for information.

e. An employee may present his or her personal opinion regarding a ballot question or respond to a request for information related to a ballot question; but in so doing, the person should clearly state that the information being presented is his or her personal opinion and is not to be considered as the official position or opinion of the school district. However, this shall not be done during a time that the individual is engaged in his or her official duties.

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

Adopted on: _____
Revised on: _____
Reviewed on: _____

4054
Reporting Child Abuse or Neglect

Because of their daily contact with school-age children, educators and other school employees are in a unique position to identify abused and/or neglected children. Nebraska law defines child abuse or neglect as knowingly, intentionally, or negligently causing or permitting a minor child to be (1) placed in a situation that endangers his or her life or physical or mental health; (2) cruelly confined or cruelly punished; (3) deprived of necessary food, clothing, shelter or care; (4) left unattended in a motor vehicle, if such child is six years of age or younger; (5) sexually abused; or (6) sexually exploited by allowing, encouraging, or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions.

Reporting Procedure. School employees who have reasonable cause to believe that a child has been subjected to child abuse or neglect or observe a child being subjected to conditions or circumstances which reasonably would result in child abuse or neglect will report the suspected abuse or neglect according to the following procedure.

1. Any school employee who has reasonable cause to believe that a child has been abused or neglected shall report the suspicion to the building principal immediately. Employees shall also personally report or cause a report to be made to local law enforcement or to the Department of Health and Human Services.

2. When the principal makes a report of suspected child abuse or neglect, he/she shall inform the employee(s) who made the initial report.

3. Nothing in the paragraph above shall hinder a school employee from fulfilling his/her/their obligation to report suspected abuse or neglect if he, she or they have reasonable cause to believe that a child has been abused or neglected.

4. Any doubt or question in reporting such cases shall be resolved in the favor of reporting the suspected abuse or neglect. Consultation between the administrator and school employee is encouraged, keeping in mind that prompt reporting is essential.

Contents of the Report. The report to authorities shall contain the following information to the extent it is available: (1) name and position of reporting person; (2) name, address, and age of abused or neglected person; (3) address of the person or persons having custody of the abused or neglected person; (4) the nature and extent of the abuse or neglect, or the conditions and circumstances which would reasonably result in such abuse or neglect; and (5) any other information that may be useful in establishing the identity of the persons involved and cause of the abuse or neglect.

Legal Immunity. Nebraska statutes give legal immunity from any civil or criminal liability to any person who makes a good faith report of child abuse or neglect or participates in a judicial proceeding resulting from such a report.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4055
Head Teacher

The Board of Education finds that in order to provide for the effective management of the school system, to provide for harmonious working relationships among teaching staff, and to facilitate coordination of curriculum and extracurricular instruction, the district should create the position Head Teacher.

1) Assignment and Compensation
   a) The Superintendent shall recommend an existing staff member to the Board of Education and the board shall approve or disapprove that recommendation. If the board disapproves the Superintendent's recommendation, the Superintendent shall recommend another candidate.
   b) The assignment of a staff member to the position of Head Teacher shall be for the upcoming school year only, although the same teacher may be reassigned to the position for as many successive years as the Superintendent and Board determine to be appropriate.
   c) The Head Teacher assignment is not a part of the teacher's basic teaching contract with the district, and is not subject to any of the provisions of the continuing contract law set forth in section 79-824 through 79-842 of the Nebraska Statutes.
   d) Compensation for Head Teacher duties will be negotiated with the Education Association and listed on the salary schedule for other extracurricular and non-curricular assignments.

2) Duties
   a) The Head Teacher will be the Principal's (or Superintendent's) designee for all circumstances contemplated by board policy or state statute.
   b) The Head Teacher will act as the building (or district's) administrator when the Principal (or Superintendent) is absent from the district or otherwise unable to perform administrative duties.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4056
Resignation of Certificated Staff

Certificated staff members who know they will not be returning to employment at the school district for the following school year are encouraged to submit their resignations as early as possible, to enable the board to find suitable replacements.

SELECT **ONE** OF THE FOLLOWING PARAGRAPHS

As a general matter, the board will not release certificated staff members from their contractual obligations. Staff members who refuse to fulfill their contractual obligations will be reported to the Professional Practices Committee of the Nebraska Department of Education.

OR

Staff members who submit their resignations to the board of education by April 15th **[insert whatever date your district uses]** will be released from the next school year's contract so long as the board is able to obtain the services of a suitable replacement. Staff members who refuse to fulfill their contractual obligations will be reported to the Professional Practices Committee of the Nebraska Department of Education.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4057
Superintendent Evaluation

The board shall observe and evaluate the superintendent based upon actual classroom observations for an entire instructional period at least twice during his first year of employment and at least once each year thereafter. Additional evaluations may be conducted at the discretion of the board. For the purposes of this policy, "actual classroom observation" shall mean observing the superintendent performing activities that are typical of his or her position. An "entire instructional period" for administrators cannot be defined in terms of an instructional period and shall be satisfied by the actual observation of some aspect of the superintendent's work during the semester for no less than 40 minutes.

Purpose. The purposes of the formal job evaluation are:

1. To provide a means of rational, structured communication between the board and superintendent to create a more constructive and effective working relationship.
2. To provide a basis for commending, rewarding and reinforcing good work, as well as identifying areas where the superintendent needs to improve.
3. To clarify the superintendent's role and inform the superintendent of the board's expectations.

Dates. Unless otherwise provided for in the superintendent's employment contract, the first year evaluations should take place (1) at or prior to the October board meeting, and (2) at or prior to the January board meeting. Annual evaluations shall take place at a board meeting held during the month before the date in the superintendent's employment contract by which the board must notify the superintendent of its intention to consider the nonrenewal or amendment of the contract. In the absence of such a contract provision, the annual evaluation should take place at or prior to the March board meeting. The Superintendent shall remind the Board members in writing at least 45 days before the date of each upcoming evaluation and shall make his evaluation an agenda item for the board meeting.

Evaluation Document. The superintendent shall submit a recommended evaluation document to the board. The board shall meet and discuss the proposed document with the superintendent. The board may amend and adopt the proposed evaluation document. The board may amend the document or adopt a new document without amending this policy. The superintendent shall submit the evaluation document to the Nebraska Department of Education.

Evaluation Procedures. Each board member shall have the opportunity to complete a draft evaluation document. The board president shall compile the individual draft evaluations into a single and final evaluation, provide a copy to the superintendent, and discuss it with him or her. The superintendent's evaluation may be conducted in closed session if it is necessary to prevent needless injury to the superintendent's reputation and if he or she has not requested it be done in open session.

Deficiencies. If deficiencies are noted in the superintendent's work performance, the board shall provide the superintendent at the time of the observation with a list of deficiencies and a list of suggestions for improvement and assistance in overcoming the deficiencies. The board shall also provide the superintendent with follow-up evaluations and assistance when deficiencies remain, a timeline for improvement, and sufficient time to improve. In the alternative, the board may rely upon the superintendent's education, training, and expertise and require him or her to submit a "list of suggestions for improvement" or plan of improvement for the board's consideration.

Personnel File. The evaluation shall be signed by the board president (or other member of the board) and the superintendent. The superintendent shall place a copy of the evaluation in his or her personnel file. The superintendent may provide a written response to the evaluation to the board. A copy of the response shall also be placed in the superintendent's personnel file. The board may meet with the superintendent to discuss the written response.

Policy Limitation. The evaluation procedures are included in this policy as a result of the board's statutory obligation to evaluate the superintendent and do not give the superintendent any rights not provided by statute. The board's failure to comply with any procedures provided in this policy but not required by law shall not prohibit the board from taking any action regarding the superintendent's employment, up to and including the nonrenewal, amendment, or cancellation of the employment contract.

4058
Confidentiality in Counseling and Guidance

The school district provides students with a certificated school guidance counselor. Information that students provide to counselors is confidential but not legally privileged. The counselor will attempt to respect the privacy of student disclosures, but will share all relevant information with other education professionals as appropriate or as directed. The counselor will also contact parents and law enforcement officials as appropriate.

Records of the counseling relationship, including interview notes, test data, correspondence, tape recordings and other documents, are to be considered professional information for use in counseling, not part of the student's education record.

When a counselor is in doubt about what information to release, he or she should discuss the matter with the building principal or with the superintendent.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4059
Suicide Prevention Training

The following employees are required to complete at least one hour of suicide awareness and prevention training every year:

- school nurses
- teachers
- counselors
- school psychologists
- administrators
- school social workers
- community coaches
- paraeducators
- bus drivers
- kitchen staff
- custodians
- secretarial and clerical staff

These employees must complete the online training provided by the Nebraska Department of Education no later than October 31 of each school year or within 30 days of their initial employment. Failure to complete this training shall constitute just cause for the termination or nonrenewal of an employee's contract.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4060
School Vehicle Use

Pupil Transportation Vehicles. The transportation of students in a pupil transportation vehicle is governed by the rules of the Nebraska Department of Education and the district's safe pupil transportation plan or safety and security plan. See Title 92, Nebraska Administrative Code, Chapter 91 – Regulations Governing Driver Qualifications and Operational Procedures for Pupil Transportation Vehicles ("Rule 91") Title 92, Nebraska Administrative Code, Chapter 92 – Regulations Governing the Minimum Equipment Standards and Safety Inspection Criteria for Pupil Transportation Vehicles ("Rule 92"), available on NDE's website (www.education.ne.gov). A pupil transportation vehicle is any vehicle utilized to carry school children as sponsored and approved by the school board and that conforms to the Nebraska Department of Education definitions of pupil transportation vehicles listed as School Bus, Activity Bus, Small Vehicle, or Coach Bus.

School Vehicles Other Than Those Transporting Students. School district employees, board members, and other elected or appointed school district officials (collectively "school personnel") who are not transporting children are authorized to use a school district vehicle to travel to a designated location or to their home when the primary purpose of the travel serves a school district purpose. School district vehicles may not be used for personal purposes unless the vehicle, or the use of it, is provided to an employee as a condition of an employment contract or it is leased to school personnel as allowed by law. School personnel must operate school vehicles in accordance with all applicable federal, state, and local laws.

Driver Qualifications. School personnel who wish to use a vehicle owned or leased by the school district and who are not transporting students must:

- Possess and provide a copy of a valid Motor Vehicle operator's license.
- Be able to read and comprehend driving regulations and written test questions.
- Obtain and provide a copy of his or her current driving record from the department of motor vehicles at least one time per school year to the superintendent or his or her designee.
- Be at least 19 years of age.

School personnel must notify the superintendent or his or her designee about any change in their driving status or eligibility.

School personnel who have been convicted of any of the following or who meet any of the following conditions will not be allowed to drive a school district vehicle:

- If the citation or conviction occurred at any time—Motor vehicle homicide or driving under the influence – 3rd or subsequent offense;
- If the citation or conviction occurred within the last [redacted] years - Driving under the influence of drugs or alcohol, failure to render aid in accident you are involved in, speeding 15 miles per hour or more above the posted speed limit, reckless driving (willful or otherwise), careless driving, leaving the scene of an accident, failure to yield to a pedestrian with bodily injury to the pedestrian, or negligent driving; or
- Have accumulated [redacted] points or more under an operator's license point system within the last [redacted] years.

The [redacted] has the discretion to prohibit school personnel from driving a school vehicle for a citation or arrest for the above offenses or any other offense or reason. The [redacted] will make the final determination about the use of school district vehicles.

Electronic Communication While Driving. Unless the superintendent or a principal grants an exception to allow verbal communication on an as needed basis for specific district-related work based upon an employee's duties and responsibilities, school personnel shall not use any electronic communication device to read a written communication, manually type a written communication, send a written communication, verbally communicate with others, or otherwise communicate with others while operating a school vehicle. This prohibition includes but is not limited to answering or making telephone calls, engaging in telephone conversations, and reading or responding to e-mails, instant messages, text messages or other visual media.

Tobacco, Alcohol, and Controlled Substances. The use of any tobacco product, including the use of vapor products, alternative nicotine products, or any other such look-alike product, is not permitted in a school vehicle at any time. The use or possession of any alcohol or controlled substance (unless legally prescribed to school personnel by a physician) is not permitted in a school vehicle at any time. All drivers shall follow and be subject to Drug Free Workplace Policy and Drug Policy Regarding Drivers Policy.

Traffic Accidents, Infractions, Violations, or Citations. School personnel who receive a citation or warning citation from a law enforcement officer or are involved in an accident while operating a school vehicle must report the citation to the [redacted] as soon as practicable, but no later than 24 hours of receipt. The superintendent must report his or her accidents, infractions, violations, or citations to the board president.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4061
Workplace or Non-Workplace Injuries or Illness and Return to Work

Reporting Workplace Injuries. Staff members who are injured while performing duties or who witness workplace injuries must report them to the superintendent or superintendent's designee as soon as possible after being injured or witnessing an injury. Staff members must prepare written statements regarding the injuries they sustained or witnessed when they are asked to do so by the school district. Failure to report a workplace injury as a witness will constitute insubordination and neglect of duty and may result in adverse employment action up to and including termination or cancellation of employment. Failure to report workplace injuries may also result in delayed or forfeited benefits to which an employee may otherwise be entitled.

Returning to Work after Workplace Injuries or Non-Workplace Injuries or Illness. Staff members whose injuries or illness prevent them from completing any or all of their duties, whether or not incurred at work, may be permitted to continue working or may be offered modified duty positions as required by law or as determined appropriate by the superintendent. This policy does not guarantee a limited or modified assignment during the recovery period unless it is otherwise required by law. The employee may be required to provide a return to work certification or report from their treating physician which delineates any restrictions, modifications, or accommodations needed to allow the employee to perform the essential functions of their position.

Termination After Workplace Injuries or Illness. Unless otherwise covered in an individual employment contract, employees may be terminated after suffering a workplace injury or illness when the district has a legitimate, nondiscriminatory reason for doing so. Such reasons include but are not limited to:

- Necessity to fill the position to maintain continuous services as required by law or district policy or standards;
- Performance deficiencies of the employee unrelated to the injury or illness;
- Unavailability of substitute or replacement employees;
- When the absence will negatively impact students' educational experience or opportunities; or
- Any other reason not otherwise prohibited by law.

The district may make such employment determinations regardless of whether the employee has returned to work and regardless of whether a medical professional has certified that the employee has reached maximum medical

improvement. In the event the injury or illness lasts beyond the amount of leave time provided by the district and by the Family Medical Leave Act, which is generally no greater than 12 weeks, the employee may be terminated even if the employee remains eligible for Workers' Compensation under state law or short or long-term disability under a policy available through the district. In no event will an employee be terminated as retaliation for filing a Workers' Compensation claim.

Termination After Non-Workplace Injuries. Unless otherwise covered in an individual employment contract or prohibited by law, employees who are unable to perform any of the essential functions of their positions with reasonable accommodation(s) due to injury or illness occurring outside of the workplace may be terminated. The employee's position or a similar position will be held open only as required by law, such as the Family Medical Leave Act.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4000 Series Forms

_____ Public Schools

_____

_____, NE 6_____

PHONE: _____; FAX: _____

WEBSITE: _____

APPLICATION
FOR EMPLOYMENT

Please type or print in ink only

_____ Public Schools ("School District") is an Equal Opportunity Employer. We consider applicants for all jobs without regard to race, color, sex, pregnancy, national origin, marital status, disability, religion, age (40 years of age or older), or any other legally protected status. Applicants who need a reasonable accommodation to complete this application may contact the HR Director for assistance.

_____ _____

Position Applied For Date of Application

_____

Last Name First Name Middle Initial

_____

Present Address (Number and Street) City State Zip

Telephone Number(s): Home ( ) Cell ( )

Email Address: _____

CERTIFICATION OF MINIMUM EMPLOYMENT QUALIFICATIONS

- ☐ I am a high school graduate or hold a GED
- ☐ I can understand and follow verbal directions
- ☐ I can understand and follow written directions
- ☐ I have not been convicted of a crime involving physical or sexual abuse
- ☐ I can, after being hired, verify my legal right to work in the United States

If you have checked all the boxes above, please continue to the second page
If any box above is unchecked, please submit the application now.

Have you ever been employed with us before? _____ Yes _____ No

If yes, provide date(s) _____ to _____
and Department _____

Are you under 18 years of age? _____ Yes _____ No

If you are under the age of 18, you may need to supply the School District a work permit or limit your hours to those permitted by law.

May we contact your current employer? _____ Yes _____ No

Have you ever been terminated from employment? _____ Yes _____ No

Have you ever been notified of possible cancelation, termination or non-renewal of employment? _____ Yes _____ No
If yes, please explain the circumstances:

Have you ever resigned to avoid being notified of possible cancellation, termination or non-renewal of your employment?
_____ Yes _____ No
If yes, please explain the circumstances:

Have you ever had a complaint filed against you with the Professional Practices Committee of the Nebraska Department of Education? _____ Yes _____ No
If yes, please explain the circumstances and the outcome:

Specify days and hours for which you are available: _____

Date available to start work? _____

If the job you are applying for requires a valid driver's license, please complete the information below:

Number _____ State _____ Regular _____ CDL _____

Do you have any relatives presently employed by the School District? _____ Yes _____ No

If yes, give names, divisions and relationship: _____

Are you willing to work overtime if required? _____ Yes _____ No

Are you willing to work different shifts, if required? _____ Yes _____ No

IT IS THE POLICY OF THE SCHOOL DISTRICT TO CONDUCT A CRIMINAL HISTORY RECORD INFORMATION CHECK FOR ALL APPLICANTS AFTER THE SCHOOL DISTRICT MAKES A DETERMINATION THAT THE APPLICANT IS QUALIFIED FOR EMPLOYMENT AND PRIOR TO THE APPLICANT'S FIRST DATE OF EMPLOYMENT WITH THE SCHOOL DISTRICT. If selected as a final candidate, you will be required to disclose your criminal history or record. Convictions are not an automatic bar from employment, but will be considered as part of the totality of your suitability. You will not be required to disclose any offense for which the record has been sealed. The School District will not ask you to disclose the contents or details of any sealed records or that any sealed records exist.

EMPLOYMENT EXPERIENCE

Start with your current or last job and complete the information below.
(Attach additional sheets if necessary)

Employer Name Address (Street, City, Zip) Employed From To

Job Title Supervisor Supervisor Phone No.

Starting Wage Ending Wage Reason for Leaving

Summarize nature of work performed

Employer Name Address (Street, City, Zip) Employed From To

Job Title Supervisor Supervisor Phone No.

Starting Wage Ending Wage Reason for Leaving

Summarize nature of work performed

Employer Name Address (Street, City, Zip) Employed From To

Job Title Supervisor Supervisor Phone No.

Starting Wage Ending Wage Reason for Leaving

Summarize nature of work performed

_____

_____
Employer Name Address (Street, City, Zip) Employed From To

_____
Job Title Supervisor Supervisor Phone No.

_____
Starting Wage Ending Wage Reason for Leaving

_____
Summarize nature of work performed

_____

Have you served in the United States Armed Forces? _____ Yes _____ No

If yes, please give dates of military service: From _____ To _____

Branch? _____

Summarize nature of work performed: _____

_____

Are you claiming veterans' preference? _____ Yes _____ No

If yes, a copy of your DD Form 214 must be attached to this application and additional documentation must be provided upon request to determine eligibility. The School District shall give a preference to eligible veterans, veterans' spouses, and/or servicemembers' spouses as required by law. If employment is conditioned on passing an examination, eligible individuals who obtain passing scores on all parts or phases of the examination shall have five percent added to their passing score if a claim for such preference is made on the application. An additional five percent shall be added to the passing score of any disabled veteran.

EDUCATIONAL BACKGROUND
(Attach additional sheets if necessary)

_____ 9 _____ 10 _____ 11 _____ 12 _____
High School Name and Location (mark highest grade completed)

_____
Community College School / Location Course of Study

Graduated? _____ Yes _____ No Degree Obtained? _____ Yes _____ No

_____
Trade School School / Location Course of Study

Graduated? _____ Yes _____ No Degree Obtained? _____ Yes _____ No

College / University | School / Location | Course of Study

Graduated? _____ Yes _____ No Degree Obtained? _____ Yes _____ No

Seminars / Other | Please describe

SPECIAL SKILLS

Computer Skills (please explain your level of proficiency below):

Use the space below to summarize other relevant experience, skills, background, training and qualifications that you feel make you especially suited for work with the School District.

REFERENCES

(List three individuals familiar with your work ability. Do not include relatives.)

Name	Address (Street, City, Zip)	Phone No.	Relationship to Person
Name	Address (Street, City, Zip)	Phone No.	Relationship to Person
Name	Address (Street, City, Zip)	Phone No.	Relationship to Person

APPLICANT'S STATEMENT

I certify that answers given in this application are true and complete to the best of my knowledge. I understand that false, misleading or omitted information given in my application or interview(s) may result in discharge.

Signature Date

CONSENT TO PROVIDE EMPLOYMENT HISTORY TO PROSPECTIVE EMPLOYERS

I, _____ (applicant), consent to any and all of my former employers to provide information regarding my employment to any prospective employer(s) who contact them.

I consent to the disclosure of the following information about me by any and all of my former employers:

1. **Date and duration of employment;**
2. **Pay rate and wage history on the date of receipt of this consent;**
3. **Job description and duties;**
4. **The most recent written performance evaluation prepared prior to the date of the request for information and provided to me during the course of my employment;**
5. **Attendance information;**
6. **Results of drug or alcohol tests administered within one year prior to the request for information;**
7. **Threats of violence, harassing acts, or threatening behavior related to the workplace or directed at another employee;**
8. **Whether I was voluntarily or involuntarily separated from employment and the reasons for the separation; and**
9. **Whether I am eligible for rehire.**

The consent is valid for six months from the date of my signature below.

_____	_____	_____
Printed Name	**Signature**	**Date**

Criminal History Disclosure and
Acknowledgment and Authorization
For Criminal Background Check

Criminal History Disclosure

Have you been convicted of a felony or misdemeanor in the last seven years? _____ Yes _____ No

(Convictions do not necessarily bar you from employment, but will be considered as part of the totality of your suitability. You are not obligated to disclose any offense for which the record has been sealed. The School District is not asking you to disclose the contents or details of any sealed records or that any sealed records exist.)

If yes, please explain: _____

Acknowledgment and Authorization for Criminal Background Check

As a condition of my candidacy for employment with the School District, I understand that the School District will conduct a criminal background check for employment purposes.

By signing this Acknowledgment and Authorization, I authorize the School District, or any other company authorized by the School District, to access such information as may be necessary to complete a criminal background check.

I release from liability all persons and entities supplying such information. I indemnify the School District, or any other company authorized by the School District, against any liability which may result from making such requests. I agree that a fax or photocopy of the Acknowledgment and Authorization with my signature will be accepted with the same authority as the original.

I believe to the best of my knowledge that all information provided below is accurate, true and correct, and that I fully understand the terms of this Acknowledgment and Authorization.

Printed Name: _____

Other Names Used: _____

Current Address: _____

City: _____ State: _____ Zip Code: _____ Country: _____

Social Security Number: _____ Date of Birth: _____

Sex: _____ Race: _____ Driver's License Number and State: _____

Signature: _____ Date: _____

Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave (Family and Medical Leave Act)

U.S. Department of Labor

Wage and Hour Division

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE EMPLOYEE

OMB Control Number: 1235-0003
Expires: 8/31/2021

Notice to the EMPLOYER

The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking military caregiver leave under the FMLA leave due to a serious injury or illness of a covered veteran to submit a certification providing sufficient facts to support the request for leave. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 CFR 825.310. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees or employees' family members, created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 CFR 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 CFR 1635.9, if the Genetic Information Nondiscrimination Act applies.

SECTION I: For completion by the EMPLOYEE and/or the VETERAN for whom the employee is requesting leave

INSTRUCTIONS to the EMPLOYEE and/or VETERAN: Please complete Section I before having Section II completed. The FMLA permits an employer to require that an employee submit a timely, complete, and sufficient certification to support a request for military caregiver leave under the FMLA leave due to a serious injury or illness of a covered veteran. If requested by the employer, your response is required to obtain or retain the benefit of FMLA-protected leave. 29 U.S.C. 2613, 2614(c)(3). Failure to do so may result in a denial of an employee's FMLA request. 29 CFR 825.310(f). The employer must give an employee at least 15 calendar days to return this form to the employer.

(This section must be completed before Section II can be completed by a health care provider.)

Part A: EMPLOYEE INFORMATION

Name and address of employer (this is the employer of the employee requesting leave to care for a veteran):

_____

Name of employee requesting leave to care for a veteran:

_____
First Middle Last

Name of veteran (for whom employee is requesting leave):

_____
First Middle Last

Relationship of employee to veteran:

Spouse☐ Parent☐ Son☐ Daughter☐ Next of Kin ☐ (please specify relationship):

CONTINUED ON NEXT PAGE

Part B: VETERAN INFORMATION

(1) Date of the veteran's discharge:

_____

(2) Was the veteran **dishonorably** discharged or released from the Armed Forces (including the National Guard or Reserves)? Yes☐ No☐

(3) Please provide the veteran's military branch, rank and unit at the time of discharge:

_____

(4) Is the veteran receiving medical treatment, recuperation, or therapy for an injury or illness?
Yes☐ No☐

Part C: CARE TO BE PROVIDED TO THE VETERAN

Describe the care to be provided to the veteran and an estimate of the leave needed to provide the care:

_____

_____

SECTION II: For completion by: (1) a United States Department of Defense ("DOD") health care provider; (2) a United States Department of Veterans Affairs ("VA") health care provider; (3) a DOD TRICARE network authorized private health care provider; (4) a DOD non-network TRICARE authorized private health care provider; or (5) a health care provider as defined in 29 CFR 825.125.

INSTRUCTIONS to the HEALTH CARE PROVIDER: The employee named in Section I has requested leave under the military caregiver leave provision of the FMLA to care for a family member who is a veteran. For purposes of FMLA military caregiver leave, a serious injury or illness means an injury or illness incurred by the servicemember in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the servicemember's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the servicemember became a veteran, and is:

(i) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
(ii) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
(iii) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
(iv) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans' Affairs Program of Comprehensive Assistance for Family Caregivers.

A complete and sufficient certification to support a request for FMLA military caregiver leave due to a covered veteran's serious injury or illness includes written documentation confirming that the veteran's injury or illness was incurred in the line of duty on active duty or existed before the beginning of the veteran's active duty and was aggravated by service in the line of duty on active duty, and that the veteran is undergoing treatment, recuperation, or therapy for such injury or illness by a health care provider listed above. Answer fully and completely all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA military caregiver leave coverage. Limit your responses to the veteran's condition for which the employee is seeking leave. Do not provide information about genetic tests, as defined in 29 CFR 1635.3(f), or genetic services, as defined in 29 CFR 1635.3(e).

(Please ensure that Section I has been completed before completing this section. Please be sure to sign the form on the last page and return this form to the employee requesting leave (See Section I, Part A above). **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.**)

Part A: HEALTH CARE PROVIDER INFORMATION

Health care provider's name and business address:

_____

Telephone: ( ) _____ Fax: ( ) _____ Email: _____

Type of Practice/Medical Specialty: _____

Please indicate if you are:

☐ a DOD health care provider

☐ a VA health care provider

☐ a DOD TRICARE network authorized private health care provider

☐ a DOD non-network TRICARE authorized private health care provider

☐ other health care provider

PART B: MEDICAL STATUS

Note: If you are unable to make certain of the military-related determinations contained in Part B, you are permitted to rely upon determinations from an authorized DOD representative (such as, DOD Recovery Care Coordinator) or an authorized VA representative.

(1) The Veteran's medical condition is:

☐ A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating.

☐ A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service Related Disability Rating (VASRD) of 50% or higher, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave.

☐ A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment.

☐ An injury, including a psychological injury, on the basis of which the covered veteran is enrolled in the Department of Veterans' Affairs Program of Comprehensive Assistance for Family Caregivers.

☐ None of the above.

(2) Is the veteran being treated for a condition which was incurred or aggravated by service in the line of duty on active duty in the Armed Forces? Yes☐ No☐

(3) Approximate date condition commenced: _____

(4) Probable duration of condition and/or need for care: _____

(5) Is the veteran undergoing medical treatment, recuperation, or therapy for this condition? Yes☐ No☐

If yes, please describe medical treatment, recuperation or therapy:

_____

PART C: VETERAN'S NEED FOR CARE BY FAMILY MEMBER

"Need for care" encompasses both physical and psychological care. It includes situations where, for example, due to his or her serious injury or illness, the veteran is unable to care for his or her own basic medical, hygienic, or nutritional needs or safety, or is unable to transport him or herself to the doctor. It also includes providing psychological comfort and reassurance which would be beneficial to the veteran who is receiving inpatient or home care.

(1) Will the veteran need care for a single continuous period of time, including any time for treatment and recovery? Yes☐ No☐

If yes, estimate the beginning and ending dates for this period of time: _____

(2) Will the veteran require periodic follow-up treatment appointments? Yes☐ No☐

If yes, estimate the treatment schedule: _____

CONTINUED ON NEXT PAGE

(3) Is there a medical necessity for the veteran to have periodic care for these follow-up treatment appointments?
Yes☐ No☐

(4) Is there a medical necessity for the veteran to have periodic care for other than scheduled follow-up treatment appointments (e.g., episodic flare-ups of medical condition)? Yes☐ No☐

If yes, please estimate the frequency and duration of the periodic care:

_____

_____

Signature of Health Care Provider: _____ **Date:** _____

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years, in accordance with 29 U.S.C. 2616; 29 CFR 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION; RETURN IT TO THE EMPLOYEE REQUESTING LEAVE (As shown in Section I, Part "A" above).**

Certification of Health Care Provider for Family Member's Serious Health Condition (Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division

U.S. Wage and Hour Division

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT.

OMB Control Number: 1235-0003
Expires: 8/31/2021

SECTION I: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave to care for a covered family member with a serious health condition to submit a medical certification issued by the health care provider of the covered family member. Please complete Section I before giving this form to your employee. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees' family members, created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

Employer name and contact: _____

_____

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II before giving this form to your family member or his/her medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave to care for a covered family member with a serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. 29 C.F.R. § 825.313. Your employer must give you at least 15 calendar days to return this form to your employer. 29 C.F.R. § 825.305.

Your name: _____
First Middle Last

Name of family member for whom you will provide care: _____
First Middle Last

Relationship of family member to you: _____

If family member is your son or daughter, date of birth: _____

Describe care you will provide to your family member and estimate leave needed to provide care:

_____

_____

_____

_____ _____
Employee Signature Date

CONTINUED ON NEXT PAGE

SECTION III: For Completion by the HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER: The employee listed above has requested leave under the FMLA to care for your patient. Answer, fully and completely, all applicable parts below. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the patient needs leave. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), or genetic services, as defined in 29 C.F.R. § 1635.3(e). Page 3 provides space for additional information, should you need it. Please be sure to sign the form on the last page.

Provider's name and business address: _____

Type of practice / Medical specialty: _____

Telephone: (_____) _____ Fax: (_____) _____

PART A: MEDICAL FACTS

1. Approximate date condition commenced: _____

   Probable duration of condition: _____

   Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?
   ___No ___Yes. If so, dates of admission: _____

   Date(s) you treated the patient for condition: _____

   Was medication, other than over-the-counter medication, prescribed? ___No ___Yes.

   Will the patient need to have treatment visits at least twice per year due to the condition? ___No ____ Yes

   Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?
   ____ No ____Yes. If so, state the nature of such treatments and expected duration of treatment:

   _____

   _____

2. Is the medical condition pregnancy? ___No ___Yes. If so, expected delivery date: _____

3. Describe other relevant medical facts, if any, related to the condition for which the patient needs care (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment):

_____

_____

_____

_____

CONTINUED ON NEXT PAGE

PART B: AMOUNT OF CARE NEEDED: When answering these questions, keep in mind that your patient's need for care by the employee seeking leave may include assistance with basic medical, hygienic, nutritional, safety or transportation needs, or the provision of physical or psychological care:

4. Will the patient be incapacitated for a single continuous period of time, including any time for treatment and recovery? ___No ___Yes.

   Estimate the beginning and ending dates for the period of incapacity: _____

   During this time, will the patient need care? __ No __ Yes.

   Explain the care needed by the patient and why such care is medically necessary:

   _____

   _____

   _____

   _____

   _____

5. Will the patient require follow-up treatments, including any time for recovery? ___No ___Yes.

   Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period:

   _____

   Explain the care needed by the patient, and why such care is medically necessary: _____

   _____

6. Will the patient require care on an intermittent or reduced schedule basis, including any time for recovery? __ No __ Yes.

   Estimate the hours the patient needs care on an intermittent basis, if any:

   _____ hour(s) per day; _____ days per week from _____ through _____

   Explain the care needed by the patient, and why such care is medically necessary:

   _____

   _____

   _____

   _____

CONTINUED ON NEXT PAGE

7. Will the condition cause episodic flare-ups periodically preventing the patient from participating in normal daily activities? ____No ____Yes.

Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency: _____ times per _____ week(s) _____ month(s)

Duration: _____ hours or ___ day(s) per episode

Does the patient need care during these flare-ups? ____ No ____ Yes.

Explain the care needed by the patient, and why such care is medically necessary: _____

_____

_____

_____

_____

ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR ADDITIONAL ANSWER.

_____

_____

_____

_____

_____

_____

_____ _____

Signature of Health Care Provider **Date**

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210.
DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT.

Certification of Health Care Provider for Employee's Serious Health Condition (Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT

OMB Control Number: 1235-0003
Expires: 8/31/2021

SECTION I: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider. Please complete Section I before giving this form to your employee. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

Employer name and contact: _____

Employee's job title: _____ Regular work schedule: _____

Employee's essential job functions: _____

_____

Check if job description is attached: _____

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II before giving this form to your medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to your own serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. 29 C.F.R. § 825.313. Your employer must give you at least 15 calendar days to return this form. 29 C.F.R. § 825.305(b).

Your name: _____
First Middle Last

SECTION III: For Completion by the HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER: Your patient has requested leave under the FMLA. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee is seeking leave. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(b). Please be sure to sign the form on the last page.

Provider's name and business address: _____

Type of practice / Medical specialty: _____

Telephone: (_____)_____ Fax:(_____)_____

PART A: MEDICAL FACTS

1. Approximate date condition commenced: _____

   Probable duration of condition: _____

   Mark below as applicable:
   Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?
   ___No ___Yes. If so, dates of admission:

   _____

   Date(s) you treated the patient for condition:

   _____

   Will the patient need to have treatment visits at least twice per year due to the condition? ___No ___ Yes.

   Was medication, other than over-the-counter medication, prescribed? ___No ___Yes.

   Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?
   ____No ____Yes. If so, state the nature of such treatments and expected duration of treatment:

   _____

2. Is the medical condition pregnancy? ___No ___Yes. If so, expected delivery date: _____

3. Use the information provided by the employer in Section I to answer this question. If the employer fails to provide a list of the employee's essential functions or a job description, answer these questions based upon the employee's own description of his/her job functions.

   Is the employee unable to perform any of his/her job functions due to the condition: ____ No ____ Yes.

   If so, identify the job functions the employee is unable to perform:

   _____

4. Describe other relevant medical facts, if any, related to the condition for which the employee seeks leave (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment):

   _____

   _____

   _____

   _____

   _____

   _____

   _____

CONTINUED ON NEXT PAGE

PART B: AMOUNT OF LEAVE NEEDED

5. Will the employee be incapacitated for a single continuous period of time due to his/her medical condition, including any time for treatment and recovery? ___No ___Yes.

   If so, estimate the beginning and ending dates for the period of incapacity: _____

6. Will the employee need to attend follow-up treatment appointments or work part-time or on a reduced schedule because of the employee's medical condition? ___No ___Yes.

   If so, are the treatments or the reduced number of hours of work medically necessary?
   ___No ___Yes.

   Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period:

   _____

   Estimate the part-time or reduced work schedule the employee needs, if any:

   _____ hour(s) per day; _____ days per week from _____ through _____

7. Will the condition cause episodic flare-ups periodically preventing the employee from performing his/her job functions? ____No ____Yes.

   Is it medically necessary for the employee to be absent from work during the flare-ups?
   ____ No ____Yes. If so, explain:

   _____

   _____

   Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency : _____ times per _____ week(s) _____ month(s)

Duration: _____ hours or ___ day(s) per episode

ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR ADDITIONAL ANSWER.

_____

_____

_____

_____

_____

_____

CONTINUED ON NEXT PAGE

Signature of Health Care Provider **Date**

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT.**

Certification for Serious Injury or Illness of a Current Servicemember - -for Military Family Leave (Family and Medical Leave Act)

U.S. Department of Labor

Wage and Hour Division

U.S. Wage and Hour Division

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT

OMB Control Number: 1235-0003
Expires: 8/31/2021

Notice to the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA leave due to a serious injury or illness of a current servicemember to submit a certification providing sufficient facts to support the request for leave. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 CFR 825.310. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees or employees' family members created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 CFR 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 CFR 1635.9, if the Genetic Information Nondiscrimination Act applies.

SECTION I: For Completion by the EMPLOYEE and/or the CURRENT SERVICEMEMBER for whom the Employee Is Requesting Leave

INSTRUCTIONS to the EMPLOYEE or CURRENT SERVICEMEMBER: Please complete Section I before having Section II completed. The FMLA permits an employer to require that an employee submit a timely, complete, and sufficient certification to support a request for FMLA leave due to a serious injury or illness of a servicemember. If requested by the employer, your response is required to obtain or retain the benefit of FMLA-protected leave. 29 U.S.C. 2613, 2614(c)(3). Failure to do so may result in a denial of an employee's FMLA request. 29 CFR 825.310(f). The employer must give an employee at least 15 calendar days to return this form to the employer.

SECTION II: For Completion by a UNITED STATES DEPARTMENT OF DEFENSE ("DOD") HEALTH CARE PROVIDER or a HEALTH CARE PROVIDER who is either: (1) a United States Department of Veterans Affairs ("VA") health care provider; (2) a DOD TRICARE network authorized private health care provider; (3) a DOD non-network TRICARE authorized private health care provider; or (4) a health care provider as defined in 29 CFR 825.125

INSTRUCTIONS to the HEALTH CARE PROVIDER: The employee listed on Page 2 has requested leave under the FMLA to care for a family member who is a current member of the Regular Armed Forces, the National Guard, or the Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness. For purposes of FMLA leave, a serious injury or illness is one that was incurred in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.

A complete and sufficient certification to support a request for FMLA leave due to a current servicemember's serious injury or illness includes written documentation confirming that the servicemember's injury or illness was incurred in the line of duty on active duty or if not, that the current servicemember's injury or illness existed before the beginning of the servicemember's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, and that the current servicemember is undergoing treatment for such injury or illness by a health care provider listed above. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the servicemember's condition for which the employee is seeking leave. Do not provide information about genetic tests, as defined in 29 CFR 1635.3(f), or genetic services, as defined in 29 CFR 1635.3(e).

SECTION I: For Completion by the EMPLOYEE and/or the CURRENT SERVICEMEMBER for whom the Employee Is Requesting Leave:

(This section must be completed first before any of the below sections can be completed by a health care provider.)

Part A: EMPLOYEE INFORMATION

Name and Address of Employer (this is the employer of the employee requesting leave to care for the current servicemember):

_____

Name of Employee Requesting Leave to Care for the Current Servicemember:

_____

First Middle Last

Name of the Current Servicemember (for whom employee is requesting leave to care):

_____

First Middle Last

Relationship of Employee to the Current Servicemember:

Spouse☐ Parent ☐ Son ☐ Daughter ☐ Next of Kin ☐

Part B: SERVICEMEMBER INFORMATION

(1) Is the Servicemember a Current Member of the Regular Armed Forces, the National Guard or Reserves?
Yes☐ No☐

If yes, please provide the servicemember's military branch, rank and unit currently assigned to:

_____

Is the servicemember assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients (such as a medical hold or warrior transition unit)?
Yes☐ No☐

If yes, please provide the name of the medical treatment facility or unit:

_____

(2) Is the Servicemember on the Temporary Disability Retired List (TDRL)?
Yes☐ No☐

Part C: CARE TO BE PROVIDED TO THE SERVICEMEMBER

Describe the Care to Be Provided to the Current Servicemember and an Estimate of the Leave Needed to Provide the Care:

_____

_____

SECTION II: For Completion by a United States Department of Defense ("DOD") Health Care Provider or a Health Care Provider who is either: (1) a United States Department of Veterans Affairs ("VA") health care provider; (2) a DOD TRICARE network authorized private health care provider; (3) a DOD non-network TRICARE authorized private health care provider; or (4) a health care provider as defined in 29 CFR 825.125. If you are unable to make certain of the military-related determinations contained below in Part B, you are permitted to rely upon determinations from an authorized DOD representative (such as a DOD recovery care coordinator).

(Please ensure that Section I above has been completed before completing this section. Please be sure to sign the form on the last page.)

Part A: HEALTH CARE PROVIDER INFORMATION

Health Care Provider's Name and Business Address:

_____

Type of Practice/Medical Specialty: _____

Please state whether you are either: (1) a DOD health care provider; (2) a VA health care provider; (3) a DOD TRICARE network authorized private health care provider; (4) a DOD non-network TRICARE authorized private health care provider, or (5) a health care provider as defined in 29 CFR 825.125:

_____

Telephone: ( ) _____ Fax: ( ) _____ Email: _____

PART B: MEDICAL STATUS

(1) The current Servicemember's medical condition is classified as (Check One of the Appropriate Boxes):

☐ **(VSI) Very Seriously Ill/Injured** – Illness/Injury is of such a severity that life is imminently endangered. Family members are requested at bedside immediately. (Please note this is an internal DOD casualty assistance designation used by DOD healthcare providers.)

☐ **(SI) Seriously Ill/Injured** – Illness/injury is of such severity that there is cause for immediate concern, but there is no imminent danger to life. Family members are requested at bedside. (Please note this is an internal DOD casualty assistance designation used by DOD healthcare providers.)

☐ **OTHER Ill/Injured** – a serious injury or illness that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating.

☐ **NONE OF THE ABOVE** (Note to Employee: If this box is checked, you may still be eligible to take leave to care for a covered family member with a "serious health condition" under § 825.113 of the FMLA. If such leave is requested, you may be required to complete DOL FORM WH-380-F or an employer-provided form seeking the same information.)

(2) Is the current Servicemember being treated for a condition which was incurred or aggravated by service in the line of duty on active duty in the Armed Forces? Yes☐ No☐

(3) Approximate date condition commenced: _____

(4) Probable duration of condition and/or need for care: _____

(5) Is the servicemember undergoing medical treatment, recuperation, or therapy for this condition? Yes☐ No☐

If yes, please describe medical treatment, recuperation or therapy:

_____

PART C: SERVICEMEMBER'S NEED FOR CARE BY FAMILY MEMBER

(1) Will the servicemember need care for a single continuous period of time, including any time for treatment and recovery? Yes☐ No☐

If yes, estimate the beginning and ending dates for this period of time: _____

(2) Will the servicemember require periodic follow-up treatment appointments? Yes☐ No☐

If yes, estimate the treatment schedule: _____

(3) Is there a medical necessity for the servicemember to have periodic care for these follow-up treatment appointments? Yes☐ No☐

(4) Is there a medical necessity for the servicemember to have periodic care for other than scheduled follow-up treatment appointments (e.g., episodic flare-ups of medical condition)?
Yes☐ No☐

If yes, please estimate the frequency and duration of the periodic care:

_____

_____

Signature of Health Care Provider: _____ **Date:** _____

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years, in accordance with 29 U.S.C. 2616; 29 CFR 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution AV, NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION; RETURN IT TO THE PATIENT.**

Certification of Qualifying Exigency For Military Family Leave (Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division

OMB Control Number: 1235-0003
Expires: 8/31/2021

SECTION I: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA leave due to a qualifying exigency to submit a certification. Please complete Section I before giving this form to your employee. Your response is voluntary, and while you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 CFR 825.309.

Employer name: _____

Contact Information: _____

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II fully and completely. The FMLA permits an employer to require that you submit a timely, complete, and sufficient certification to support a request for FMLA leave due to a qualifying exigency. Several questions in this section seek a response as to the frequency or duration of the qualifying exigency. Be as specific as you can; terms such as "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Your response is required to obtain a benefit. 29 CFR 825.310. While you are not required to provide this information, failure to do so may result in a denial of your request for FMLA leave. Your employer must give you at least 15 calendar days to return this form to your employer.

Your Name: _____
First Middle Last

Name of military member on covered active duty or call to covered active duty status:

_____
First Middle Last

Relationship of military member to you: _____

Period of military member's covered active duty: _____

A complete and sufficient certification to support a request for FMLA leave due to a qualifying exigency includes written documentation confirming a military member's covered active duty or call to covered active duty status. Please check one of the following and attach the indicated document to support that the military member is on covered active duty or call to covered active duty status.

A copy of the military member's covered active duty orders is attached.

Other documentation from the military certifying that the military member is on covered active duty (or has been notified of an impending call to covered active duty) is attached.

I have previously provided my employer with sufficient written documentation confirming the military member's covered active duty or call to covered active duty status.

CONTINUED ON NEXT PAGE

PART A: QUALIFYING REASON FOR LEAVE

1. Describe the reason you are requesting FMLA leave due to a qualifying exigency (including the specific reason you are requesting leave):

_____

_____

_____

_____

2. A complete and sufficient certification to support a request for FMLA leave due to a qualifying exigency includes any available written documentation which supports the need for leave; such documentation may include a copy of a meeting announcement for informational briefings sponsored by the military; a document confirming the military member's Rest and Recuperation leave; a document confirming an appointment with a third party, such as a counselor or school official, or staff at a care facility; or a copy of a bill for services for the handling of legal or financial affairs. Available written documentation supporting this request for leave is attached.

Yes ☐ No ☐ None Available ☐

PART B: AMOUNT OF LEAVE NEEDED

1. Approximate date exigency commenced: _____

Probable duration of exigency: _____

2. Will you need to be absent from work for a single continuous period of time due to the qualifying exigency?

Yes☐ No☐

If so, estimate the beginning and ending dates for the period of absence:

_____

3. Will you need to be absent from work periodically to address this qualifying exigency? Yes☐ No☐

Estimate schedule of leave, including the dates of any scheduled meetings or appointments:

_____

_____

_____

Estimate the frequency and duration of each appointment, meeting, or leave event, including any travel time (i.e., 1 deployment-related meeting every month lasting 4 hours):

Frequency: _____ times per _____ week(s) _____ month(s)

Duration: _____ hours ___ day(s) per event.

CONTINUED ON NEXT PAGE

PART C:

If leave is requested to meet with a third party (such as to arrange for childcare or parental care, to attend counseling, to attend meetings with school, childcare or parental care providers, to make financial or legal arrangements, to act as the military member's representative before a federal, state, or local agency for purposes of obtaining, arranging or appealing military service benefits, or to attend any event sponsored by the military or military service organizations), a complete and sufficient certification includes the name, address, and appropriate contact information of the individual or entity with whom you are meeting (i.e., either the telephone or fax number or email address of the individual or entity). This information may be used by your employer to verify that the information contained on this form is accurate.

Name of Individual: _____ Title: _____

Organization: _____

Address: _____

Telephone: (_____) _____ Fax: (_____) _____

Email: _____

Describe nature of meeting: _____

_____

_____

_____

_____

_____

_____

_____

PART D:

I certify that the information I provided above is true and correct.

Signature of Employee _____ Date _____

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. 2616; 29 CFR 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. T he Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution AV, NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION; RETURN IT TO THE EMPLOYER.**

CONSENT TO PROVIDE EMPLOYMENT HISTORY TO PROSPECTIVE EMPLOYERS

I, _____ (applicant), consent to any and all of my former employers to provide information regarding my employment to any prospective employer(s) who contact them.

I consent to the disclosure of the following information about me by any and all of my former employers:

1. **Date and duration of employment;**
2. **Pay rate and wage history on the date of receipt of this consent;**
3. **Job description and duties;**
4. **The most recent written performance evaluation prepared prior to the date of the request for information and provided to me during the course of my employment;**
5. **Attendance information;**
6. **Results of drug or alcohol tests administered within one year prior to the request for information;**
7. **Threats of violence, harassing acts, or threatening behavior related to the workplace or directed at another employee;**
8. **Whether I was voluntarily or involuntarily separated from employment and the reasons for the separation; and**
9. **Whether I am eligible for rehire.**

The consent is valid for six months from the date of my signature below.

_____	_____	_____
Printed Name	**Signature**	**Date**

Designation Notice (Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division

U.S. Wage and Hour Division

OMB Control Number: 1235-0003
Expires: 8/31/2021

Leave covered under the Family and Medical Leave Act (FMLA) must be designated as FMLA-protected and the employer must inform the employee of the amount of leave that will be counted against the employee's FMLA leave entitlement. In order to determine whether leave is covered under the FMLA, the employer may request that the leave be supported by a certification. If the certification is incomplete or insufficient, the employer must state in writing what additional information is necessary to make the certification complete and sufficient. While use of this form by employers is optional, a fully completed Form WH-382 provides an easy method of providing employees with the written information required by 29 C.F.R. §§ 825.300(c), 825.301, and 825.305(c).

To: _____

Date: _____

We have reviewed your request for leave under the FMLA and any supporting documentation that you have provided.
We received your most recent information on _____ and decided:

_____ **Your FMLA leave request is approved. All leave taken for this reason will be designated as FMLA leave.**

The FMLA requires that you notify us as soon as practicable if dates of scheduled leave change or are extended, or were initially unknown. Based on the information you have provided to date, we are providing the following information about the amount of time that will be counted against your leave entitlement:

_____ Provided there is no deviation from your anticipated leave schedule, the following number of hours, days, or weeks will be counted against your leave entitlement: _____

_____ Because the leave you will need will be unscheduled, it is not possible to provide the hours, days, or weeks that will be counted against your FMLA entitlement at this time. You have the right to request this information once in a 30-day period (if leave was taken in the 30-day period).

Please be advised (check if applicable):

_____ You have requested to use paid leave during your FMLA leave. Any paid leave taken for this reason will count against your FMLA leave entitlement.

_____ We are requiring you to substitute or use paid leave during your FMLA leave.

_____ You will be required to present a fitness-for-duty certificate to be restored to employment. If such certification is not timely received, your return to work may be delayed until certification is provided. A list of the essential functions of your position ___ **is** ___ **is not** attached. If attached, the fitness-for-duty certification must address your ability to perform these functions.

_____ **Additional information is needed to determine if your FMLA leave request can be approved:**

_____ The certification you have provided is not complete and sufficient to determine whether the FMLA applies to your leave request. You must provide the following information no later than _____, unless it is not
(Provide at least seven calendar days)
practicable under the particular circumstances despite your diligent good faith efforts, or your leave may be denied.

_____
(Specify information needed to make the certification complete and sufficient)

_____

_____ We are exercising our right to have you obtain a second or third opinion medical certification at our expense, and we will provide further details at a later time.

_____ Your FMLA Leave request is Not Approved.
_____ The FMLA does not apply to your leave request.
_____ You have exhausted your FMLA leave entitlement in the applicable 12-month period.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to inform employees in writing whether leave requested under the FMLA has been determined to be covered under the FMLA. 29 U.S.C. § 2617; 29 C.F.R. §§ 825.300(d), (e). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 – 30 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.**

Designation Notice (Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division

U.S. Wage and Hour Division

OMB Control Number: 1235-0003
Expires: 8/31/2021

Leave covered under the Family and Medical Leave Act (FMLA) must be designated as FMLA-protected and the employer must inform the employee of the amount of leave that will be counted against the employee's FMLA leave entitlement. In order to determine whether leave is covered under the FMLA, the employer may request that the leave be supported by a certification. If the certification is incomplete or insufficient, the employer must state in writing what additional information is necessary to make the certification complete and sufficient. While use of this form by employers is optional, a fully completed Form WH-382 provides an easy method of providing employees with the written information required by 29 C.F.R. §§ 825.300(c), 825.301, and 825.305(c).

To: _____

Date: _____

We have reviewed your request for leave under the FMLA and any supporting documentation that you have provided. We received your most recent information on _____ and decided:

_____ **Your FMLA leave request is approved. All leave taken for this reason will be designated as FMLA leave.**

The FMLA requires that you notify us as soon as practicable if dates of scheduled leave change or are extended, or were initially unknown. Based on the information you have provided to date, we are providing the following information about the amount of time that will be counted against your leave entitlement:

_____ Provided there is no deviation from your anticipated leave schedule, the following number of hours, days, or weeks will be counted against your leave entitlement: _____

_____ Because the leave you will need will be unscheduled, it is not possible to provide the hours, days, or weeks that will be counted against your FMLA entitlement at this time. You have the right to request this information once in a 30-day period (if leave was taken in the 30-day period).

Please be advised (check if applicable):

_____ You have requested to use paid leave during your FMLA leave. Any paid leave taken for this reason will count against your FMLA leave entitlement.

_____ We are requiring you to substitute or use paid leave during your FMLA leave.

_____ You will be required to present a fitness-for-duty certificate to be restored to employment. If such certification is not timely received, your return to work may be delayed until certification is provided. A list of the essential functions of your position ___ **is** ___ **is not** attached. If attached, the fitness-for-duty certification must address your ability to perform these functions.

_____ **Additional information is needed to determine if your FMLA leave request can be approved:**

_____ The certification you have provided is not complete and sufficient to determine whether the FMLA applies to your leave request. You must provide the following information no later than _____, unless it is not
(Provide at least seven calendar days)
practicable under the particular circumstances despite your diligent good faith efforts, or your leave may be denied.

_____
(Specify information needed to make the certification complete and sufficient)

_____

_____ We are exercising our right to have you obtain a second or third opinion medical certification at our expense, and we will provide further details at a later time.

_____ Your FMLA Leave request is Not Approved.
_____ The FMLA does not apply to your leave request.
_____ You have exhausted your FMLA leave entitlement in the applicable 12-month period.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to inform employees in writing whether leave requested under the FMLA has been determined to be covered under the FMLA. 29 U.S.C. § 2617; 29 C.F.R. §§ 825.300(d), (e). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 – 30 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.**

NEBRASKA
ACCOUNTABILITY AND
DISCLOSURE COMMISSION
11th Floor, State Capitol
P.O. Box 95086
Lincoln, NE 68509
(402) 471-2522

BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3

POTENTIAL CONFLICT OF INTEREST STATEMENT

NADC FORM C-2A

(Village, City, School Officials Except Omaha and Lincoln Officials)

POSTMARK DATE	
MICROFILM NUMBER	

OFFICE USE ONLY

- An official of a village or city holding elective office or an official of a school district holding elective office must file this form if he or she has a potential conflict of interest.
- **Officials of** the cities of **Lincoln and Omaha** holding elective office with a potential conflict of interest **should not use this form**. Use Form C-2.
- This form should be filed with the person who normally keeps records for the school district, city or village. **There is no requirement to file this form with the Nebraska Accountability and Disclosure Commission.**
- Persons who fail to disclose a potential conflict of interest or who otherwise do not comply with the law are subject to penalties.

ITEM 1 **NAME, ADDRESS AND TELEPHONE NUMBER**

Name _____ Telephone No. _____
Last First Middle

Address _____
STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE

ITEM 2 **TITLE, AGENCY (City, Village, School), ADDRESS AND PHONE**

Your Title _____ Agency _____

Agency Address _____

Agency Phone _____

ITEM 3 **DESCRIBE POTENTIAL CONFLICT OF INTEREST IN DETAIL (Use Item 6 Continuation, if necessary)**

Date action is to be taken or decision is to be made: _____

Description of Potential Conflict:

ITEM 4 **PERSONS WHO MAY RECEIVE FINANCIAL BENEFIT OR DETRIMENT**

☐ You
☐ Member of your Immediate Family: _____
NAME

☐ Business With Which You Are Associated (See Definitions) _____
NAME OF BUSINESS

ITEM 5 **NATURE OF FINANCIAL BENEFIT OR DETRIMENT**

ITEM 6 **CONTINUATION**

(SIGNATURE) (DATE)

General Information - Filing Requirements

I. What is a Potential Conflict of Interest? - A public official has a potential conflict of interest if he or she is faced with taking an official action or making an official decision which may result in a financial benefit or a financial detriment to the public official; a member of his or her immediate family; or a business with which he or she is associated. The financial effect of the action or decision must be distinguishable from the financial effect on the general public or a broad segment of it.

II. Who Must File:

A. An official of a city or village holding elective office who has a potential conflict of interest. An official of the cities of Lincoln or Omaha holding elective office who has a potential conflict of interest should not file this form, but instead should use Form C-2.

B. An official of a school district holding elective office who has a potential conflict of interest.

C. An elective office is a public office normally filled by an election. A person appointed to fill a vacancy in a public office normally filled by election holds an elective office.

III. When and Where to File:

A. This form should be filed as soon as the person holding elective office is aware that he or she may have a potential conflict of interest and prior to the time that the action is to be taken or the decision made.

B. This form should be filed with the person who normally keeps records for the governing body of the official holding elective office. For example, the person who keeps records for a city or village may be the city clerk or village clerk. **This form does not need to be filed with the Commission**.

C. The person filing the form should abstain from participating in or voting on the matter in which he or she has a potential conflict of interest. However, if the person wants an opinion from the Commission as to whether he or she has an actual conflict of interest requiring abstention or non-participation, he or she may send a copy of the form to the Commission along with request for an opinion.

Disclosure of Contractual Interests by Local Officers. If you are a local elected official disclosing an interest in a contract or an open account in which a local governing body on which you serve is a party, use NADC Form C-3, Contractual Interest Statement.

Disclosure of the Employment of Immediate Family Members. If you are disclosing the employment of an immediate family member, use NADC Form C-4, Employment of Immediate Family Members Disclosure Statement.

Definitions

Immediate family shall mean a child residing in your household, your spouse or an individual claimed by you or your spouse as a dependent for federal income tax purposes.

Business shall mean any corporation, partnership, limited liability company, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint-stock company, receivership, trust, activity, or entity. NOTE: The definition includes for profit and non-profit entities.

Business with which you are associated shall mean a business: (1) of which you are the sole proprietor; (2) or in which you are a partner, director, or officer; (3) or in which you or a member of your immediate family is a stockholder of closed corporation stock worth $1,000 or more at fair market value or which represents more than a 5 percent equity interest, or is a stockholder of publicly traded stock worth $10,000 or more at fair market value or which represents more than a 10 percent equity interest.

Elective office shall mean a public office filled by an election, except for federal offices. A person who is appointed to fill a vacancy in a public office which is ordinarily elective holds an elective office.

Person means a business, individual, proprietorship, firm partnership, joint venture, syndicate, business trust, labor organization, company, corporation, association, committee, or any other organization or group of persons acting jointly.

Statutory Authority: Section 49-1499.03 Revised Statutes of Nebraska.

NEBRASKA
ACCOUNTABILITY AND
DISCLOSURE COMMISSION
11th Floor, State Capitol
P.O. Box 95086
Lincoln, NE 68509
(402) 471-2522

BEFORE COMPLETING THIS FORM
READ THE FILING REQUIREMENTS
ON PAGE 3

CONTRACTUAL INTEREST STATEMENT

NADC FORM C-3

POSTMARK DATE	
MICROFILM NUMBER	
OFFICE USE ONLY	

- A local officer with an interest in any contract to which his or her governing body or anyone for its benefit is a party must disclose the interest on the record of the governing body responsible for approving the contract, or in writing by filing this form.
- File with the person charged with keeping records for the governing body involved in the contract **prior** to official consideration of the contract.
- Persons who fail to disclose their interests or otherwise do not comply with the law are subject to penalties.

ITEM 1 **YOUR NAME ADDRESS AND PHONE NUMBER**

Name _____ Telephone No. _____
Last First Middle

Address _____ _____ _____ _____
STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE

ITEM 2 **OFFICE OR POSITION, ADDRESS, PHONE, TERM OF OFFICE**

Office or Position: _____ Term: _____

Name of City, County, District, Village, etc: _____

Address _____ Phone _____

ITEM 3 **CONTRACT IN WHICH YOU HAVE AN INTEREST**

A. Names of Contracting Parties: _____
B. Body Which Will Consider the Contract: _____
C. Date Set for Consideration: _____
D. Subject Matter and Basic Terms: _____

ITEM 4	NATURE AND EXTENT OF YOUR INTEREST IN THE CONTRACT AND AMOUNT OF CONTRACT (Use ITEM 5, CONTINUATION, if necessary)

ITEM 5	CONTINUATION

(Signature) (Date)

General Information - Filing Requirements

I. Who Must File:

A local officer with an interest in a contract to which his or her governing body or anyone for its benefit is a party must disclose the interest on the record of the body responsible for approving the contract, or in writing by filing this form.

II When to File:

An officer must declare his or her interest in a contract and the nature and extent of the interest **prior** to official consideration of the contract. The information concerning the contract listed in ITEM 3 of this form must be provided to the person in charge of keeping records of the governing body within 10 days after the contract is signed by both parties.

III. Where to File:

File with the person charged with keeping records for the governing body involved in the contract. For example, members of a County Board of Commissioners file with the County Clerk.

Disclosure of Potential Conflict of Interest by State Executive Branch Officials, Employees, and Others required to file Statements of Financial Interest. If you are disclosing a potential conflict of interest under section 49-1499 of the Accountability Act, use NADC Form C-2, Potential Conflict of Interest Statement.

Disclosure of the Employment of Immediate Family Members. If you are disclosing the employment of an immediate family member, use NADC Form C-4, Employment of Immediate Family Members Disclosure Statement.

An officer has an **interest** in a contract when the officer or his or her spouse, parent, or child: (a) has a business association as defined in sections 49-1408 and 49-14,103.01(5) with the business involved in the contract, or (b) will receive a direct pecuniary fee or commission as a result of the contract. An officer interested in a contract with his or her governing body may not: (1) vote on the matter of granting the contract, or (2) act for the governing body as to inspection or performance under the contract.

An **open account** established for the benefit of any governing body with a business in which an officer has an interest is considered a contract subject to disclosure requirements.

For purposes of contractual interest conflicts, as covered by section 49-14,103.01, ownership of less than five percent of the outstanding shares of a corporation shall not constitute an interest subject to disclosure.

Receiving deposits, cashing checks, and buying and selling warrants and bonds of indebtedness of a governing body by a financial institution is **not** considered a contract.

Any governing body as defined below may prohibit officers from having an interest in contracts over a specific dollar amount. A governing body may also exempt from disclosure requirements contracts for one hundred dollars or less in which an officer of the body has an interest.

Definitions

Officer means a member of the board of directors of a natural resources district, a member of any board or commission of any county, school district, city or village which spends and administers its own funds, who is dealing with a contract made by such board or commission, and any elected county, school district, educational service unit, city, or village official, and a member of any board of directors or trustees of a district hospital as provided by the Nebraska Local hospital District Act or a county hospital as provided by sections 23-343 to 23-343.19. Officer shall **not** mean volunteer firefighters or ambulance drivers with respect to their duties as firefighters or ambulance drivers.

Governing Body means the board of directors of a natural resources district, the board of supervisors or the board of commissioners of any county, a school district board, the board of an educational service unit, the city council of a city, the village board of a village, the board of directors or trustees of a district hospital as provided by the Nebraska Local Hospital District Act, sections 23-343.20 to 23-343.47, or a county hospital as provided by sections 23-343 to 23-343.19, or any board or commission of any county, school district, city or village which spends and administers its own funds.

Business means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, activity or entity.

Business with which you are associated means a business: (1) in which you are a partner, director or officer; or (2) in which you or a member of your immediate family is a stockholder of closed corporation stock worth $1,000 or more at fair market value or which represents more than a 5 percent equity interest, or is a stockholder of publicly traded stock worth $10,000 or more at fair market value or which represents more than a 10 percent equity interest.

For purposes of contractual interest conflicts, as covered by section 49-14,103.01, ownership of less than five percent of the outstanding shares of a corporation shall not constitute an interest subject to disclosure.

Statutory Authority: Section 49-14,103.01 R.S. Supp., 1987, and sections 49-14,103.02 to 49-14,103.07 R.S. Supp., 1986.

NEBRASKA
ACCOUNTABILITY AND
DISCLOSURE COMMISSION
11th Floor, State Capitol
P.O. Box 95086
Lincoln, NE 68509
(402) 471-2522

BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3

EMPLOYMENT OF IMMEDIATE FAMILY MEMBERS DISCLOSURE STATEMENT

NADC FORM C-4

POSTMARK DATE	
MICROFILM NUMBER	
OFFICE USE ONLY	

- Local public officials and employees employing, recommending employment, or supervising the employment of an immediate family member must disclose the employment either in writing or on the record to the governing body employing the immediate family member. **This form should not be used by state officials or employees.**
- File this form or other written disclosure with the person in charge of keeping records for the governing body employing the immediate family member.
- Persons who fail to disclose the employment of immediate family members or who otherwise do not comply with the law are subject to penalties.

ITEM 1 **NAME, ADDRESS AND TELEPHONE NUMBER OF PUBLIC OFFICIAL OR PUBLIC EMPLOYEE**

Name _____ Telephone No. _____
Last First Middle

Address _____ _____ _____ _____
STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE

ITEM 2 **OFFICE OR POSITION, ADDRESS, TELEPHONE, TERM OF OFFICE**

Office or Position: _____ Term: _____

Identify City, County or District: _____

Address: _____ Telephone _____

ITEM 3 **MEMBER OF YOUR IMMEDIATE FAMILY WHOM YOU INTEND TO EMPLOY, RECOMMEND FOR EMPLOYMENT, OR SUPERVISE (Use ITEM 5 CONTINUATION, if necessary)**

A. Name _____ Relationship _____

Position _____ Employer _____
(IDENTIFY CITY, COUNTY, OR DISTRICT)

B. Name _____ Relationship _____

Position _____ Employer _____
(IDENTIFY CITY, COUNTY OR DISTRICT)

C. Name _____ Relationship _____

Position _____ Employer _____
(IDENTIFY CITY, COUNTY OR DISTRICT)

ITEM 4 | **FOR NEWLY ELECTED OR APPOINTED PUBLIC OFFICIALS AND EMPLOYEES**

List members of your immediate family who were employed before your election or appointment and who are now employed or supervised by you.

A. Name _____ Relationship _____

Position _____ Employer _____
(IDENTIFY CITY, COUNTY OR DISTRICT)

Date Hired _____

B. Name _____ Relationship _____

Position _____ Employer _____
(IDENTIFY CITY, COUNTY OR DISTRICT)

Date Hired _____

(Use ITEM 5, CONTINUATION, if necessary)

ITEM 5 | **CONTINUATION**

(Signature) (Date)

General Information - Filing Requirements

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

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

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

I. Who Must File:

A. Public officials and employees of political subdivisions employing, recommending employment, or supervising the employment of an immediate family member must make a disclosure to the person in charge of keeping records for the governing body of the entity. Where applicable the disclosure may be made on the record to the governing body of the entity in lieu of a written disclosure.

B. Public officials and employees who currently employ or supervise an immediate family member(s) employed prior to the election or appointment of the public official or public employee.

II. When to File:

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

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

III. Where to File:

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

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

Disclosure of Potential Conflict of Interest by Officials, Employees, and Others Required to file Statements of Financial Interests. If you are disclosing a potential conflict of interest use NADC Form C-2, or NADC Form C-2A Potential Conflict of Interest Statement.

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

Definitions

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

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

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

Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division

U.S. Wage and Hour Division

OMB Control Number: 1235-0003
Expires: 8/31/2021

In general, to be eligible an employee must have worked for an employer for at least 12 months, meet the hours of service requirement in the 12 months preceding the leave, and work at a site with at least 50 employees within 75 miles. While use of this form by employers is optional, a fully completed Form WH-381 provides employees with the information required by 29 C.F.R. § 825.300(b), which must be provided within five business days of the employee notifying the employer of the need for FMLA leave. Part B provides employees with information regarding their rights and responsibilities for taking FMLA leave, as required by 29 C.F.R. § 825.300(b), (c).

[Part A – NOTICE OF ELIGIBILITY]

TO: _____
Employee

FROM: _____ _____
Employer Representative

DATE: _____ _____

On _____, you informed us that you needed leave beginning on _____ for:

_____ The birth of a child, or placement of a child with you for adoption or foster care;

_____ Your own serious health condition;

_____ Because you are needed to care for your ____ spouse; _____child; _____ parent due to his/her serious health condition.

_____ Because of a qualifying exigency arising out of the fact that your ____ spouse; _____son or daughter; _____ parent is on covered active duty or call to covered active duty status with the Armed Forces.

_____ Because you are the ____ spouse; _____son or daughter; _____ parent; _____ next of kin of a covered servicemember with a serious injury or illness.

This Notice is to inform you that you:

_____ Are eligible for FMLA leave (See Part B below for Rights and Responsibilities)

_____ Are **not** eligible for FMLA leave, because (only one reason need be checked, although you may not be eligible for other reasons):

_____ You have not met the FMLA's 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately ___ months towards this requirement.
_____ You have not met the FMLA's hours of service requirement.
_____ You do not work and/or report to a site with 50 or more employees within 75-miles.

If you have any questions, contact _____ or view the FMLA poster located in _____.

[PART B-RIGHTS AND RESPONSIBILITIES FOR TAKING FMLA LEAVE]

As explained in Part A, you meet the eligibility requirements for taking FMLA leave and still have FMLA leave available in the applicable 12-month period. **However, in order for us to determine whether your absence qualifies as FMLA leave, you must return the following information to us by** _____. (If a certification is requested, employers must allow at least 15 calendar days from receipt of this notice; additional time may be required in some circumstances.) If sufficient information is not provided in a timely manner, your leave may be denied.

____ Sufficient certification to support your request for FMLA leave. A certification form that sets forth the information necessary to support your request ____**is**/____ **is not** enclosed.

____ Sufficient documentation to establish the required relationship between you and your family member.

____ Other information needed (such as documentation for military family leave): _____

_____

_____

____ No additional information requested

CONTINUED ON NEXT PAGE

If your leave does qualify as FMLA leave you will have the following **responsibilities** while on FMLA leave (only checked blanks apply):

____ Contact _____ at _____ to make arrangements to continue to make your share of the premium payments on your health insurance to maintain health benefits while you are on leave. You have a minimum 30-day (or, indicate longer period, if applicable) grace period in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work.

____ You will be required to use your available paid _____ **sick,** _____ **vacation**, and/or _____**other leave** during your FMLA absence. This means that you will receive your paid leave and the leave will also be considered protected FMLA leave and counted against your FMLA leave entitlement.

____ Due to your status within the company, you are considered a "key employee" as defined in the FMLA. As a "key employee," restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us. We ___**have/**____ **have not** determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us.

____ While on leave you will be required to furnish us with periodic reports of your status and intent to return to work every _____. (Indicate interval of periodic reports, as appropriate for the particular leave situation).

If the circumstances of your leave change, and you are able to return to work earlier than the date indicated on the this form, you will be required to notify us at least two workdays prior to the date you intend to report for work.

If your leave does qualify as FMLA leave you will have the following **rights** while on FMLA leave:

- You have a right under the FMLA for up to 12 weeks of unpaid leave in a 12-month period calculated as:

  _____ the calendar year (January – December).

  _____ a fixed leave year based on _____.

  _____ the 12-month period measured forward from the date of your first FMLA leave usage.

  _____ a "rolling" 12-month period measured backward from the date of any FMLA leave usage.

- You have a right under the FMLA for up to 26 weeks of unpaid leave in a single 12-month period to care for a covered servicemember with a serious injury or illness. This single 12-month period commenced on _____.
- Your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work.
- You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave. (If your leave extends beyond the end of your FMLA entitlement, you do not have return rights under FMLA.)
- If you do not return to work following FMLA leave for a reason other than: 1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; 2) the continuation, recurrence, or onset of a covered servicemember's serious injury or illness which would entitle you to FMLA leave; or 3) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave.
- If we have not informed you above that you must use accrued paid leave while taking your unpaid FMLA leave entitlement, you have the right to have **____ sick, ____vacation,** and/or **___ other leave** run concurrently with your unpaid leave entitlement, provided you meet any applicable requirements of the leave policy. Applicable conditions related to the substitution of paid leave are referenced or set forth below. If you do not meet the requirements for taking paid leave, you remain entitled to take unpaid FMLA leave.

  ____For a copy of conditions applicable to sick/vacation/other leave usage please refer to _____ available at: _____.

  ____Applicable conditions for use of paid leave:_____

  _____

  _____

  _____

  _____

Once we obtain the information from you as specified above, we will inform you, within 5 business days, whether your leave will be designated as FMLA leave and count towards your FMLA leave entitlement. If you have any questions, please do not hesitate to contact:

_____at _____.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to provide employees with notice of their eligibility for FMLA protection and their rights and responsibilities. 29 U.S.C. § 2617; 29 C.F.R. § 825.300(b), (c). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.**

Return to Work Form

To be completed by healthcare provider prior to returning to work.

_____ has been treated by me for _____
(Patient) (Condition)

I have examined the Patient named above and reviewed the Patient's job description, if provided. I certify that in accordance with this patient's physical capability (check all that apply)

Restrictions

☐ Patient may resume work immediately, no restrictions
☐ Patient may resume work immediately with the following restrictions:
- ☐ Sedentary work (sitting, occasional walking, standing, lifting less than 10 lbs.)
- ☐ Light work (lifting less than 20 lbs.)
- ☐ Medium work (lifting less than 50 lbs.)
- ☐ Heavy work (lifting less than 100 lbs.)
- ☐ Other*:_____
- ☐ Other*:_____

**If "Other" is selected, on a separate sheet of paper address the details of the restriction, the particular duties which are affected, why they are affected, and any accommodations which would allow the employee to perform the duties.*

Hours/Shifts

☐ He/She is released to work
- ☐ Hours per day: _____
- ☐ His/her normal shift

☐ He/She may return to work at full duty on _____(date)
☐ He/She has a return appointment on _____ (date) at _____(time)

Other Medically Significant Information the Employer Should Know:

_____
_____
_____
_____

_____ _____
Healthcare Provider's Signature Date

_____ _____
Printed Name of Healthcare Provider Telephone Number

_____
_____ _____
Address Type of Practice

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; and e) legal advice.