

Board of Education Regular Meeting
Monday, July 19, 2021 6:15 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. Recognition of public participation
4. Visitors and Communication from the public.
5. Approval of changes in the mailed agenda and/or changes in the agenda order.
6. Approval of Consent Agenda Items.
 - 6.1. Approval of Minutes of previous meetings
 - 6.2. Acceptance of Financial Reports
 - 6.3. Action on Claims
 - 6.4. Approval of Contracts
 - 6.5. Motion to excuse /approve the absence of board member(s)
7. Administrators' and Practitioners' Reports
 - 7.1. Ms. Finkey
 - 7.2. Mr. Libal
8. Old Business
9. New Business
 - 9.1. Discussion and action related to overnight request. (Attached)

- 9.2. Review and discussion related to the Ashland-Greenwood Public School's Return to School Plan for 2021-22. (Attached)
- 9.3. Discussion and action to adds girls golf as an NSAA sanctioned sport for 2021-22.
- 9.4. Discussion and action to approve district surplus sale items. (Attached)
- 9.5. Discussion and action to approve 2021-22 staff handbooks. (Attached)
- 9.6. Report on Ashland-Greenwood census. (Attached)
- 9.7. Discussion and action to approve substitute teaching rates.
- 9.8. Discussion and action related to 2021-22 Policy Updates. (Attached)
- 9.9. Certified staff resignations.
- 9.10. Closed Session: For the protection of the public interest and for the prevention of needless injury to the reputation of an individual(s): Personnel and the evaluation of job performance.
- 9.11. Reconvene
- 9.12. Discussion and action to approve the 2020-2021 Superintendent's Evaluation.
10. Informational Items
11. Call for Next Meeting
 - 11.1. The next meeting is set for Monday, August 16th, at 6:00 p.m. All meetings are held in Ashland-Greenwood Middle/High School, Media Center 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.
12. Adjournment.
 - 12.1. Board of Education Information:

BOARD OF EDUCATION MEETING INFORMATION:

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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 statute 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
Board of Education Special Meeting Minutes
Wednesday, July 7, 2021**

Opening

A meeting of the Board of Education of the Ashland-Greenwood Public Schools was convened open and public session on Wednesday, July 7, 2021

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
Russ Westerhold:	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 Special 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 7th of July, 2021 by President Nygren.

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 Nygren 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

5. Visitors and Communication from the public.

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

7. New Business

7.1. Discuss, consider, and take all necessary action to approve the PK-2 Building Guaranteed Maximum Price (GMP) as provided by Hausmann Construction.

Motion to approve the Guaranteed Maximum Price (GMP) as provided by Hausmann Construction., made by Karen Stille and seconded by Suzanne Sapp, Passed.

Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Russ Westerhold: Yea

Matt Schendt with Hausmann went through the Guaranteed Maximum Price (GMP) amendment. We have gone through 4 bid packages. Blue is fixed hard from contractors. Orange is a rough estimate. Saved \$500,000 by switching from precast to masonry. Structural block up by end of year. Steel beginning of 2022. They will work through the winter. Substantial completion is November 28, 2022. Liquidated damages (LD) are in contract, no incentive for early completion. Self performing rough carpentry and site access control/site maintenance. Subs they have worked with before and have a high degree of confidence in them. Rough grade with PK is done; touch up on MS site. Concrete will be trucked in.

7.2. Discuss, consider, and take all necessary action to approve Amendment No. 002 to the professional services agreement between the school and DLR Group. (Attached)

Motion to approve Amendment No. 002 to the professional services agreement between the school and DLR Group., made by Suzanne Sapp and seconded by Eric Beranek, Passed.

Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Russ Westerhold: Yea

Vanessa Schutte with DLR. Retention pond, and they will monitor, so dirt does not run off. This is defining who is doing it (JEO).

7.3. Discuss, consider, and take all necessary action to approve Amendment No. 003 to the professional services agreement between the school and DLR group. (Attached)

Motion to approve Amendment No. 003 to the professional services agreement between the school and DLR group., made by Russ Westerhold and seconded by Suzanne Sapp, Passed.

Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Russ Westerhold: Yea

Vanessa Schutte with DLR. JEO to design Bluejay way in its entirety. The extension is \$25,000 to the roundabout. Total price is \$262,200.00. From a fee standpoint it is in line, for the road the cost is a bit more. All the roads that are planned is more of a challenge. Price of concrete and extension of road are the reason for the increase.

7.4. Discuss, consider, and take all necessary action to approve land development agreement related to the infrastructure improvements for school facilities improvement project and/or respond to proposals for such land development agreement, including receiving legal advice related to the same.

Motion to table this item until the next board meeting,, made by Eric Beranek and seconded by Russ Westerhold, Passed.

Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Russ Westerhold: Yea

This item was tabled.

7.5. Certified staff resignations.

8. Informational Items

9. Call for Next Meeting

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10. Adjournment.

Motion to adjourn the meeting at p.m., made by Ally Miller and seconded by Suzanne Sapp, Passed.

Eric Beranek: Yea, Ally Miller: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea, Russ Westerhold: Yea

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**Ashland-Greenwood Public Schools
Board of Education Regular Meeting Minutes
Monday, June 21, 2021**

Opening

A meeting of the Board of Education of the Ashland-Greenwood Public Schools was convened open and public session on Monday, June 21, 2021

Attendance

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

Eric Beranek:	Present
Ally Miller:	Absent
David Nygren:	Present
Suzanne Sapp:	Present
Karen Stille:	Present
Russ Westerhold:	Absent

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 21st of June, 2021 by President Nygren.

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 Nygren 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

5. Visitors and Communication from the public.

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

Motion to approve tabling Superintendent's Evaluation until the July 2021 meeting, made by Eric Beranek and seconded by Karen Stille, Passed.

Eric Beranek: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea

Will wait until the July meeting to discuss as Superintendent Libal was ill.

7. Approval of Consent Agenda Items.

Motion to approve the consent agenda including previous board meeting minutes, current monthly financial statements for all accounts and current monthly claims for all accounts. No contracts were presented., made by Suzanne Sapp and seconded by Karen Stille, Passed.

Eric Beranek: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea

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. Bray

Summer School 3 classrooms. 30 students, less than previous years.

8.2. Mr. Jacobsen

Similar numbers to years in the past, about 10. Mainly doing credit recovery. Focus on reading and math.

9. Old Business

10. New Business

10.1. Discussion and action related to 2021-22 Student Handbook revisions. (Attached)

Teresa Bray: change on student testing. Lets our families know they can opt out of screeners. It is another series of test, gives you more scores to make better decisions.

Brad Jacobsen: Also asking changes in testing. Everyone receives these tests. A couple of language changes. Changes to Prom and HC candidates. Change unexcused absence with Truancies. Added school administration to vote tabulation.

10.2. Discussion and action related to 2021-22 District Calendar revision. (Attached)
Motion to approve the recommended changes to the 2021-22 School calendar, made by Karen Stille and seconded by Eric Beranek, Passed.

Eric Beranek: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea

Due to a change in the 2021-22 NSAA State boys & girls basketball tournament format, it has become necessary to make a few revisions to our district-wide calendar.

10.3. Discussion and action to approve 2021-22 school meal pricing. (Attached)
Motion to keep the 2021-22 meal prices the same as the 2020-21 prices, made by Suzanne Sapp and seconded by Eric Beranek, Passed.

Eric Beranek: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea

10.4. Discussion and action related to 2021-22 Policy Updates. (Attached)
Motion to table the recommended policy changes to the July meeting, made by Suzanne Sapp and seconded by Karen Stille, Passed.

Eric Beranek: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea

Will handle in July meeting, when Superintendent Libal is present.

10.5. Certified staff resignations.

11. Informational Items

12. Call for Next Meeting

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13. Adjournment.

Motion to adjourn the meeting at p.m., made by Suzanne Sapp and seconded by Eric Beranek, Passed.

Eric Beranek: Yea, David Nygren: Yea, Suzanne Sapp: Yea, Karen Stille: Yea

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ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT

June 2021

GENERAL FUND

Beginning Balance \$ 5,017,866.50

RECEIPTS

6/1/21	Cass County Propety Taxes	\$	81,957.60		
6/1/21	Village of Greenwood Liq/Tob License Fees	\$	350.00		
6/3/21	Title I	\$	4,303.00		
6/3/21	Title I	\$	52,186.00		
6/3/21	IDEA	\$	304.00		
6/3/21	IDEA	\$	78,379.00		
6/3/21	Title IV	\$	7,000.00		
6/4/21	MAC SN20	\$	2,981.35		
6/4/21	MAC SN20	\$	4.65		
6/7/21	City of Ashland Liq/Tob License Fees	\$	4,660.00		
6/7/21	Saunders Co MV	\$	44,267.58		
6/7/21	Saunders Co Property Tax	\$	81,321.19		
6/7/21	Saunders Co Fines	\$	2,927.27		
6/7/21	Saunders Co Interest	\$	414.10		
6/7/21	Saunders Co Homestead	\$	17,009.55		
6/7/21	Saunders CoProperty Tax Credit	\$	3,166.94		
6/10/21	DS SN 20	\$	2,804.79		
6/14/21	Village of Greenwood Liq/Tob License Fees	\$	350.00		
6/14/21	Cass County Taxes	\$	30,970.82		
6/21/21	Saunders Co Taxes	\$	92,118.72		
6/23/21	Sped SA FFR 19-20	\$	87,029.00		
6/24/21	SPED SA FFR Reimb 19-20	\$	70,739.00		
6/24/21	SPED FFR Extra Pay 19-20	\$	5,432.00		
6/28/21	State Aid	\$	112,390.00		
6/30/21	Cass County Property Taxes	\$	6,165.03		
6/30/21	NLAFInterest	\$	12.41		
6/30/21	F & M Interest	\$	473.31		
				\$ 789,717.31	\$ 5,807,583.81

DISBURSEMENTS

June Claims \$ 1,175,253.76

Refunds/Rebates/Sub Reimbursement

Total

\$ 1,175,253.76 \$ 4,632,330.05

ENDING BALANCE \$ 4,632,330.05

RECONCILIATION

NLAF Liquid Balance \$ 1,872,589.62

Plus F& M Bank Balance \$ 1,386,451.15

Plus General Fund Investments \$ 1,475,003.86

Less: Outstanding Claims \$ 101,714.58

Reconciled Balance \$ 4,632,330.05 \$ 4,632,330.05

ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT

June 2021

ADMINISTRATIVE OPERATIONS ACCOUNT

Beginning Balance \$ 2,193.26

RECEIPTS

GF # 041686 \$ 1,309.26
 clearing error to balance from May \$ 0.02

Total \$ 1,309.28 \$ 3,502.54

DISBURSEMENTS

6103 Ashland Comm Medical Office Rent \$ 500.00
 6104 US DEPT of Treasury PCOR Fee \$ 2.54
 6105 R Wiese, Mileage \$ 224.00
 6106 B Rist Maint; Rental of Equipment \$ 60.60
 6107 T Walsh, Supt Off Mileage \$ 218.18
 6108 C Holz, Mileage \$ 38.60

Total \$1,043.92 \$ 2,458.62

Ending Balance \$ 2,458.62

RECONCILIATION

Bank Balance \$ 2,685.98
 Less: Claims Outstanding \$ 227.36
 check clearing error

Reconciled Balance \$ 2,458.62 \$ 2,458.62

PAYROLL ACCOUNT

Beginning Balance \$ 15,338.13

RECEIPTS

General Fund \$ 655,495.31
 Hot Lunch \$ 20,640.38
 Employee Prems \$ 1,426.82
 FM National Bank: Interest \$ 3.93

Total \$ 677,566.44 \$ 692,904.57

DISBURSEMENTS

Net Payroll \$ 411,901.79
 Retirement \$ 112,862.35
 State Tax Withholdings \$ 20,249.18
 Federal/FICA Taxes \$ 131,122.37
 Retiree Life Insurance Mo. Premium \$ 117.00
 Retiree Eye Insurance Mo Premium \$ 47.16
 Health Ins Premium \$ 1,426.82

Total \$ 677,726.67 \$ 15,177.90

Ending Balance \$ 15,177.90

RECONCILIATION

Bank Balance \$ 15,177.90
 Outstanding Checks \$ -
 Reconciled Balance \$ 15,177.90

\$ 15,177.90

ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT
EMPLOYEE BENEFIT (SECTION 125) ACCOUNT

June 2021

Beginning Balance			\$	33,591.98
<u>RECEIPTS</u>				
Employee Payroll Deposit	\$	10,379.99		
Bank of Ashland: Interest	\$	2.93		
Total			\$	10,382.92
			\$	43,974.90
<u>DISBURSEMENTS</u>				
Employee Benefits	\$	7,422.23		
Total			\$	7,422.23
			\$	36,552.67
Ending Balance			\$	36,552.67
<u>RECONCILIATION</u>				
Bank Balance	\$	36,552.67		
Reconciled Balance	\$	36,552.67		\$ 36,552.67

SPECIAL BUILDING ACCOUNT

Beginning Balance			\$	33,111,534.08
<u>RECEIPTS</u>				
Cass County	\$	15,794.55		
Sarpy County				
Saunders County	\$	30,102.07		
NLAF Interest	\$	280.16		
F & M Interest	\$	425.69		
Total			\$	46,602.47
			\$	33,158,136.55
<u>DISBURSEMENTS</u>				
June Claims	\$	249,251.20		
Total			\$249,251.20	\$ 32,908,885.35
Ending Balance				\$ 32,908,885.35
<u>RECONCILIATION</u>				
F&M Bank Balance	\$	1,495,748.37		
NLAF #9300590 Balance	\$	30,917,136.98		
Plus Special Building Investments	\$	496,000.00		
Reconciled Balance	\$	32,908,885.35		\$ 32,908,885.35

ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT
QUALIFIED CAPITAL PURPOSE FUND

June 2021

Beginning Balance \$ 69,685.48

RECEIPTS

Interest	\$ 5.73		
Total		\$ 5.73	\$ 69,691.21

DISBURSEMENTS

Total		\$ -	
Ending Balance			\$ 69,691.21

RECONCILIATION

Bank Balance	\$ 69,691.21		
Less: Outstanding Claims	\$ -		
Reconciled Balance	\$ 69,691.21		\$ 69,691.21

DEPRECIATION FUND

Beginning Balance \$ 1,311,105.48

RECEIPTS

F&M National Bank, Interest	\$ 1.30		
NLAF Interest	\$ 9.27		
NLAF CD Accrued Interest			
Total		\$ 10.57	\$ 1,311,116.05

DISBURSEMENTS

Total		\$ -	\$ 1,311,116.05
Ending Balance			\$ 1,311,116.05

RECONCILIATION

F & M Bank Balance	\$ 31,594.72		
NLAF Balance	\$ 1,031,521.33		
Plus Depreciation Investments	\$ 248,000.00		
Less: Outstanding Claims	\$ -		
	\$ 1,311,116.05		
Reconciled Balance	\$ 1,311,116.05		\$ 1,311,116.05

ASHLAND-GREENWOOD PUBLIC SCHOOLS FINANCIAL STATEMENT

June 2021

STUDENT FEE FUND

Beginning Balance			\$	6,798.68
<u>RECEIPTS</u>				
Cap and Gown Fees				
Student Fees				
College Drop Fee	\$	750.00		
Interest Bank of Ashland	\$	0.66		
Total			\$	750.66
			\$	7,549.34
<u>DISBURSEMENTS</u>				
June Disbursements	\$	426.02		
Total			\$	426.02
Ending Balance			\$	<u>7,123.32</u>
<u>RECONCILIATION</u>				
Bank Balance	\$	7,504.33		
Claims Outstanding	\$	381.01		
Misdirected Deposit				
Reconciled Balance	\$	<u>7,123.32</u>		\$ <u>7,123.32</u>

HOT LUNCH ACCOUNT

		Beginning Balance		\$	96,509.10
<u>RECEIPTS</u>					
Student and Staff Deposits	\$	251.00			
Online Student Deposits	\$	248.20			
Federal Reimbursement	\$	62,357.57			
State Reimbursement					
F&M National Bank: Interest	\$	9.26			
Vending Payment					
Total			\$	62,866.03	\$ 159,375.13
<u>DISBURSEMENTS</u>					
Wages & Benefits	\$	22,450.06			
Food/ Supplies/ Contracted Services	\$	27,570.06			
Senior Lunch Refund					
Rebate/ Food Payment		(\$118.48)			
Total			\$	49,901.64	\$ 109,473.49
Ending Balance					\$ <u>109,473.49</u>
<u>RECONCILIATION</u>					
Bank Balance	\$	109,536.74			
Claims Outstanding	\$	63.25			
	\$	<u>109,473.49</u>			
Receipts Outstanding					
Reconciled Balance	\$	<u>109,473.49</u>			\$ <u>109,473.49</u>
Student and Staff Deposits Held on Account - End of Month	\$		\$	26,579.15	

INVESTMENTS

Date Bought	Security Description	Rate	Investment
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General Fund Investments

1/30/15	Farmers & Merchants Bank, Ashland	0.550%	\$ 871,540.26
10/22/17	Bank of Ashland, Ashland	0.850%	\$ 107,463.60
11/10/20	First Capital Bank	0.350%	\$ 248,000.00
11/10/20	Third Coast Bank Ssb	0.350%	\$ 248,000.00
Total Investments			\$ 1,475,003.86

Depreaction Fund Investments

12/17/20	Preferred Bank, LosAngeles, CA	0.250%	\$ 248,000.00
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Special Building Fund Investments

4/12/21	CD First Bank of Ohio, OH	0.200%	\$ 248,000.00
4/12/21	Tab Bank, UT	0.200%	\$ 248,000.00
			\$ 496,000.00

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
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Pledged Safekeeping Security

Various pledged amounts at Agencies, Municipals, SBA, CD's etc, monitored by: Farmers Merchant Bank	Total Face Value	Actual Value
		\$ 3,000,000.00

Total Secured	\$ 3,250,000.00
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**FINANCIAL STATEMENT
ACTIVITY FUND**

FOR MONTH ENDING Jun-2021

				Beginning Balance		\$ 65,180.52
Date	Check #	Payee	Description	Receipt	Disbursed	Balance
ATHLETICS						\$ 1,519.25
6/18/21		Seward	WR trny fee	\$ 120.00		
6/21/21		Mt. Michael	Bob Simpson Golf fee	\$ 95.00		
6/21/21		Plattsmouth	MS Track	\$ 120.00		
TOTALS				\$335.00	\$ -	\$ 1,854.25
ALUMNI Projects						\$ 2,869.99
TOTALS				\$ -	\$ -	\$ 2,869.99
BAND						\$ 567.83
6/29/2021	015487	VISA	UNK Drum Major camp		\$ 195.00	
TOTALS				\$0.00	\$ 195.00	\$ 372.83
BLUE TEAM						\$ 838.80
6/8/2021	015477	No Frills	Supplies		\$ 37.57	
TOTALS				\$ -	\$ 37.57	\$ 801.23
BLUE OLYMPICS (10-1-2020)						\$ -
this account has been zeroed out to be closed						
TOTALS				\$ -	\$ -	\$ -
DRAMA						\$ 2,425.28
TOTALS				\$0.00	\$ -	\$ 2,425.28
ELM BOOK FAIR						\$ 813.76
TOTALS				\$ -	\$ -	\$ 813.76
ELM STAFF						\$ 1,459.68
TOTALS				\$0.00	\$ -	\$ 1,459.68
ELM STUDENT COUNCIL						\$ 6,318.44
6/8/2021	015477	No Frills	Supplies		\$ 34.39	
6/15/21		Various	Memory Books	\$ 21.00		
6/29/2021	015484	Lifetouch	Memory Books		\$ 1,257.14	
TOTALS				\$21.00	\$ 1,291.53	\$ 5,047.91
FBLA						\$ 6,529.89
6/8/2021	015475	Mahoney State Park	FBLA Lodging		\$ 2,213.00	
6/8/2021	015478	VGW Ashland	Donation from May Day 5k		\$ 620.50	
6/15/2021	015453	return funds from voided check		\$ 27.00		
6/15/21		Student	NLC	\$ 100.00		
6/22/21		Patron	NLC Donation	\$ 100.00		
6/29/2021	015487	Visa	FBLA Phi Beta Lambda		\$ 1,560.00	
TOTALS				\$ 227.00	\$ 4,393.50	\$ 2,363.39

**FINANCIAL STATEMENT
ACTIVITY FUND**

FOR MONTH ENDING Jun-2021

FFA				\$	24,805.82
6/16/2021	015479	Abante	Officer backpacks	\$	1,062.73
6/23/2021		return funds from voided check #015451		\$	444.01
6/24/21		River's Edge	Donation	\$	200.00
6/29/2021	015486	The Ohio State University	Learning lab kit	\$	440.01
6/29/2021	015487	VISA	FFA reward trip	\$	160.00
6/29/2021	015487	VISA	FFA Officers Retreat	\$	539.94
TOTALS				\$644.01	\$2,202.68
HONOR SOCIETY				\$	544.96
TOTALS				\$0.00	\$ -
HS STUDENT COUNCIL				\$	1,224.68
TOTALS				\$0.00	\$ -
MS/HS STAFF				\$	1,780.40
6/16/2021	015480	Finn Scientific	Supplies	\$	92.00
TOTALS				\$0.00	\$ 92.00
MS STUDENT COUNCIL				\$	1,899.29
6/8/2021	015474	Ashland-Greenwood Hotel Lu	MS incentives	\$	8.00
6/29/2021	015487	VISA	MS incentives	\$	270.00
TOTALS				\$0.00	\$ 278.00
PROM ACCOUNT				\$	6,885.58
TOTALS				\$0.00	\$0.00
SENIORS				\$	-
TOTALS				\$ -	\$ -
SKILLS USA (formerly SHOP)				\$	709.11
TOTALS				\$0.00	\$0.00
SPANISH CLUB				\$	244.11
TOTALS				\$ -	\$ -
SPIRIT SQUAD				\$	552.32
6/16/2021	015481	Midland University	Dance Camp	\$	400.00
6/29/2021	015483	Sydney Kaspar	Dance Instructor	\$	300.00
6/29/2021	015485	Morgan Oden	Dance Instructor	\$	300.00
6/29/21		Various	Cheer Camp	\$	495.00
6/29/21		Various	Cheer Camp	\$	1,350.00
6/29/21		Various	Cheer Camp	\$	1,530.00
6/30/21		AG Spirit Squad Boosters	Donation	\$	1,000.00
TOTALS				\$4,375.00	\$ 1,000.00
SPEECH				\$	(1,243.55)
TOTALS				\$0.00	\$ -

**FINANCIAL STATEMENT
ACTIVITY FUND**

FOR MONTH ENDING Jun-2021

TALENTED/GIFTED ACTIVITES				\$	133.23
TOTALS				\$	-
VOCAL MUSIC				\$	3,068.29
TOTALS				\$0.00	\$ -
YEARBOOK/ANNUAL Middle School				\$	854.42
6/18/21	Schribner	MS Yearbook	\$	17.00	
TOTALS				\$17.00	\$ -
YEARBOOK/ANNUAL High School				\$	(4,148.65)
6/16/2021	015482	Walsworth Publishing			\$ 4,546.45
TOTALS				\$0.00	\$4,546.45
INTEREST				\$	4,527.59
6/30/21	Bank of Ashland Interest		\$	5.81	\$ -
TOTALS				\$	5.81
ACTIVITY FUND TOTALS ALL ACCOUNTS				\$	5,624.82
				\$	14,036.73
				\$	56,768.61

Ending Balance	\$	56,768.61
Plus: Outstanding Checks	\$	6,183.59
Less: Outstanding Receipts		
Equals: Bank Balance	\$	62,952.20

Ashland-Greenwood Public Schools' General Fund Claims**General Fund Claims**

July 19, 2021

Check No.	Vendor	Amount	Description
041700	Ashland Community Medical Fun	\$ 500.00	District Office Rent
041701	Ashland Pharmacy	\$ 453.35	HS Reg Inst Services (Band)
041702	Barnes & Noble Inc	\$ 291.24	HAL - REACH materials
041703	Blooms Floral and Gifts/Red Robyn I	\$ 65.00	Graduation Flower Supplies
041704	Champlin Tire	\$ 350.00	Tires for Bobcat
041705	Capital Business Systems, Inc.	\$ 287.00	Copier service
041706	City Of Ashland	\$ 2,739.50	Sewer and Water
041707	Committee For Children	\$ 2,259.00	MS Reg. Instr.: Software
041708	Computer Hardware Inc.	\$ 199.90	Media: AV Materials
041709	Control Management, Inc.	\$ 4,539.00	Capital Outlay Plan 2021-22
041710	Cornhusker State Industries	\$ 5,679.00	Guidance office furniture
041711	Sunburst Digital Inc/Educational Res	\$ 450.00	Elem Reg: Web Based Software
041712	Egan Supply Co.	\$ 1,631.46	Custodial: Supplies
041713	FBG Service Corporation	\$ 10,348.00	District Cleaning Service
041714	Tom Fiala	\$ 234.60	Transportation Services
041715	Gopher Sports	\$ 715.51	PE Supplies
041716	HARRIS	\$ 9,447.33	Bus Office
041717	Holiday Inn Hotel & Convention Cent	\$ 112.95	Transportation Conference lodg
041718	JourneyEd.com Inc	\$ 2,535.52	HS Reg: Web Based Software
041719	K & J Elite Sports Turf, Inc	\$ 1,925.00	Football field applications
041720	Krieser Drywall & Insulation	\$ 15,865.25	Capital Outlay Plan Dist offi
041721	KSB School Law, PC LLO	\$ 4,490.00	School Attorney Services
041722	Lakeshore Learning Materials	\$ 641.02	Math Intervention supplies
041723	Lincoln Journal Star	\$ 787.40	District Advertising
041724	Literacy Resources, LLC	\$ 67.99	Literacy Intervention
041725	Matheson Tri-Gas, Inc/Linweld	\$ 72.81	Student Instructional Supplies
041726	Mixan Mudjacking	\$ 2,350.00	mudjack stadium walkway
041727	MobyMax, LLC	\$ 3,495.00	Elem Reg Inst.: Web Based Sof
041728	Nebraska Assoc for Curriculum, Inst	\$ 15.00	Curr. Super.: Dues
041729	NASB	\$ 110.00	Board of Ed training
041730	Nebraska.gov	\$ 6.00	Driver's license check
041731	Nebraska Capitol Conference	\$ 575.00	General: Capitol Conference P
041732	NE State Firemarshall - Boiler	\$ 36.00	Boiler Inspection
041733	Nebraska School Activities Assn.	\$ 1,290.00	General: NSAA Membership 21 -22
041734	Omaha World Herald	\$ 105.00	School nurse advertisement
041735	One Call Concepts Inc	\$ 7.69	Line locating service
041736	One Source, Inc	\$ 183.00	Employment checks
041737	Plak Smacker	\$ 287.94	Elementary health office supp
041738	Porter-Trustin-Carlson CO	\$ 22,200.00	Capital Outlay Plan 2021-22
041739	Quill Corp	\$ 87.80	Instruction: Supplies
041740	Ralston Public Schools	\$ 9,057.19	Speech and Audiology Services
041741	Ready Mixed Concrete	\$ 667.50	Concrete Work

Ashland-Greenwood Public Schools' General Fund Claims**General Fund Claims**

July 19, 2021

Check No.	Vendor	Amount	Description
041742	S & L Hardware	\$ 181.98	District painting supplies
041743	S & S Welding, Inc.	\$ 2,478.84	Capital Outlay Plan 2021-22
041744	School Datebooks	\$ 3,224.57	MS/HS planners
041745	School Specialty Inc	\$ 400.77	Casper 2021-22 Budget
041746	Stages Learning Materials	\$ 1,046.48	Instruction: ECSE Supplies.
041747	TEACHING STRATEGIES, LLC	\$ 890.40	K-5 Reg. Instruction: Suppli
041748	Anthony Petersen	\$ 270.00	Pest control Services
041749	USIC Locating Services, LLC	\$ 190.96	Line locating Service
041750	United States Postal Service - POC	\$ 750.00	Postage for Machine
041751	Voyager Fleet Systems, Inc.	\$ 1,549.45	District Fuel
041752	Voyager Sopris Learning, Inc	\$ 34.49	Elem Supplies
041753	Beverly Wiggs	\$ 308.25	District Therapy Service
041755	Audio Marketing Solutions	\$ 19,748.00	Fiber to new District Office
041756	Apple Inc	\$ 179.00	HS Reg. Instr. AV Materials
041757	Charter Communications	\$ 86.59	District Cable
041758	Brooke L Cheleen	\$ 103.91	District physical therapy
041759	Classic Sportswear & Awards	\$ 866.43	Academic Awards
041760	Delta Electric	\$ 1,871.73	Electrical work new District Office
041761	Great Plains Service Inc.	\$ 1,400.00	Pole Barn Heater, gas line install
041762	Menard Inc	\$ 1,173.48	HS Maintenance Supplies
041763	Quill Corp	\$ 66.78	Office supplies
041764	Riverside Technologies Inc. (RTI)	\$ 836.00	Instructional hardware
041765	S & L Hardware	\$ 228.69	plmbg, grass seed,paint, nuts & bolts
041766	Security Equipment Inc	\$ 240.00	Proximity cards
041767	Tammy Williams	\$ 200.00	Transportation physical
041768	AG Payroll Account	\$ 371,563.11	July Net Payroll
041769	BANK OF ASHLAND	\$ 9,970.99	Payroll Section 125 Deduct
041770	Blue Cross Blue Shield of NE	\$ 140,256.12	Payroll Health & Dental Ins
041771	Madison National Life	\$ 1,415.34	Payroll LTD Insurance Prem
041772	Madison National Life	\$ 901.00	Payroll Employee Life Prem
041773	AG Payroll Account	\$ 20,457.93	Payroll State Tax Wthhldg
041774	AG Payroll Account	\$ 123,633.77	Payroll Federal Tax Wthhldg
041775	Retirement	\$ 101,957.47	Payroll Retirement Wthhldg
041776	TSA Consulting Group Inc	\$ 2,575.00	Payroll Annuity Deduction
041777	Vision Service Plan	\$ 1,159.77	Payroll Employee Vision Prem
041778	voided clerical error		
041779	Admin Operations	\$ 541.38	Staff Mileage

Ashland-Greenwood Public Schools' General Fund Claims
General Fund Claims
July 19, 2021

Check No.	Vendor	Amount	Description
Incompletes:	Admin Operation Account		Meyo Enterprises
	Americom		Midwest Flooring
	Ashland Auto		NASPA
	Ashland Community Med Found		No Frills/Spartan Nash
	Ashland Disposal		OPPD
	Ashland Gazette		Payflex
	Ashland Greenwood Hot Lunch		Porter-Trustin-Carson
	Capital Business Systems		Quill
	CB Winsupply		Rivers Metal Products
	Charter/Spectrum		Rooterman of Omaha
	Control Management		RTI
	Dave's Heating and Air		School Specialty
	Delta Electric		Screencastify
	Engineered Floors		Symmetry
	ESU #2, ESU #5		Total Communcation
	GovConnect		TSA
	Hello Garage Operations		United Electrical Supply
	Innovative Laboratory		US Mechanical
	Jackie Fudge		VISA
	JourneyEd		Wahoo-Waverly-Ashland Gazette
	KCAV		WeatherCraft
	Menards		Wiggs Occupaional Therapy
	Metal Door and Hardware		Windstream
			Youth Frontiers

Authorized by:

**June 2021 Incomplete
General Fund Disbursements**

Check	Payable to	Amount	Description
041687	Ashland Disposal Service	\$ 863.31	District Trash Service
041688	Capital Business Systems, Inc.	\$ 160.48	Copier fees MS/HS
041689	GovConnection Inc.	\$ 1,740.61	High School Education Supplies
041690	Menard Inc	\$ 552.67	Maintenance supplies
041691	Musicfield Concrete Constuctic	\$ 4,800.00	MS locker room shower floor
041692	Omaha Public Power District	\$ 13,153.47	District Electricity
041693	PayFlex Systems USA Inc	\$ 268.00	Employee Benefit
041694	S & L Hardware	\$ 526.64	Maintenance supplies
041695	Student Assurance Services Inc	\$ 1,687.50	Student Insurance premium
041696	TSA Consulting Group Inc	\$ 83.33	403B Admin Fee
041697	US Mechanical Service Inc	\$ 1,364.76	replace sensors on chiller
041698	VISA	\$ 701.30	MS/HS instructional supplies
041699	Windstream	\$ 705.86	District Telephone

Authorized by:

Ashland-Greenwood Public Schools
June 21, 21 to July 19, 2021
Administrative Operations Account

Date	Check No	Description		Amount
6/23/21	6105	R Wiese, Mileage	\$	224.00
6/23/21	6106	B Rist Maint; Rental of Equipment	\$	60.60
6/25/21	6107	T Walsh, Supt Off Mileage	\$	218.18
6/29/21	6108	C Holz, Bus Off Mileage	\$	38.60

Authorized by:

**Ashland-Greenwood Public Schools' Claims
Depreciation Account
7/19/2021**

Date	Check No.	Vendor/Description	Amount
7/19/21	1038	Daves Heating & Air Replacement Roof Top	\$ 15,400.00

Authorized by:

Ashland-Greenwood Public Schools' Claims
Special Building
July 2021

Date	Check No.	Vendor/Description	Amount
7/1/21	001512	AQS Environmental Inc/Ter PreGrading Pack:	\$ 11,327.50
7/1/21	001513	DLR Architect Fees	\$ 292,864.61
	TBD	Doernemann Construction	INC

Authorized by:

Ashland-Greenwood Public Schools
Hot Lunch Claims
Jul-21

DATE	Check #	VENDOR	Amount	Description
7/19/2021	011362	Cash-Wa	\$ 829.14	District Food
7/19/2021	011363	Hiland Dairy	\$ 138.56	District Milk
7/19/2021	011364	Lincoln Journal	\$ 646.50	Job Ad
7/19/2021	011365	Omaha World Herald	\$ 105.00	Job Ad
7/19/2021	011366	US FoodService	\$ 32.31	District Food
7/15/2021	011367	AG Payroll Account	\$ 2,381.72	July Net Payroll
7/15/2021	011368	Blue Cross Blue Shield of NE	\$ 1,203.35	July 21 PR
7/15/2021	011369	Madison National Life	\$ 22.00	July 21 PR
7/15/2021	011370	Ashland-Greenwood Payroll Accc	\$ 34.98	July 21 PR
7/15/2021	011371	Ashland-Greenwood Payroll	\$ 564.46	July 21 PR
7/15/2021	011372	Retirement	\$ 278.78	July 21 PR

Authorized by:

Ashland-Greenwood Public Schools

Activities Account

June 21 to July 16, 2021

<u>Date</u>	<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Disbursed</u>	<u>Activity</u>
6/29/21	015483	Sydney Kaspar	Dance Instructor	\$ 300.00	Spirit Squad
6/29/21	015484	Lifetouch	Memory Books	\$ 1,257.14	Elem STUCO
6/29/21	015485	Morgan Oden	Dance Instructor	\$ 300.00	Spirit Squad
6/29/21	015486	The Ohio State University	Learning lab kit	\$ 440.01	FFA
6/29/21	015487	VISA	MS incentives	\$ 270.00	MS STUCO
6/29/21	015487	VISA	FFA reward trip	\$ 160.00	FFA
6/29/21	015487	Visa	FBLA Phi Beta Lambda	\$ 1,560.00	FBLA
6/29/21	015487	VISA	UNK Drum Major camp	\$ 195.00	Band
7/8/21	015488	Ashland Golf Club	Prom	\$ 2,020.00	Prom
7/8/21	015489	Mary Ziegenbein	Prom	\$ 120.71	Prom
7/8/21	015490	No Frills	FBLA Supplies	\$ 81.80	FBLA
7/14/21	015491	Cash/Drawer Change	FBLA Movie Night	\$ 200.00	FBLA
7/14/21	015492	Odeys Field Experts	Paint	\$ 897.84	Athletics

Authorized by:

Ashland-Greenwood Public Schools' Claims
Student Fees
7/19/2021

Date	Check No.	Vendor/Description	Amount
6/28/21	1470	VISA	Kona ICE MS Incentive \$ 336.00
6/28/21	1472	Verizon	Monthly Fee for Strive \$ 45.01

Authorized by:

Board Report - July 19, 2021

Jill Finkey - Curriculum Director

Topic: ARP/ESSER III including Return to School Plan for 21.22

The ARP (American Rescue Plan) ESSER III (Elementary and Secondary School Emergency Relief Fund) is the third round of federal dollars that have been allocated to public schools due to the COVID-19 pandemic. There are multiple steps and requirements to be completed in order to be eligible for these funds.

- Complete contact information, review assurance statements, and agree to the assurance statements that are mandated by the federal government in order to spend these dollars - Due June 10, 2021 (AGPS completed on June 2nd)
- Develop a Plan for Safe Return to School - Due to be posted on district web-site by July 15, 2021 (AGPS posted on July 12th)
- AGPS draft of Return to School Plan includes all of the mandated federal requirements Guidance from the Nebraska Department of Education, KSB (school district law firm), and the CDC informed the draft.
 - Opportunity for Public Comment/Stakeholder feedback required
 - Plan and Survey shared with AGPS staff on July 12th
 - Plan and Survey posted on web-site for public on July 12th
 - Plan and Survey shared with AGPS families via School Messenger on July 13th
 - Posted as an agenda item for the July 19th School Board Meeting
 - (May need to provide some additional opportunities for special interest groups within the district)

As of July 14, 2021 - 15 stakeholders have responded to the survey. A summary of public comment received from the survey will be shared with the board at the July Board Meeting.

- Return to School Plan required to be reviewed at least every 6 months for the next 2 years. Additional opportunities for public input are encouraged throughout the life of the grant. The plan can be reviewed/revise as often as district deems necessary.
 - AGPS Administrative Team will review all public feedback received prior to the start of the new school year. Additional opportunities will be provided for AGPS staff to review/discuss/provide feedback during August in-service days. Plan may be revised based on common themes reflected in feedback. Any revisions will also have to reflect compliance with federal expectations.
 - Any significant revisions that may directly impact staff or families and students will be communicated as timely as possible

- Districts must complete an application for ARP ESSER III Funds - Due by September 15, 2021
 - Grant application must include a plan for how district intends to expend the granted funds. AGPS is eligible for \$732,331.00 in ESSER III funds.
 - ARP ESSER III funds may be used to:
 - Invest in mitigation strategies consistent with the CDC for K-12 schools to the greatest extent practicable; address the many impacts of COVID-19 on students, including from interrupted instruction
 - It is required that at least 20% of district allocation be used to address unfinished learning through the use of evidence-based interventions. Programming should address students' academic, social-emotional wellbeing, and the disproportionate impact of COVID-19 on marginalized students.
 - Implement strategies to meet students' social, emotional, mental health, and academic needs
 - Offer crucial summer, after school, and other extended learning and enrichment programs
 - Support early childhood education
 - Invest in staff capacity
 - Avoid devastating layoffs at this critical moment, ensuring that all students have access to teachers, counselors, and other school personnel to support their needs
- Opportunity for Public Comment/Stakeholder feedback is also required for the district ARP Expenditure Plan
- District's ARP Expenditure Plan is required to be publicly available on the district web-site.
- Federal oversight of the access and expenditure of these funds requires districts to be transparent and ensure accountability through consistent documentation
 - AGPS will continue to consult with NDE and KSB during the development and implementation of our local ARP Plan
- Additional information and opportunities for input will be shared with the Board prior to the ARP Expenditure Plan/Grant application being submitted
 - Districts are allowed to revise/amend their application throughout the life of the grant
 - All ESSER III funds must be expended by September 2024

19 July 2021

To the Esteemed Members of the Ashland-Greenwood Board of Education,

The National Cheer Association Overnight Cheer Camp will be held Thursday through Saturday, July 22-24. It will be held at the Embassy Suites in Lincoln, Nebraska. The camp days begin at 8:15 a.m. on Friday and Saturday. The camp days end around 9:30 p.m. with time allowed for teams from various schools to bond and work together. The Ashland-Greenwood Cheerleading Squad will be taking classes, working privately with coaches from Varsity, learning new drills, and will be working on proper stunting technique for the season. They also will be competing, some for an All-American title and/or scholarships for college.

Due to the early start time and late evenings, along with a rigorous schedule, I am requesting that Ashland-Greenwood cheer team members be granted permission to stay overnight at the Embassy Suites hotel for the duration of camp. Students will be driven by parents to the Embassy Suites on Thursday morning and will be picked up by their parents on Saturday at noon. I will be chaperoning along with Coach Hansen.

The team has agreed to pay their own way for this camp and the team has worked hard to be prepared for this excellent learning experience. We are so excited to offer our team such a great opportunity to grow and learn from some of the best cheer coaches in the country. Thank you for taking the time to consider our stay. We are so grateful for all of the work that you do.

Thank you for your consideration.

Coach Rebecca Duncan



Dear Bluejay Family,

This communication includes information about the start of the 2021-2022 school year, specifically the district's approach to Covid-19 related protocols and procedures. With the increase in vaccinations, a better understanding of the Coronavirus and a decrease in active cases in the state of Nebraska and the Ashland-Greenwood School District, AGPS will plan to open at full capacity and maintain safety protocols and procedures when possible. Masks will not be required.

As we progress through next school year, AGPS will continue to maintain our relationship and stay in constant contact with the Three Rivers Public Health Department, as well as review recommendations from the Center of Disease Control and the state of Nebraska. As related to Covid-19, in the event of required, or necessary updates, or changes, the district will communicate those actions as quickly as possible to our families.

In formulating our approach for next school year, AGPS reviewed recommended health guidelines and has moved to the aspect that the maintenance of Covid-19 is the personal responsibility of our families and staff. With that said, although not required, we would encourage our families to consider being vaccinated and if at any time, your individual students are experiencing symptoms related to Covid-19, please keep your students at home, notify the district, and follow all protocols outlined by the local health department and CDC.

The chart below represents a draft of the Ashland-Greenwood Public Schools Return to School Plan. Please keep in mind that based on recommendations from the CDC and Three Rivers Public Health, these protocols may change at any time. The district's Return to School Plan is located on the school website at www.agps.org

DRAFT - AGPS Return to School Plan for 2021.2022
(July 1, 2021)

<i>Capacity</i>	Participation in academic experiences and activities/athletics will be at full capacity.
<i>Working Collaboratively with Three Rivers Public Health Department</i>	<p>The school district will continue to work closely with The Three Rivers Public Health Department, Nebraska Department of Education, and the NSAA when implementing our Return to School Plan. Adjustments to this plan will be made based on the current health conditions in our district and through collaboration with the health department.</p> <p>Any significant changes to this plan will be communicated with families through email and/or phone calls through our school messaging system.</p>

<p><i>Masking / Face Coverings</i></p>	<p>Masking is not required for outside activities, however, students and staff wishing to engage in masking will be allowed to do so.</p> <p>For academic experiences and activities scheduled inside the building, masking is recommended by the CDC, but not required.</p> <p>Keep in mind, the effective use of a mask or face covering entails the covering of the nose and face by the wearer. Individuals who are not vaccinated should strongly consider the use of a mask or face cover to provide added protection for exposure to Covid - 19.</p>
<p><i>Vaccinations</i></p>	<p>Covid-19 vaccinations are not required for students and/or staff to attend school.</p> <p>However, keep in mind that individuals can assist AGPS in mitigating Covid-19 outbreaks by getting vaccinated. AGPS hosted several vaccination clinics for staff and students in the spring of 2021. Please contact Three Rivers Public Health for information regarding access to vaccinations. AGPS would be happy to host additional vaccination clinics should Three Rivers Public Health indicate a level of interest has been expressed by members of our community.</p> <p>As we have learned, an outbreak that affects an entire classroom, grade level, or our teaching staff, may affect the district’s ability to continue school in our current protocol.</p>
<p><i>School Absence</i></p>	<p>As Ashland-Greenwood Public Schools believes that the maintenance of Covid-19 is the personal responsibility of our families and staff, Covid-19 cases will be treated like the “flu”, or any other communicable disease. Families should connect with both their building office and classroom teacher in the event of any illness, or missed school.</p>
<p><i>Academic Recovery</i></p>	<p>Ashland-Greenwood Public Schools acknowledges that some students experienced a loss of learning due to the pandemic and its effect on the academic environment. The district recognizes that students were affected by remote learning in the spring of 2020, as well as absences related to Covid - 19 during the 2020.2021 school year. AGPS will continue to utilize all academic practices in place prior to the pandemic, as well as additional instructional strategies to support student learning.</p> <p>Strategies utilized may include, but are not limited to:</p> <ul style="list-style-type: none"> ● Ensuring Multi-Tiered Systems of Support (MTSS) academic, behavioral, and social emotional processes and guidelines are provided to all students ● Universal Screener (3-8) - Northwest Evaluation Association (NWEA) Measures of Academic Performance (MAP) - Reading and Math ● Universal Screener (K-2) - NWEA MAP Reading Fluency ● Houghton Mifflin Harcourt Math Screener (1-2) ● Fastbridge aReading and aMath (2-5) ● mySAEBERS (2-12) - Social/Emotional ● SAEBERS (K-12 - Social/Emotional ● Nebraska Student Centered Assessment System (NSCAS) for grades 3rd-8th ● Formative and summative classroom assessments ● Benchmarking of individual student skill levels ● Implementation and maintenance of newly identified 504 and IEPs as related to Covid - 19.
<p><i>Social Distancing</i></p>	<p>Students and staff should maintain suggested social distancing when possible.</p>
<p><i>Good Hygiene</i></p>	<p>Regular use of hand sanitizer and soap and water, as well as promoting respiratory etiquette (coughing, sneezing into sleeves, etc) will be practiced.</p> <p>The district will provide opportunities and encourage good hygiene, etiquette and work to reduce the spread of illness.</p> <p>To assist the district, parents should encourage students to maintain good hygiene at all times.</p>

<p><i>Food</i></p>	<p>Students should not share food and/or water.</p> <p>Individual water bottles should be utilized by students and staff.</p>
<p><i>Cohorts</i></p>	<p>Students engaged in all academic experiences and activities may be cohorted with an individual group if needed.</p> <p>This action could include academic experiences, lunchtime and all activities.</p>
<p><i>Cleaning</i></p>	<p>To reduce the spread of Covid - 19 and other viruses, the district will engage in continued, increased cleaning practices.</p>
<p><i>Bussing</i></p>	<p>Busses will be cleaned daily.</p> <p>Masking is not required, however, students and staff wishing to wear a mask on the bus may do so.</p>
<p><i>Cafeteria / Lunch</i></p>	<p>All cafeteria procedures will resume as normal.</p> <p>Wash / Sanitize hands before entering the cafeteria line.</p> <p>Cleaning between lunch groups.</p> <p>If needed, students will eat lunch with a cohort.</p>
<p><i>Extra Curricular Activities</i></p>	<p>The district will follow all guidelines provided by the NSAA and NDE.</p>
<p><i>Visitors</i></p>	<p>All school visitors need to check in the office before moving throughout the building.</p>
<p><i>Playground and Outdoor Activities</i></p>	<p>Normal use of playground equipment will be allowed.</p> <p>Outdoor activities will be allowed as normal.</p>
<p><i>Use of school by Outside Groups</i></p>	<p>While in the current protocol, the school may be used by outside groups as normal and must follow the district's facility use agreement.</p>
<p><i>Ventilation and Facility Care</i></p>	<p>Regular filter changing will continue to take place to assist in providing a clean learning environment for all students and staff.</p> <p>The district will continue to review opportunities to improve the air flow and ventilation in the school facility.</p>
<p><i>Attendance at School Activities</i></p>	<p>Attendance at school activities will be at full capacity.</p> <p>Masks are recommended, but not required, but those in attendance wishing to wear a mask or face covering may do so.</p> <p>We encourage that spectators sit in family groups to the greatest extent possible.</p>

<p><i>Screening for Covid - 19 and other Illnesses</i></p>	<p>Students and/or parents should check for Covid related symptoms and other illnesses at home, prior to arrival at school.</p> <p>Parents should follow all CDC guidelines and keep students at home if any of the following symptoms are experienced: * Fever or chills * Cough * Shortness of breath or difficulty breathing * Fatigue * Muscle or body aches * Headache * New loss of taste or smell * Sore throat * Congestion or runny nose* Nausea or vomiting * Diarrhea</p> <p>If at school, students exhibiting symptoms related to Covid - 19, or other significant illness, will be screened by health office personnel and may be sent home.</p>
<p><i>Social Emotional Approach</i></p>	<p>In regard to social-emotional mental health and related needs, AGPS Public Schools will continue to provide necessary guidance and support to parents and students to assist in possible trauma resulting from the Pandemic or any other emergencies. Please contact the building counselor for further information.</p>
<p><i>Nutritional Needs</i></p>	<p>Student concerns of nutritional needs will be addressed on an individual student basis. Please contact the building principal for further information</p>
<p><i>Exposure and Covid Diagnosis</i></p>	<p>Individuals diagnosed with, or have been exposed to, Covid-19 should contact AGPS and follow all protocols outlined for recovery by the health department and CDC.</p> <p>Following current CDC and health department guidelines, contracting , or exposure to Covid-19 could include contact tracing, isolation and possible quarantine.</p>

The district is seeking input from stakeholders within our school district regarding the district's Return to School Plan for 21.22. Feedback will be used to inform our plan throughout the year. We will review the plan at least every 6 months and may seek additional feedback in the future as well. In addition to being provided above, the district's Return to School Plan can be accessed from our website at www.agps.org

Please consider reviewing the plan and providing your feedback within this brief survey - linked here. (The survey link for our Return to School Plan is also posted on our website at [Return to School Survey](#)).

Thank you,

Jason Libal
Ashland-Greenwood Superintendent

Thursday, July 22nd - 8 a.m. to 12 p.m. Elementary West Parking Lot

Item	Estimated Value	Staff Member	Location
Student Chairs- Misc. Student Chairs	\$700	Teresa Bray	locker rooms - elem
Metal TV stand/cart - 1	\$5.00	Teresa Bray	locker rooms - elem
Metal/Wood rect. tables - 11	\$77	Teresa Bray	locker rooms - elem
4 drawer file cabinet-1	\$7	Teresa Bray	locker rooms - elem
2 drawer file cabinet-4	\$20	Teresa Bray	locker rooms - elem
metal book cart - 1	\$5	Teresa Bray	locker rooms - elem
metal computer stand -1	\$5	Teresa Bray	locker rooms - elem
student desks - 3	\$15	Teresa Bray	locker rooms - elem
metal cabinet w/doors	\$5	Teresa Bray	locker rooms - elem
standing workstation top	\$25	Teresa Bray	locker rooms - elem
tall cabinet w/shelves	\$20	Teresa Bray	locker rooms - elem
misc boxes light bulbs	\$5	Mark	bus barn
box metal halide bulbs	\$20	Mark	bus barn
light fixture	\$10	Mark	bus barn
large light fixture	\$15	Mark	bus barn
ceiling vents each	\$2	Mark	bus barn
large alum vent	\$5	Mark	bus barn
exhaust fan	\$10.00	Mark	bus barn
12x12 white vents each	\$1	Mark	bus barn
misc steel wool-box	\$10	Mark	bus barn
carpet remnants roll	\$1	Mark	bus barn
Old student chromebooks (as is)	\$20 per device (includes charger)	Tech Team	MS/HS Media Center
lunch trays	\$100.00	Karee Nielsen	Kitchen
Brown student desks (3) on stage	\$5	Jacobsen	Stage
Green student desk (1) on stage	\$5	Jacobsen	Stage
Old red volleyball standards system (3 poles, nets)	\$25	Jacobsen	C hall storage area
Counter top	\$25	Jacobsen	FB press box south room
Green framed tables	\$10	Jacobsen	Track garage
Shop machines/tools (I assume broken)	\$20 or more if working?	Jacobsen	Track garage
Elevator	\$200	Jacobsen	Track garage
AG Old Scoring Table	\$200	Flynn	Gym Storage
mower-won't start	\$15	Mark	bus barn



2021-2022

Staff Handbook

INTRODUCTION

This handbook provides information to persons who are employed by the school district and are referred to in this handbook as employees, staff, or staff members. It is designed to provide practical information about the daily operation of the schools in the district and contains building and district directories, safety and emergency information, as well as district policies and procedures. Each staff member should carefully review this handbook. The administration and the board of education continually review policies and procedures, so staff members should discuss comments, concerns, or suggestions about this handbook with their building principal or another member of the administrative staff.

This handbook does not create a “contract” of employment. Staff positions and assignments that do not require a teaching certificate or are not otherwise governed by the teacher tenure laws may be ended or changed on an at-will basis notwithstanding anything in this handbook or any other publication or statement, except a contract approved by the board of education.

Many situations may arise that are not covered by this handbook. In those instances, staff members should use their own good judgment or consult with the administration. If any information contained in this handbook conflicts with board policy or state statute, the policy or statute will govern.

The provisions in this handbook are subject to change at the sole discretion of the Superintendent and the Board of Education. From time to time, you may receive updated information concerning changes in the handbook. These updates should be kept within the handbook so that all procedures can be kept up to date. If you have any questions regarding this handbook, please ask your supervisor or the Superintendent for assistance.

Your suggestions about ways to improve the school are welcome and will always be considered.

NONDISCRIMINATION IN EDUCATION PROGRAMS AND ACTIVITIES: The school district does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies:

Name: Jason Libal Title: Superintendent
Superintendent Address: 1842 Furnas
Street Telephone: (402) 944-2128
E-mail: jason.libal@agps.org

For further information on notice of nondiscrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area or call 1-800-421-3481.

For additional prohibited discrimination and related information, please review school district Policy 3053 – Nondiscrimination.

DRUG-FREE WORKPLACE REQUIREMENTS: 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.

POLICIES AND PROCEDURES REGARDING ALL STAFF

ACCIDENTS AND INJURIES: If an injury occurs on the job to an employee, the following procedures must be observed:

1. All injuries must be reported to your immediate supervisor or the Office Manager immediately. If the injury occurs during a period of time when the supervisor and/or Office Manager are not at work injuries should be reported by calling 944-2128. If there is no answer at that number a message should be left on the voice mail at extension #2011.
2. The business manager must fill out a worker's compensation form as soon as possible.
3. If emergency medical attention is needed, contact the proper agencies.
4. Report the incident as soon as possible following that emergency treatment.
5. All reports must go through the Superintendent's office.

AGENTS, SALESMEN AND OTHER BUSINESS REPRESENTATIVES: All business representatives calling on school matters must obtain permission from the superintendent or building principal before conferring with staff. Staff must determine whether the business representative has been granted permission before discussing business matters. Classroom teachers may not interrupt class work to confer with such representatives.

Staff may not use school time or school facilities for any personal activity for personal financial gain or confer with any business representative for personal business during school time.

ANNOUNCEMENTS AND CIRCULARS: No announcements shall be made before any school group without authorization of the principal or superintendent.

Any circulars or advertising displayed within the school shall have the approval of the building principal or superintendent before posting.

BOARD POLICIES, RULES, AND DIRECTIVES: The board of education has adopted policies that govern the operation of the school district. A complete policy manual is available on the district's website or in the main administrative office. These manuals will be updated as the board adopts new policies or modify existing policies. In particular, the 4000 series deals with policies that affect personnel. Additionally, the Board has authorized the Superintendent and his or her designee to adopt rules and directives regarding the conduct of students, staff, and other persons. Many of these rules and directives are published in the Student Handbook, Staff Handbook, and Activity Handbook, respectively. Each of these handbooks are available on the district's website and in the main administrative office. **By signing below, you agree that you have read and understood these policies, handbooks, rules, and directives, their application to you, and that you have had an opportunity to discuss any questions with the administration.**

CHILD ABUSE: Staff members have an obligation under Nebraska law to report suspected child abuse or neglect cases to local law enforcement or social services personnel. In an effort to help prevent child abuse or neglect, school employees should learn to recognize the symptoms of child abuse, know how to report it, and provide continuing support and encouragement to abused children and their families.

Child abuse is defined 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. Placed in a situation to be sexually exploited by allowing, encouraging, or forcing such minor child to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions;
- or 5. Placed in a situation to be sexually abused as defined in Neb Statutes 28-319 or 29-320.01.

School employees who have reasonable cause to suspect a child is a victim of abuse or neglect, or who observe conditions that reasonably would result in abuse or neglect, shall report such incidents to the building principal and proper authorities.

The employee shall make an oral report or cause a report to be made to the Ashland Police Department (944-2222) or the statewide hotline (1-800-652-1999). As a district, our expectation (as requested by our local Ashland Police Department) is to call the local police first for a more immediate response. The report will include all information required by law including the employee's name and address, name, address and age of abused, address of persons having custody of the child, nature and extent of abuse or the conditions and circumstances which would reasonably result in abuse or neglect, and other information which in the opinion of the person may be helpful in establishing the cause of such abuse or neglect and the identity of the perpetrator or perpetrators.

School employees are not responsible for actual investigation or intervention in child abuse cases and should not assume that responsibility. However, staff shall work cooperatively with law enforcement who are investigating a report of child abuse. Law enforcement and/or the CPS worker will be given access to a child as per Board Policy 1411.

During the investigation of a reported child abuse case, when law enforcement and/or a CPS worker requests information about a student, school employees will provide information regarded as generally obtainable through other sources. It is recognized that access to this information may help to expedite the initial investigation of a case.

COMPLAINT PROCEDURE: Good communication helps to resolve many misunderstandings and disagreements. This complaint procedure applies to board members, patrons, students, and school staff, unless the staff member is subject to a different grievance procedure pursuant to policy or contract. Individuals who have a complaint should discuss their concerns with appropriate school personnel in an effort to resolve problems. When such efforts do not resolve matters satisfactorily, including matters involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age, a complainant should follow the procedures set forth below.

A preponderance of the evidence will be required to discipline a party accused of misconduct. This means that the investigator must conclude that it is more likely than not that misconduct occurred.

Complaint and Appeal Process.

1. The first step is for the complainant to speak directly to the person(s) with whom the complainant has a concern. For example, a parent who is unhappy with a classroom teacher should initially discuss the matter with the teacher. However, the complainant should skip the first step if complainant believes speaking directly to the person would subject complainant to discrimination or harassment.

2. The second step is for the complainant to speak to the building principal, Title IX/504 coordinator, superintendent of schools, or president of the board of education, as set forth below.

a) Complaints about the operation, decisions, or personnel within a building should be submitted to the principal of the building.

b) Complaints about the operations of the school district or a building principal should be submitted in writing to the superintendent of schools.

c) Complaints about the superintendent of schools should be submitted in writing to the president of the board of education.

d) Complaints involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age may also be submitted at any time during the complaint procedure to the School District's Title IX/504 coordinator. Complaints involving discrimination or harassment may also be submitted at any time to the Office for Civil Rights, U.S. Department of Education: by email at OCR.KansasCity@ed.gov; by telephone at (816) 268-0550; or by fax at (816) 268-0599.

3. When a complainant submits a complaint to an administrator or to the Title IX/504 coordinator, the administrator or Title IX/504 coordinator shall promptly and thoroughly investigate the complaint, and shall:

a) Determine whether the complainant has discussed the matter with the staff member involved.

1) If the complainant has not, the administrator or Title IX/504 coordinator will urge the complainant to discuss the matter directly with that staff member, if appropriate.

2) If the complainant refuses to discuss the matter with the staff member, the administrator or Title IX/504 coordinator shall, in his or her sole discretion, determine whether the complaint should be pursued further.

b) Strongly encourage the complainant to reduce his or her concerns to writing.

c) Interview the complainant to determine:

1) All relevant details of the complaint;

2) All witnesses and documents which the complainant believes support the complaint;

3) The action or solution which the complainant seeks.

d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 days after the administrator or Title IX/504 coordinator received the complaint.

4. If either the complainant or the accused party is not satisfied with the administrator's or the Title IX/504 coordinator's decision regarding a complaint, he or she may appeal the decision to the superintendent.

a) This appeal must be in writing.

b) This appeal must be received by the superintendent no later than ten (10) business days from the date the administrator or Title IX/504 coordinator communicated his/her decision to the complainant.

c) The superintendent will investigate as he or she deems appropriate. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.

d) Upon completion of this investigation, the superintendent will inform the complainant in writing of his or her decision. If the complaint involved discrimination or harassment, the superintendent shall submit the decision within 180 days after the superintendent received complainant's written appeal.

5. If either the complainant or the accused party is not satisfied with the superintendent's decision regarding a complaint, he or she may appeal the decision to the board.

a) This appeal must be in writing.

b) This appeal must be received by the board president no later than ten (10) business days from the date the superintendent communicated his/her decision to the complainant.

c) This policy allows, but does not require the board to receive statements from interested parties and witnesses relevant to the complaint appeal. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.

d) The board will notify the complainant in writing of its decision. If the complaint involved discrimination or harassment, the board shall submit its decision within 180 days after it received complainant's written appeal.

e) There is no appeal from a decision of the board.

6. When a formal complaint about the superintendent of schools has been filed with the president of the board, the president shall promptly and thoroughly investigate the complaint, and shall:

a) Determine whether the complainant has discussed the matter with the superintendent.

1) If the complainant has not, the board president will urge the complainant to discuss the matter directly with the superintendent, if appropriate.

2) If the complainant refuses to discuss the matter with the superintendent, the board president shall, in his or her sole discretion, determine whether the complaint should be pursued further.

b) Strongly encourage the complainant to reduce his or her concerns to writing.

c) Determine, in his or her sole discretion, whether to place the matter on the board agenda for consideration at a regular or special meeting.

d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 days after the president received the complaint. **No Retaliation.** The school district prohibits retaliation against any person for filing a complaint or for participating in the complaint procedure in good faith.

Special Rules Regarding Educational Services and Related Services to Students with Disabilities.

Students with disabilities and their families have specific rights outlined in state and federal law, including administrative processes by which they may challenge the educational services being provided by the school district. Therefore, the appeal process contained in this policy may not be used to challenge decisions made by a student's individualized education plan (IEP) team or 504 team.

Complaints about the educational services provided a student with a disability, including but not limited to services provided to a student with an IEP, access to curricular and extracurricular activities, and

educational placement must be submitted to the school district's Director of Special Education. The Director of Special Education will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of IDEA Parental Rights promulgated by the Nebraska Department of Education.

Complaints about the educational services provided a student with a disability pursuant to a Section 504 plan must be submitted to the school district's 504 Coordinator. The 504 Coordinator will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of Section 504 Parental Rights adopted by the board of education.

Complaints about the educational services provided to a student who is suspected of having a disability must be submitted in writing to the school district's Director of Special Education or to the district's 504 Coordinator. The Director of Special Education or 504 Coordinator will either refer the student for possible verification as a student with a disability or will provide prior written notice of the district's refusal to do so.

Bad Faith or Serial Filings. The purpose of the complaint procedure is to resolve complaints at the lowest level possible within the chain of command. Complaints filed (a) without a good faith intention to attempt to resolve the issues raised; (b) for the purpose of adding administrative burden; (c) at a volume unreasonable to expect satisfactory resolution; or (d) for purposes inconsistent with the efficient operations of the district may be dismissed by the superintendent without providing final resolution other than noting the dismissal. There is no appeal from dismissals made pursuant to this section

COMPUTERS AND INTERNET: ACCEPTABLE USE BY STAFF: 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. Staff members must refer to and comply with the board policy regarding Staff Internet and Computer Use. Staff should also refer to and comply with the board policy regarding Staff and District Social Media Use.

COMPUTER AND INTERNET SAFETY: All staff will be expected to be familiar with and compliant with the Internet Protection Act (CIPA). (*School Policy 4012*). Staff members will be asked to sign an Acceptable Use of Computers and Networks Form.

CONFLICT OF INTEREST: All staff members are subject to the board's policy governing conflict of interest. That policy provides, in part, that 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.

CONTACT INFORMATION: Staff are required to keep the district informed of any change in their name, address, telephone or other contact information. Contact the building secretary to report a change.

COPYRIGHT AND FAIR USE: The school district complies with federal copyright laws. Staff members must comply with copyright laws when using school equipment or working on behalf of the district. Federal law prohibits the unauthorized reproduction of works of authorship, regardless of the medium

in which they were created.

The “fair use” doctrine allows limited reproduction of copyrighted works for educational and research purposes. “Fair use” of a copyrighted work includes reproduction for purposes such as criticism, news reporting, teaching (including multiple copies for classroom use), scholarship, or research. Staff who are unsure whether their proposed reproduction of copyrighted material constitutes “fair use” should consult with their building principal, review the school district’s copyright compliance policy, and review *Reproduction of Copyrighted Works by Educators and Librarians* from the U.S. Copyright Office found at <https://www.copyright.gov/circs/circ21.pdf> and *Copyright for Students* found at <https://www.whoishostingthis.com/resources/student-copyright/>. You can find more information on copyright compliance requirements and permitted uses from the U.S. Copyright Office and the Library of Congress at the following site: <http://www.loc.gov/teachers/usingprimarysources/copyright.html>.

CORPORAL PUNISHMENT: Corporal punishment is the infliction of bodily pain as a penalty for disapproved behavior, and is prohibited by law. Some physical contact is inevitable, and most of it is appropriate. Corporal punishment does not include the use of physical force that is reasonable and necessary to (1) protect school employees; (2) protect students or property; or (3) remove a student from a situation that endangers the student, persons, or property. Staff members should promptly report any event that required the use of physical force to their building principal.

CRIMINAL AND IMMORAL ACTIVITY: An employee who engages in or who is arrested for a crime, engaged in other immoral activity, is the subject of a criminal investigation or is involved in civil litigation involving an allegation of illegal or immoral activity shall notify his or her supervisor immediately of the nature of the conduct or allegations.

DISABILITY LEAVE (SHORT-TERM): Short-term disability leave will be treated in the manner required by state and federal law and consistent with the negotiated agreement with the school district’s local education association. Short-Term Disability leave will run concurrently with FMLA leave.

DISCRIMINATION AND HARASSMENT: The school district prohibits discrimination and harassment based upon or related to race, color, national origin, sex, religion, marital status, disability, age or any other unlawful basis that (1) has the purpose or effect of creating an intimidating, hostile, or offensive school environment, (2) has the purpose or effect of substantially or unreasonably interfering with an employee’s school performance, or (3) otherwise adversely affects an employee’s employment opportunities. Employees who believe that they have been the subject of unlawful discrimination or harassment due to their disability should contact the following Section 504 Coordinator: Kristin Fangmeyer at (402) 944-2128, kristin.fangmeyer@agps.org or in person at school. Employees who believe that they have been the subject of unlawful discrimination or harassment due to their sex should contact the following Title IX Coordinator: Brad Jacobsen at (402) 944-2128, brad.jacobsen@agps.org or in person at school. Employees who believe that they have been the subject of any other unlawful discrimination or harassment should contact the superintendent: Jason Libal at (402) 944-2128, jason.libal@agps.org or in person at school. Employees may report discrimination or harassment to any staff member who will then forward it on to the appropriate coordinator or administrator. The staff member will follow school district policies to respond to the report.

DRIVING: All personnel who drive school vehicles must provide the Superintendent's office with a copy of their Nebraska driver's license. The Superintendent's office will obtain a copy of the employee's driving record from the Nebraska Department of Motor Vehicles. Personnel who receive a citation for a traffic violation while driving school vehicles or while driving a personal vehicle for a school event are responsible for payment of that citation and self-reporting of the citation; even if the citation is received while driving a personal vehicle on or during personal time.

DRESS CODE: 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.

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

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.

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

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.

DRUG AND ALCOHOL TESTING School district administrators who suspect that drugs or alcohol may be present in a staff member's system may require the staff member to provide a body fluid or breath sample as provided in the Nebraska law. Staff members who refuse a lawful directive to provide a body

fluid or breath sample may be subject to disciplinary or administrative action by the employer, including denial of continued employment.

ELECTRONIC COMMUNICATION WHILE DRIVING: Except as provided below, 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 or while using a school-issued electronic communication device while operating a private vehicle. This prohibition includes but is not limited to answering or making telephone calls not related to the transportation and reading or responding to e-mails, instant messages, or text messages.

The superintendent or building principal may grant exceptions and allow verbal communication on an as needed basis for specific district-related work based upon employees' duties and responsibilities.

EXPENSES: The board will reimburse staff for all approved expenses incurred in attending to school business. Reimbursement for mileage, supplies, overnight travel expense, and credit course reimbursement fees are processed on designated forms that are available from the district and office and/or district website. Appropriate receipts must be attached. All claims for reimbursement must be approved by the board, so some delay is probable. Mileage reimbursement will be denied if a school vehicle was available.

FAMILY AND MEDICAL LEAVE ACT (FMLA): Qualified employees will be provided leave under the Family and Medical Leave Act (FMLA) as provided in board policy.

HARASSMENT: The Ashland-Greenwood Public Schools shall maintain an environment that is free from intimidating, hostile or offensive behavior; unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication constituting sexual harassment. Sexual Harassment by board members, administrators, certified and support personnel, classified personnel, students, vendors and any others having business or other contact with this school district is prohibited.

Employees whose behavior is found to be in violation of this policy shall be subject to the investigation procedure that may result in discipline, up to and including discharge. Other individuals whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined appropriate by the administrator or board.

Sexual harassment may include verbal harassment or abuse, unwelcome pressure for sexual activity, repeated unwelcome remarks with sexual or demeaning implications, unwelcome touching, and suggesting or demanding sexual involvement by implied or explicit threats or promises of benefit concerning one's employment or education.

Such conduct shall constitute a violation of this policy when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or education, or

2. Submission to or rejection of such conduct by a person is used as the basis for academic or employment decisions affecting that person, or
3. Such conduct has the clear purpose of effect or interfering with a person's academic or professional performance or creating an intimidating, hostile or offensive employment or educational environment.

4. Other types of harassment may include, but not be limited to jokes, stories, pictures or objects that are offensive, or tend to alarm, annoy, abuse or demean certain protected individuals or groups.

Employees who witness or are the victims of sexual harassment shall immediately notify their immediate supervisor, or the next level administrator who is not the subject of the complaint, as may be appropriate under the circumstances.

The Building Principals shall be the harassment compliance officers for the district. In the event that the Building Principal becomes a party to a harassment complaint, the Superintendent shall be the alternate compliance officer. The compliance officer shall investigate all complaints reported to him or her. All complaints shall be handled in a timely and confidential manner. Information regarding an investigation of alleged harassment shall be confidential, and those persons involved in the investigation shall not discuss information regarding the complaint outside the investigation.

Person found in violation of this policy shall be subject to discipline, which may include reprimand, probation, demotion, suspension, termination, or other sanction as determined appropriate by the board.

Any requirements regarding harassment that are detailed in master labor agreements between members of collective bargaining units and the board shall be followed. Employees who believe that their complaint has not been satisfactorily resolved may utilize the normal grievance procedure.

IDENTIFICATION BADGES: Staff will receive employee identification badges. The badge shall be worn so that it can be seen at all times. The badges serve as a method for visitors to identify that you are an employee, assist other school staff in knowing who you are, and will assist emergency personnel in case of an emergency in more quickly responding to school issues.

IN-SCHOOL COMMUNICATION: Most staff members will be assigned a mailbox in the building where he or she works. Staff members are expected to check their mailboxes for messages in the morning upon arrival at school, at lunch time, and at the end of the day before departing.

A great deal of information is distributed to staff via the school's email system. Each staff member must check his or her email account frequently throughout the school day. Staff members are allowed to use their school email accounts for a moderate amount of personal email correspondence. However, sending or receiving personal email during class time is prohibited, regardless of whether that personal email is received on the staff member's school email account or a personal account.

INTELLECTUAL PROPERTY: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. The district has the sole right to sell, license, assign, or transfer any and all right, title, or interest in and to such property.

JURY DUTY AND COURT LEAVE: The Board will allow jury duty pay or court appearance pay for a lawfully issued subpoena to appear in court during the school year; the employee will receive regular salary from the school, but must assign any jury duty or appearance compensation back to the school, less the reimbursement of expenses. Except that this shall not apply to employees who must appear in court because they are being sued or are suing another party in a civil litigation or for employees who are absent because they have been charged with criminal action.

MEALS PROGRAM: Staff may take advantage of meals offered through the district's food program. Staff members must deposit funds in their lunch accounts before purchasing meals. Staff members will not be allowed to run a deficit in their lunch accounts.

MILITARY LEAVE OF ABSENCE: Leaves of absence without pay for military or Reserve duty are granted to all employees as required by law. An employee who is called to active military duty or to Reserve or National Guard training or who volunteers for the same should submit copies of the military orders to the Superintendent as soon as is practicable. An administrator, at his or her discretion, may require an employee who requests leave under the Nebraska Family Military Leave Act to provide certification from the proper military authority to verify the employee's eligibility for the leave requested.

Military Leave under the Federal Family and Medical Leave Act (FMLA) and the Nebraska Family Military Leave Act will be governed by the board's policies.

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, that is shielded from view and free from intrusion from co-workers, students, and the public for one year after the child's birth.

NEWS AND PRESS RELEASES: Positive media coverage of the school district and its activities is good for the school, its staff, and its students. Staff should endeavor to establish and maintain cordial relationships with local media outlets.

Activity sponsors and other staff who are involved in newsworthy activity should submit typed press releases to the office for distribution to the media when noteworthy events have occurred. Coaches must communicate with local TV, radio, and print media promptly after matches or games to disseminate the results.

Communicating with the public, keeping the public informed, and public relations with the community are important tasks. News of important and/or interesting events and activities are usually welcomed by the newspapers.

NEWSLETTERS: The administration will inform staff of the relevant deadlines for each newsletter. Staff members are encouraged to submit articles for the newsletter that reports recent classroom activities and

emphasizes the positive aspects of the district's mission.

OBLIGATIONS RELATED TO THE AMERICAN CIVICS REQUIREMENTS: All staff members shall be familiar with, and comply with, the requirements of state law, board policy, and district curriculum to properly instruct students regarding American Civics, Social Studies, American History, and appropriate patriotic exercises on particular days of the year. Neglect of any such responsibilities by any employee may be considered just cause for dismissal.

OUTSIDE EMPLOYMENT: No full-time staff member may accept any other employment or carry on any business or activity for profit that interferes with the complete and competent discharge of his or her responsibilities to the school district.

POLITICAL ACTIVITIES: District employees retain all rights of citizenship, including, but not limited to, engaging in political activities. An employee of the District may participate in the political process, including seeking 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.

While the District supports its employees by allowing them to exercise their rights, any impact on the employee's ability to perform his or her functions as required by the district is grounds for discipline. For further guidance regarding political conduct on school grounds, contact the superintendent and consult the board policies.

PREGNANT OR PARENTING STUDENTS: The school district encourages students who are pregnant or parenting are encouraged to continue to participate in the district's educational and extracurricular programs. Students who anticipate deviations from their regular school experience or accrue absences due to pregnancy or parenting have been told to notify their building principal as early as possible to discuss their educational programming. The building principal will work with the student and appropriate district staff to develop a plan to assist the student in participating in district curriculum and extra-curricular activities. Such a plan may include: 1. If the student cannot regularly attend classes, the provision of online courses; 2. The arrangement of meeting times with teachers; 3. If the student has not identified appropriate childcare, the identification of child care providers that meet statutory requirements for quality and care; and 4. All other curricular adjustments, modifications, and means of supplementing classroom attendance deemed appropriate by the school administrators including, but not limited to, modification of attendance policies.

PROFESSIONAL BOUNDARIES BETWEEN STAFF AND STUDENTS: All district employees must follow board policy when interacting with students in any way. 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. District employees must be aware of professional boundaries between students and staff, and they must never blur the boundaries. These standards of behavior apply to social networking sites, such as Facebook, Twitter, Instagram, etc., along with communications and interactions of any kind between staff and students.

Examples of unprofessional misconduct include: inappropriate sexual communications or interactions with

students, meeting with students in private outside of school, and intruding on a student's personal space. These are a few examples of inappropriate behavior, not an exhaustive list. For further guidance, refer to the district's policies regarding professionalism and staff-student interactions. Any teacher or student who witnesses or knows information about a district employee violating board policy should report the violation to the district administration *immediately*. Minor violations and questionable violations should be reported as soon as possible, but always within 24 hours.

A violation of board policies for professionalism 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.

PROFESSIONAL GROWTH: Staff members are required to participate in all professional development opportunities as provided by the district for the development of increased competence beyond that which may be attained through the performance of assigned duties.

In addition to this requirement, the superintendent or his or her designee will select in-service programming to provide additional professional growth activities for certified and classified staff.

RECORDS AND REPORTS: Staff members must refer to and comply with Board Policy No. 5016 regarding the management and maintenance of student records.

All staff members shall promptly furnish the administration with any information relating to their professional training, experience, activities or work required for reports to county, state or federal officials or for official school records. Personal information will be treated confidentially by school officials.

RECORDING OF STUDENTS AND CLASSROOMS: Staff members may make audio and video recordings of classroom instruction and school activities upon authorization of the superintendent or supervising administrator. Staff should refer to Board Policy 5063 for information on recording by students.

SCHOOL CALENDAR: The official school calendar is maintained in each building office. All activities and events must be scheduled and approved by the building principal.

SCHOOL PROPERTY: School property is not to be lent to individuals except by permission of the superintendent.

Staff or groups who wish to use school facilities should make requests to the building principal as early as possible so that they may be placed on the school calendar.

Staff must inform the building principal of any school property that needs repair or that is lost, stolen, or damaged beyond repair. Matters regarding custodial service in the building should be handled through the principal's office.

SCHOOL VEHICLE USE: 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. School district employees, board members, and other elected or appointed school district officials 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. Staff should refer to the board policy regarding the use of school vehicles.

SECURITY: Each staff member is responsible for the security of his/her own classroom or work area. Staff must lock the doors and windows of their classrooms and/or other work areas each night.

Staff members who use the building after it has been locked by the custodian or on weekends are responsible for turning off all lights and locking all windows and doors that they or students under their supervision may have used.

Under no circumstances are pupils to be allowed in the building after school hours without faculty supervision. Keys to any school areas are not to be loaned to students under any circumstances.

Building security systems may protect some buildings. In those facilities the security system should be disarmed during building operational hours. Employees may be provided security access to arm or disarm security systems during non-operating hours. Employees provided security access shall be responsible to arm and disarm the system when using the facility during non-operating hours. Employees may not give the security access to other individuals.

The school district also has available security cameras. Cameras are used for security but may also be used for other purposes.

Notice is hereby given that video surveillance may occur on District property. In the event a video surveillance recording captures a student or other building user violating school policies or rules or local, state or federal laws, the video surveillance recording may be used in appropriate disciplinary proceedings against the student or other building user and may also be provided to law enforcement agencies.

To further ensure the safety, security, and care of the building and occupants, staff shall:

- Not hang materials from acoustical (lay-in) ceiling systems;
 - Not hang flammable items such as papers and artwork on doorways or on more than 20% of any other wall space;
 - Not bring in personal electrical appliances including but not limited to electrical heaters, hot plates, coffee pots, refrigerators, etc.;
 - Not use any candles, incense or open flames except that which may be used as a part of a science experiment.
- See that hazardous materials are properly stored and MSDS sheets maintained;
 - Not use scotch or masking tape on building surfaces including carpeted floors, painted walls or clear coated wood finishes. Scotch or masking tape may be used on glass surfaces. Gaffers tape may be used on floors to tape down cords, etc.;
- Use a lid when transporting any liquids or food in the school building;

· Treat all carpet spills immediately with water in a quantity at least double the original amount of spilled liquid and then immediately report the spill to the building office.

SMOKING ON SCHOOL PREMISES OR AT SCHOOL ACTIVITIES The use or possession of any tobacco products, including cigarettes, cigars, or other tobacco or tobacco derivative products; vapor products or electronic nicotine delivery systems; alternative nicotine products; or any other such look-alike or imitation product, is not permitted on school property at any time.

SNIFFER (DRUG) DOGS: The administration is authorized to use sniffer dogs to minimize the presence of illicit items on school grounds. Students and staff are specifically notified that: 1. Lockers may be sniffed by sniffer dogs at any time. 2. Vehicles parked on school property may be sniffed by sniffer dogs at any time. 3. Classrooms and other common areas may be sniffed by sniffer dogs at any time students and staff are not present. 4. If contraband of any kind is found, the student or staff member shall be subject to appropriate disciplinary action.

SOCIAL MEDIA USAGE BY STAFF: 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. All staff members must refer to and comply with the board's policies regarding Staff Internet and Computer Use and Staff and District Social Media Use. Staff members who are uncertain about the applicability of board policy to a particular situation must confer with their supervising administrator prior to posting on social media.

SOLICITATION AND DISTRIBUTION OF MERCHANDISE: In the interest of maintaining a proper school environment and preventing interference school purposes, employees may not sell merchandise, solicit financial contributions, solicit, or distribute literature or printed material for any non-school related cause during working time or on school grounds except as approved by the administration.

STAFF ROOM: The staff room is maintained for the exclusive use and convenience of the staff. It is not for student use and staff members should not hold student conferences there. Each staff member will assume responsibility in keeping the staff room in an orderly and presentable condition.

STUDENT INTERVIEWS: Employees shall refer any police officer, child protective service worker, or other similar individual seeking to speak to or interview a student to an administrator.

TELEPHONES: School telephones are maintained for the primary purpose of conducting school business. Staff members should limit their use of school phones to brief conversations. Teachers will not be called to the telephone during class time except in the case of an emergency.

Staff members may not use personal cell phones to make or receive calls or to send or receive text messages during instructional time.

THREAT ASSESSMENT AND RESPONSE: The board of education is committed to providing a safe environment for members of the school community. Students, staff and patrons are urged to immediately report any statements or behavior that makes the observer fearful or uncomfortable about the safety of the school environment.

1. Obligation to Report threatening Statements or Behaviors.

All staff and students must report any threatening statements or behavior to a member of the administration. Staff and students must make such report regardless of the nature of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or who were the focus of the threatening behavior. Staff and students must also make such reports regardless of where or when the threat was made or the threatening behavior occurred.

THREATS OR ASSAULTS WHICH REQUIRE IMMEDIATE INTERVENTION SHOULD BE REPORTED TO THE POLICE AT 911.

2. Threat Assessment Investigation and Response

All reports of violent, threatening, stalking or other behavior or statements which could be interpreted as posing a threat to school safety will immediately be forwarded to the superintendent. Upon receipt of an initial report of any threat, the superintendent will take steps to verify the information, make an initial assessment, and document any decision involving further action. This investigation may include interviews with the person who made the statement(s) or engaged in the behavior of concern, interviews with teachers and other staff members who may have information about the individual of concern, interviews with the target(s) of the threatening statements or behavior, interviews of family members, physical searches of the individual of concern's person, possessions, and home (as allowed by law and in cooperation with law enforcement), and any other investigatory methods that the superintendent determines to be reasonable and useful. The superintendent must confer with at least one member of the school's guidance counseling staff as part of his/her investigation.

At the conclusion of the investigation, the superintendent will determine what, if any, response to the threat is appropriate. The superintendent is authorized to disclose the results of his/her investigation to law enforcement and to the target(s) of any threatened acts. The superintendent may refer the individual of concern to the appropriate school administrator for consequences under the school's student discipline policy or, if appropriate, report the results of his/her investigation to the student's individualized education plan team.

3. Communication with the Public about Reported Threats

To the extent possible, the superintendent will keep members of the school community informed about possible threats and about the District's response to those threats. This communication may include oral announcements, written communication sent home with students, and communication through print or broadcast media. However, the superintendent will not reveal the identity of the individual of concern or of any target(s) of threatened violence unless permitted by law.

4. Coordination with the Crisis Team After Resolution of Threat

The superintendent will confer with the district's crisis team after a threat has been investigated to provide the crisis team with information that the crisis team may use in assessing or revising the district's All-Hazard School's Safety Plan. **VISITORS** Staff should welcome members of the public who wish to visit school, but should ensure that visitors follow the district's requirements.

All visitors must report to the building office before visiting any classroom or other areas of the building. Visitors must comply with the following guidelines:

- if a visitor wishes to observe a specific skill or subject, he or she will be asked to observe during a specified time period
- children under the age of 10 years must be accompanied by a parent or guardian
- all visitors must have the prior approval of the principal or superintendent
 - salespeople and other such agents will not be allowed to solicit staff members during school hours
 - visitors must sign in at the respective office and wear a visitor's badge supplied by the building office

WAGE AND SALARY PAYMENTS: Staff members are paid on the 20th of each month. The district provides direct deposit of paychecks to designated financial institutions. Otherwise, paychecks will be delivered personally at school or mailed to the address on file in the district office. Staff who wish to activate or modify their direct deposits or who wish to have paychecks mailed to a different address must contact the district office. The school district will mail staff paychecks to the last address on file for each employee during months when school is not in session. Employees shall not be paid in advance under any circumstances.

All required deductions, such as for federal, state, and local taxes, retirement contributions, and all authorized voluntary deductions, such as for insurance or union dues, will be withheld automatically from your paychecks. Garnishments are legal proceedings imposed by a court of law upon the school district requiring payment to a third party of monies earned by district employees. The school district will accept all legal garnishments and tax levies against wages in compliance with state and federal law. An employee's pay will be held upon receipt of a garnishment until a court order is issued indicating satisfaction of the indebtedness or until ordered to surrender the money to the court or its agent. The school district prohibits improper pay deductions, and employees shall be reimbursed for any improper pay deductions. If you believe that an improper deduction has been made to your pay, you should immediately report this information to your direct supervisor, payroll personnel, or the Superintendent.

Staff members, by their signature on the acknowledgement page of this handbook, authorize the school district to withhold such sums from their paychecks as necessary to cover property damage, cash shortages or other amounts owed to the school district by the employee.

WEATHER-RELATED CLOSINGS: If school is called off because of bad weather or for any other

reason, it will be announced on the Student Notification System. In addition, the announcement will be made on the local television and radio stations.

Parents may decide to keep their children at home in inclement weather because of personal circumstances. Students absent because of severe weather when school is in session will be marked absent. Staff members should treat the absence like any other absence for legitimate causes provided parents properly notify the school of their decision. Parents may pick up their children in inclement weather (except in the case of a tornado) at any time during the school day. Students will not normally be dismissed from school during severe weather on the basis of a telephone request.

WORKPLACE SEARCHES: To safeguard the property and interests of our students, employees, and patrons; to help prevent the possession, sale, and use of illegal drugs on school grounds, and in keeping with the spirit and intent of the district's drug-free workplace policy and other policies, the school district reserves the right to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from school when it has reasonable grounds to do so. The school also reserves the right to search any employee's office, desk, files, locker, or any other area or article on school grounds. All offices, desks, files, lockers, and so forth, are school district property and are issued or provided for the use of employees only during their employment with the district. Inspections may be conducted at any time at the discretion of the administration. Employees who refuse to cooperate with this provision will be subject to disciplinary action up to and including discharge.

POLICIES AND PROCEDURES REGARDING CERTIFIED STAFF

SCHOOL DAY: Teachers are expected to report to work by 8:00 a.m. on regularly scheduled school days. Staff members will have completed their contractual obligation at 4:00 p.m. if all normal duties have been completed. It may be necessary for professional staff members as a part of normal duties to work beyond 4:00 p.m. or prior to 8:00 a.m. in order to participate in parent conferences, staff meetings, curriculum committee meetings, open houses or other professional activities. When possible staff members will be given advance notice of these types of activities. Participation in these types of activities will be considered a part of the professional staff member's contractual obligations.

SCHOOL YEAR: The Board of Education of the Ashland-Greenwood Public Schools adopts each spring a yearly calendar outlining the operational time frame for the District. Typically the teaching staff will be asked to provide 175 days of in-classroom activities and also attend an additional ten (10) days of pre and post schoolwork sessions or school year professional days. Changes in this time format, because of inclement weather or other unforeseen emergencies may occur.

TEACHER'S PRESENTATION: Staff members are expected to dress in a professional manner respective to their job responsibilities. Research clearly indicates that dress influences the way in which students interact with staff members. Staff members shall be cognizant of their dress and the impact it will have on their classroom climate and learning environment.

To that end, T-Shirts, sweats, slickies, shorts, blue denim jeans, flip flops are generally not appropriate forms of professional dress. Any dress that is prohibited for students to wear is also prohibited for staff. Visible body piercings other than in the ears are also not appropriate.

Staff members are to keep their work area orderly, safe and free of clutter.

LEAVING SCHOOL GROUNDS OR CLASSROOM: Teachers must inform their building administrator if they plan to leave the school at other than regularly scheduled times. Staff members shall sign out in the Principal's Office prior to leaving the building during regular working hours except during lunch break. If staff members leave prior to the end of the student instructional day they shall use the appropriate leave as specified in the master agreement and leave will be subtracted from an employee's available leave. In no case shall leave be granted for less than 1/2 day. Employees may leave at the conclusion of the student day for emergencies or to conduct serious personal business that cannot be conducted after 4:00 p.m. or during inclement weather without loss of leave. The staff member shall have the permission of the building Principal prior to leaving.

Students shall not be left unsupervised in classrooms or areas assigned to staff members. Staff members will inform the building principal or building principal's designee whenever their class is going to meet away from the scheduled location in the building.

FACULTY MEETINGS: Periodic staff meetings will be held. The building principals will announce the time and the place of such meetings and all certified personnel will be in attendance. Occasionally it will be necessary for the building administrators to hold faculty meetings in addition to the aforementioned ones. Teaching personnel are expected to be in attendance unless excused by their principal.

CLERICAL WORK: In the same manner in which staff expects students to turn work in, staff members are expected to complete clerical tasks in a timely fashion. These include, but are not limited to the following:

1. Lesson plans,
2. Attendance,
3. Grade and assessment reports,
4. Lunch counts,
5. Discipline reports,
- and 5. Miscellaneous reports that may arise and which are necessary for the efficient operation of the district.

ATTENDANCE AT SCHOOL ACTIVITIES: Staff members are urged to be present at as many school activities as is possible. The public and your pupils will appreciate your interest in their efforts. Normally the cost of admission to school activities is waived for both the employee and their family.

Remember that occasionally you will be asked to help in the supervision of school activities. Your cooperation in these matters is solicited. Building administrators or the activities director may assign staff to these duties.

USE OF PHYSICAL FORCE AND RESTRAINT: State law and school district policy prohibits the use of corporal punishment. Staff members should never use the striking of children to modify behavior. Staff

members should also not engage in ear twisting, slapping, hair pulling, or verbally abusing or swearing at children. Staff may physically restrain children who are about to injure themselves or others. Staff engaging in any abusive activities will be subject to a reprimand; may be suspended with or without pay for a period of time and may be dismissed.

In cases where a student must be removed from an area a staff member should proceed as follows:

1. Verbally request the student to leave the learning area and direct the student on where to go.
2. If the student refuses to leave, request either a. Assistance from the Principal or his or her designee; or b. Move the balance of the class from the area, and notify the administrative offices.
3. If the student continues to resist leaving an area the principal or his or her designee shall contact: a. The child's parent, guardian or other designated adult supervisor to come to school to remove the child from school; or b. Law enforcement shall be called to remove the child from the area.

This policy shall not prohibit staff members from physically restraining students who may injure themselves or others. Physical restraint should always be a last resort to deal with a problematic student.

CONFIDENTIALITY AND COMMUNICATING WITH PUBLIC: The Federal Educational Rights and Privacy Act of 1974 and district policy as contained with the student handbooks establishes specific guidelines for the privacy of student information. Student work and performance is a confidential matter between the student, teacher and parent. Teachers should not share information with others either within the school or outside the school who do not have a need to know in planning the child's educational program. Teachers should particularly make a concerted effort to not discuss student progress in public or semi-public areas such as the employee lounge, local businesses or at meetings of community groups. This type of discussion is unprofessional and may find you in violation of federal law.

Staff also should not publicly discuss school problems or concerns without going through proper channels. Requests, complaints, concerns or suggestions should be made to the employee's immediate supervisor. If the supervisor cannot or does not respond to the request, complaint, concern or suggestion in a satisfactory manner the issue should be referred to the next individual in the organizational chart. School problems or concerns are not appropriate for discussion with individuals working outside of the school system, other than its Board, Administration, staff or relevant organizations or committees.

Breaches of confidentiality reflect poorly on the school system as a whole and upon you as an individual working within the organization.

It shall be considered a breach of confidentiality for staff members to ask students to read grades aloud in class or to provide students access to grade books. Only professional staff members should record grades in grade books. Staff members using electronic means for recording grades should maintain utmost security of their personal computer files and passwords to prevent access by others of files containing grading information.

HOMEWORK: The assignment of work outside the normal class period can be beneficial to the learning experience of students. However, to be worthwhile homework must be appropriate to the educational goals to be achieved and the teacher must review it. If the assignment of extra work is not necessary,

make sure that students carry home the knowledge of the day's activities and not the burden of numerous textbooks. In order to promote the family unit this district does not permit homework to be assigned on Wednesday (Family) Night. This includes the completion of writing and reading assignments and studying for tests.

MATERIAL REQUISITIONS In order to maintain sound yet economical education it shall be district wide policy to require the filing of requisition forms for all materials to be used in the system. Occasionally, because of a lack of funds it will be necessary to deny requisitions. Sometimes board approval must be secured before a particular purchase can be made. Any and all items purchased without administrative approval will become the financial obligation of the employee.

To help assure approval on large items, it may be necessary to show a definite need and benefits to be gained. The setting and organization of immediate and long-range priorities can be very beneficial to the acquiring of materials.

All vendors for goods and services must be approved in advance of placing an order. A vendor should be requested to complete an IRS form W-9 to begin the process of adding a vendor.

General, building and lunch fund claims are paid once monthly. Invoices and payment requests must be submitted to the Superintendent's Office by the 1st Monday of the month in order for payment to be made on the 3rd Monday. Activity Fund payments for clubs and organizations are made twice each month on or about the 1st and the 15th. Invoices and payment requests must be submitted five days in advance of the processing date.

ROOM ASSIGNMENTS As nearly as is administratively possible, teachers will be assigned to one particular classroom. However, necessity does not always allow for strict adherence to such a practice. Classrooms will be utilized to secure the best educational environment for all children.

CLASSROOM MAINTENANCE Teachers are responsible for the proper care of all books, equipment, supplies and furniture supplied by the school. If an item is in need of maintenance or repair, report it to the Principal. If you learn that a student has damaged school property or equipment, or if you are responsible for damage to school property, promptly report it to the Principal so the item may be replaced or repaired if possible and appropriate responsibility for the cost of replacement or repair may be determined.

ACTIVITY CALENDAR The Master Activity Calendar will be kept in the Activities Director's office and on the district website. Requests for activities should initially be submitted to the Activities Director or to the Building Principal. The Activities Director will check the Master Calendar for conflicts. Normally requests should be submitted at least two (2) weeks or more prior to the actual event.

FAMILY TIME School organizations should not routinely schedule school functions on Wednesday evenings or during the day or evening on Sundays, and before 7:00 a.m. or after 10:00 p.m. daily. The principal and the Superintendent of Schools must clear exceptions to this rule. These particular segments

of the day and week are reserved for families. In case of varsity competitions at conference, district or state tournaments on Monday evening, Sunday team practices may be held for varsity members only on a voluntary basis with practice not to begin before 2 PM or end after 6 PM.

SUPERVISION DUTY Periodically it will be necessary for staff members to supervise students during the noon hour and in the morning prior to school. Such assignments will be made by the administration and each teacher is expected to fulfill their portion of the required duties. Staff members should be prompt and must notify the appropriate administrator if they are unable to be present for a portion of their duty time.

SCHOOL GROUNDS SUPERVISION During elementary recesses, before and after school and during outdoor activity periods, it is mandatory for at least one teacher or teacher's aide to be in charge and on duty. Rules and regulations for the successful control of such time will be developed and disseminated by building administrators.

HALL SUPERVISION In the course of a normal school day it is the responsibility of teachers to supervise the passing of students during class changes. In order to accomplish this, it is necessary for teachers to move to areas of congestion near their classroom.

FUNDRAISING All fundraising (including selling, soliciting, service and activity projects) must be approved in advance by the building principal. Teachers should review Board Policy and Administrative Regulations regarding fundraising. Request for fundraising should be made in writing, with a stated purpose for fundraising, a plan for future fundraising, and with a statement of alternative funding if possible. Fundraising must be scheduled prior to making any commitments. Funds derived from the selling items door-to-door or by soliciting for donations may not be used for taking trips, which are entertainment in nature. All funds raised must be cleared through the appropriate student activity account. All monies received shall be deposited on the same day they are received. Sponsors shall be personally responsible for the care of all monies collected.

TEACHER CERTIFICATES-COLLEGE TRANSCRIPTS Professional staff members must have a current certificate and an original college transcript on file in the district administrative offices in order to receive compensation for duties performed. Payroll adjustments necessary because of additional approved college work will be made if official transcripts are received prior to October 1st.

LONG DISTANCE AND OVERNIGHT STUDENT TRAVEL Approval for travel over 200 miles from Ashland or which will result in an overnight stay must be approved prior to planning by the Board of Education. The Superintendent of Schools must give final approval. Prior to getting final approval the primary sponsor will submit a trip itinerary, projected costs and method of funding, identification of transportation source, list of students traveling, list of sponsors, plan for supervision, and eligibility standards. In order to be approved, all trips must have a school employee as the primary sponsor, all arrangements must be made and confirmed, funds must be raised, and only commercial transportation sources may be used. The Superintendent may approve of non-commercial travel. At minimum of one sponsor is necessary for every 15 students traveling. Sponsors are responsible for complying with board policy and regulations.

DRILLS Periodically, practice drills will be conducted to prepare students in the procedures for protection from severe storms. Students will be instructed in advance of the first tornado drill concerning safety measures and locations for safest retreat in case of such storms.

Fire drills will be held each month of the school year. Directions for safest and quickest exit from the building will be announced prior to the first drill of the year. The method of exit from the building is posted in each room. Drills and procedures will be distributed by building Principals.

SAFETY Safety is a major concern in the Ashland-Greenwood Public Schools. It is the responsibility of every employee to maintain a safe and healthy workplace for employees within the schools. Every employee is responsible to report unsafe conditions to his/her immediate supervisor or workplace safety committee. It is the responsibility of each employee to become familiar with and follow the guidelines of the injury prevention plan contained in this handbook.

The District prohibits any person from being in possession of a weapon at a school attendance facility, on school property, at a school-supervised activity, or at a school-sponsored function. Any teacher found to be in violation of this policy shall be subject to disciplinary action, up to and including termination.

The term "weapon" means an instrument or object used, or which may be used, as a means of attack, defense, or destruction, including, without limitation:

- Any object which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive or other means;
- The frame or receiver of any object described in the preceding example;
- Any firearm muffler or silencer;
- Any explosive, incendiary or gas (a) bomb, (b) grenade, (c) rocket, (d) missile, (e) mine, or similar device;
- Any bludgeon, sandclub, metal knuckles, or throwing star;
- Any knife other than as used for strictly instructional or personal care or eating purposes. A pocket knife with a blade of 2-1/2 inches or more is a prohibited weapon. A switch-blade knife is prohibited regardless of the size of the blade. A switch-blade knife is defined as a knife with a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of a knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;
- Any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun; and
- A teacher may possess mace or other similar chemical agents in quantity and/or concentration typically designed for individual personal defensive purposes shall not be considered as possession of a weapon. Possession of larger quantities and/or concentrations of mace or other similar chemical agents than is

typically designed for individual personal defensive purposes will be considered as possession of a weapon. Usage of mace or other similar chemical agents will be considered as usage of a weapon if the usage is found to be for non-defensive purposes. A teacher who is negligent in their possession of mace or other similar chemical agents will be subject to disciplinary action.

- A teacher may possess an item which may be considered a weapon where such item is used for instructional purposes and the teacher has received approval of the administration to possess the item, provided it is used in the manner approved and is maintained in such manner as the administration has directed.
- Any other object that is designed for or intended for use as a destructive or injurious device.

The phrase "possession of a weapon" includes, without limitation, a weapon in a teacher's personal possession, as well as in a teacher's motor vehicle, desk, locker, briefcase, backpack, or purse. (2015)

ACCEPTABLE USE POLICY With the spread of telecommunications throughout the modern workplace, the importance for employees to shift the ways they share ideas, transmit information and contact others. As staff members are connected to the global community, their use of new tools and systems bring new responsibilities as well as opportunities. Employees are expected to use electronic mail and telecommunications tools and expected to apply the tools in appropriate ways to the performance of tasks associated with their positions and assignments.

Communications over school networks should not be considered private. Network supervision and maintenance may require review and inspection of directories and messages. Messages may be diverted accidentally to a destination other than the one intended. Privacy in these communications is not guaranteed. The district reserves the right to access stored records. Legal precedent and statutes allow that messages may be subpoenaed, and network supervisors may examine communications in order to ascertain compliance with network guidelines for acceptable use.

Employees are expected to professionally communicate consistent with state laws governing the behavior of school employees and with federal laws governing copyrights. Electronic mail and telecommunications are not to be utilized to share confidential information about students or other employees except in secured environments. Electronic mail and internet communications are not to be used for personal purposes or personal gain.

Staff members are encouraged to make use of telecommunications to explore educational topics, conduct research and contact others in the educational world. These systems will expedite the sharing of effective practices and lessons across the district and will help staff stay on the leading edge of practice by forming partnerships with others across the nation and around the world.

ORGANIZATIONS AND FUND ACCOUNTING Staff members assigned to sponsor organizations that collect and disburse funds should follow district policies in handling those funds. Staff should refer to the

'Handling of Funds Guidelines' available in the District Office.

All receipts shall be deposited with the business manager or through night deposit on the same day. The sponsor must maintain records regarding the source of such receipts as specified in the board policy.

The disbursement of all funds shall be made through the Office Manager in the Superintendent's Office and shall be made by check. In no case should cash be disbursed to vendors for services or supplies. Receipts, invoices or billing statements should accompany all requests for disbursement of funds.

On an annual basis staff members shall prepare a budget for the organization or organizations that they sponsor. Staff members may not expend or commit to expend funds in excess of that which has been budgeted without filing an amended budget and seeking permission of the superintendent.

ABUSE OF STUDENTS BY DISTRICT EMPLOYEES OR VOLUNTEERS Physical or sexual abuse of students, including inappropriate and intentional sexual behavior by employees will not be tolerated. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

The school district will respond promptly to allegations of abuse of students by school district employees by investigating or arranging for the investigation of an allegation. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible. Employees are required to assist in the investigation when requested to provide information and to maintain the confidentiality of the reporting and investigation process.

The superintendent will appoint an investigator and alternate investigator of opposite sexes. The investigator will pass the findings on to the superintendent who will complete any further investigations as deemed necessary and take appropriate final action. The investigators shall be the principals.

COMMUNICATING WITH THE PUBLIC – SENSITIVE ISSUES Staff shall seek permission from the building principal and notify parents prior to conducting surveys of students with questions deemed to be sensitive in nature. Sensitive items include but are not limited to such things as political affiliations; mental or psychological problems; sex behavior or attitudes; illegal, antisocial or self-incriminating behavior, critical appraisals of individuals with whom the child has close family relationship; religious practices and affiliations; or questions about income. Staff members shall allow students and parents to opt not to participate in such a survey

USE OF COPYING, PRINTING, COMPUTING AND LAMINATING EQUIPMENT Staff members are encouraged to use district copying, printing and laminating resources responsibly. These tools used responsibly can be very valuable in aiding the instructional process or furthering the mission of the school. Used improperly, the equipment can waste the district's limited resources and/or can be illegal. Illegal copying can create a serious financial liability for the district and the employee.

Staff are asked to follow these guidelines in the use of this equipment

- Use the district copying, printing, computing and laminating equipment for professional purposes only. Do not copy, laminate or print materials for personal use except in rare situations where you have the permission of your supervisor and an arrangement has been made for reimbursing the school district. Exceptions may be made for school related groups such as Booster Clubs, PTAs-PTOs, Alumni Associations, Foundations, Athletic/activity organizations, etc.

- Consider making an efficient use of materials whenever possible. Efficiencies can be achieved by duplex copying, reusing copies, and laminating materials that will not be changed and that will be used regularly year after year. Do not laminate items that change frequently such as lunch menus and telephone lists.

- Consider the use of instructional materials that are reusable. Use reusable materials such as transparencies, chalkboards, marker boards, video projections, etc. whenever possible. ▪ Reduce paper waste by utilizing technology. Paper can be reduced by using e-mail, electronic bulletins or the Internet. Consolidating bulletin items and/or distributing take home messages to the oldest or only child whenever possible and reasonable will also reduce waste. ▪ Laminate student school work only in very special and rare situations. Materials may be laminated when it is anticipated that the item will be maintained by the parent or school for several years. This may include special holiday gifts - story book covers - award certificates.

- Use activity based learning activities whenever possible and appropriate rather than worksheets and booklets.

- Consider the fair use guidelines of the copyright laws prior to copying or reproducing any documents or software. Employees should not violate and district equipment should not be used to violate copyright laws. Generally copyrighted materials cannot be copied or reproduced for use in classrooms except in special circumstances. Consult with the Media Specialist or Building Principal about Fair Use Guidelines of Copyright Laws.

- Consider utilizing the most efficient and economical methods of reproducing materials whenever large quantities are needed. Automatic duplicators available at each building are generally the most economical for large quantities. Copiers and laser printers are most economical for smaller quantities and provide greater flexibility for size of copy and duplexing features. Inkjet printers are the least efficient and usage should be kept to a minimum.

WORK ORDERS The basis for a sound, workable maintenance program is a "work order" system. This is a formal, systematic method in which a staff member can request a repair or alteration. Work orders will provide a lasting record of work that was accomplished. Work orders must be directed via e-mail to the maintenance department through the head building custodian, a building principal or the superintendent's office. Emergency items, including safety issues such as slick walkways, natural gas odors, exposed electrical, broken water pipes, etc. should be reported by phone or in person immediately.

TRAVEL Travel on behalf of the school district should be approved in advance by the staff member's supervisor. Employees should determine if a school vehicle is available prior to using a personal vehicle.

If a school vehicle is used the employee shall make prior arrangements to schedule the vehicle and determine that the vehicle has adequate fuel for the trip. Any accidents or damage that occurs to a vehicle should be reported immediately to the Superintendent's Office.

Regardless if a personal or school vehicle is used the employee shall always follow traffic laws and wear a seat restraint system. The district shall reimburse the employee for the use of a personal vehicle at the rate established by the Nebraska Department of Administrative Services.

All other travel expenses shall be reimbursed in accordance with the procedures established for the State of Nebraska by the Nebraska Department of Administrative Services. Receipts shall be required for any personal expenses incurred for travel, lodging or food while traveling. Employees should contact the Superintendent's Office for reimbursement guidelines prior to traveling.

CRIMINAL ACTIVITY AND IMMORAL ACTIVITIES An employee who engages in or who is arrested for violating a crime or who is engaged in other immoral activity, is involved in a criminal investigation or is involved in a civil litigation involving an allegation of illegal or immoral activity shall notify his or her supervisor immediately of the nature of the charges.

POLICIES AND PROCEDURES REGARDING CLASSIFIED STAFF

ASBESTOS MANAGEMENT All custodial staff prior to going to work for the district must have a minimum of two hours of training in asbestos. The responsibility for this training is that of the head building custodian. Upon completion the head custodian and employee should see that signed confirmation of the training is filed in the district asbestos management plan in the office of the Superintendent.

Any employee who has less than sixteen hours of training, has not had a physical and has not been fitted with respiratory equipment may not touch, handle, scrap, remove, cut or in any other way damage asbestos containing materials in the district. Those with sixteen hours of training may never work with an amount greater than three feet of asbestos materials.

Custodial and maintenance crews may not conduct any construction activities in the buildings without the plans for the construction being reviewed with the management plan.

AT-WILL EMPLOYEE Classified staff members are employed "at-will." Either you or the school district may terminate your employment at any time, for any reason, with or without cause or notice. This handbook is not a contract, express or implied, guaranteeing employment for any specific duration.

The following are guidelines regarding benefits of non-certified employees in this district effective September 1st, 2020.

ELIGIBILITY Employees who work in positions that are scheduled for at least seventeen and one-half (17.5) hours on an average weekly basis, for at least nine (9) months will be entitled to participate in any leave or group insurance benefits. Employees who work less than 17.5 hours weekly, less than 9 months per year or are temporary or substitute employees are not entitled to any leave or group insurance benefits except those that may be required by law.

HEALTH, DENTAL and LIFE INSURANCE: The District will maintain group Health and Dental Insurance Plans. Employees may participate in those plans through the use of a Section 125 Cafeteria Plan. The district will provide each employee eligible for group insurance plans with \$15,000 of group term life insurance.

The district will also contribute all but \$95.00 towards the monthly premium towards “employee only” health insurance for employees who work less than 12 months. The insurance option available will be the EHA 1,500.00 deductible plan.

The district will contribute the full premium towards “employee only” health insurance for employees working 12 months. Employees taking health insurance coverage with the school district shall pay the balance of any health insurance premium. Employees may take at their own expense Employee and Children; Employee and Spouse; or Employee, Spouse and Children Health and Dental Coverage.

The annual health, dental, life and LTD insurance premiums for employees working less than 12 months shall be made by payroll deduction and shall be divided over the months in which the employee has sufficient wages that a payroll deduction can be made. Health, dental and life (up to \$50,000) premiums will be paid through an IRS Section 125 program.

When an employee reaches age 70 the employee life insurance benefit will be halved. That is if the employee has \$15,000 life policy the policy benefit will be reduced to \$7,500.

APPLICATION OF LEAVE BENEFITS - WORK YEAR - LEAVE BENEFITS ON TERMINATION All leave, once used is final and will not be re-assigned at a later date. For example, if the day is taken as “sick leave” it is not permissible to later change it to “personal leave” or vice versa.

Incremental Leave. Leave is only available in 1/2 day increments. Employees who need to be gone for periods of time which are less than 1/2 day and who do not want to use at least 1/2 day of leave will need to make arrangements for unpaid leave with their supervisor.

Leave Hours. Paid leave days will be of the same duration as the employee’s normal average workday. Leave is calculated at the usual and customary hours for the employee but in no circumstances shall leave ever exceed 8 hours in a day or 40 hours in a week. No overtime pay is considered while on leave

Benefit Year. Certain leave benefits may be accumulated and carried forward but only when specified. Leave shall be calculated and available leave shall be carried forward at the end of the school term for less than 12 month employees. Beginning 2020-21 employees who work 12 months shall have their leave calculated based on current school year. September 1, through August 31. Leave will be prorated for new employees. The Superintendent may establish a different work year for the purpose of leave benefits for an employee.

Leave for Alternate Day Employees. Employees working less than full-time use leave in the same increment as their FTE. An employee working half days would use one day or increment of leave for

every 1/2 day absent. Employees who do not work every day but rather on an alternate day basis are considered 1/2 time and shall be assessed for one (1) day of leave for every 1/2 day absent.

Leave Benefits on Termination. Employees shall be paid for any vacation leave earned but not taken at the time of termination. Employee's shall not be paid for any other leave when they leave employment with the district or are terminated except as may otherwise be stated within these terms and conditions and approved by the Superintendent.

Final Leave Determinations. The Superintendent shall make all determinations and have complete discretion in making those determinations regarding the application of leave. The Superintendent's decision shall be final.

ATTENDANCE INCENTIVE PAY Any non-certificated employee who has accumulated 45 days of sick leave and is unable to carry additional sick leave forward on to the next employment year shall be paid an attendance bonus pay of \$40 a day for unused sick leave. Such payment shall be made in July for less than 12 month employees. For 12 month employees the incentive will be paid in the month following the month in which the employee's carried forward days are calculated.

Employees who do not regularly work at least 15 hours a week are not eligible for attendance incentive pay. Employees working at least 15 hours but more than or equal to 37 hours weekly shall have the attendance incentive prorated by the average number of hours worked daily divided by 8 hours. (i.e. If an employee averages 4 hours daily than the employees benefit would be 4/8 of a full \$40 a day benefit or 50%)

All attendance incentives are awarded by and at the discretion of the Superintendent of Schools and all decisions made by him or her with respect to the implementation and payment of the benefit is final.

Non-certificated staff working 10 months or more will be eligible for personal leave incentive pay. Each unused personal day that is unable to carry-over to the next employment year will be paid at a rate of \$40 per day. (2016)

VACATION DAYS Custodial, Maintenance and 12-month clerical personnel are eligible for vacation leave in this school district. Vacation is provided under the following conditions.

After one complete year (12 Months) of continuous employment in the same position(s), 10 days of vacation will be granted. The same position is defined as a position for which a separate and distinct job description is written. The superintendent may waive the same position requirement if the person has been reassigned temporarily at the district's request and not the employee's. After five years of continuous employment in the same position, 15 days of vacation will be granted. Only twelve-month employees are eligible for vacation leave with pay. Vacation days are to be used as arranged with the supervisor or superintendent.

Vacation may be taken anytime during the year with approval of the employee's supervisor under the following conditions. Vacation may not be taken in increments larger than 1 workweek, meaning an employee cannot miss more than 5 consecutive expected working days at a time. Any time an employee takes 5 consecutive vacation days, they must return to work for at least the next 5 expected working days prior to taking additional vacation leave. Vacation is capped at a maximum of 7 days in any 30-day period. The only exceptions to these conditions are when vacation leave is being taken in conjunction with other leave provided by law, such as the FMLA.

Employees will not receive additional daily hours for vacation pay if employees are given discretion to temporarily work more hours a day in lieu of fewer days a week. For example an employee who is assigned to work normally 32.5 hours a week at 6.5 hours daily but chooses to work four 8-hour days temporarily during a seasonal period will be given credit for only 6.5 hours daily for vacation pay.

Vacation leave days are not cumulative except that up to three (3) vacation leave days that are unused may be carried forward to the next employment year. Vacation leave days carried forward shall be considered as used with respect to coordination with other benefits within the year it was originally earned. The days carried forward shall be the first vacation days used in the new employment year. Unused vacation days, beyond the (3) carryover days, will be paid out to the employee at a rate of \$40.00 per day.

SICK LEAVE POLICY Non-certified personnel are allowed one sick leave day for each month worked accumulative up to 45 days. At the beginning of each school year non certificated employees will be credited with one sick leave day for each month worked. In August, 10 month employees will receive 10 days; in September, 12 month employees will receive 12 days of sick leave.

Sick leave may be used for the personal illness or injury of the employee or of the employee's minor children living at home. Sick leave may also be used for the serious illness or injury of an employee's child, step-child, spouse, parents, parents-in-law, brother, sister, brother-in-law, or sister-in-law that results in hospitalization or medical care by a physician and necessitates the employee being present.

Amounts being paid to staff as Workers' Compensation will be deducted from sick leave pay or other leave benefits so that the employee does not receive more than full pay when on leave. Sick leave days will not be earned while an employee is on leave.

The use of sick leave days by less than 12 month or part-time employees for discretionary - elective surgery for themselves or dependent children will be prohibited. Such surgical procedures shall be accomplished outside the framework of the employee's contracted days. A physician's statement may be required by the employer to verify sick leave.

UNUSED SICK LEAVE Upon leaving the Ashland-Greenwood Public Schools after 15 years or more of continuous service an employee shall be paid \$40.00 for each day of unused sick leave up to 45 days. Termination of employment shall disqualify the employee from receiving this benefit.

SICK LEAVE DONATION PROGRAM A Sick Leave Donation Program will be available for use by any non-certificated employee, eligible for sick leave benefits, during the time the employee is absent due to personal illness or injury or the personal illness or injury of an immediate family member provided the eligible employee has first exhausted all other accumulated and available paid leave including but not limited to sick, personal and vacation leaves. Immediate family members shall only include a spouse and dependent children. Parents and adult children are not considered immediate family for the purposes of this benefit.

A staff member meeting these criteria may request in writing, to the Superintendent, for accumulated sick leave from other non-certificated staff members. Upon receipt of a request the Superintendent shall notify all non-certificated staff of the request to voluntarily surrender sick leave. The staff member requesting the leave shall be deemed to consent to sharing of information about the staff member's health status to the extent such information is reasonably shared as part of the Sick Leave Donation Program. The employee, employee's spouse or employee's dependent may also be required to sign a release to share information.

Any non-certificated staff member covered by this agreement may voluntarily donate up to one (1) sick leave day. Staff willing to donate a day must notify the Superintendent within 7 calendar days of the notice being sent or it will be considered a refusal to donate. Staff shall be under no obligation to donate and any donations shall remain anonymous. Upon being donated, the sick leave days may not be returned to the donor even if the donee is unable to use all of the donated leave.

In order for a staff member to be eligible to request accumulated sick leave from other staff members, the employee must be enrolled in the district's Group Long Term Disability insurance program. The sick leave donation program is not to be used to permit an employee to receive both benefits from the sick leave donations and other compensation while on leave; as such, an employee may not use donated sick leave while receiving disability or workers compensation benefits. There is no pay for unused donated sick leave upon termination of employment. Donated sick leave days may not be carried forward nor shall the employee receive any further benefit from the donated days once the employee returns to work on a regular basis or at the conclusion of the school term/year in which the application is made whatever comes later.

BEREAVEMENT LEAVE A total of not more than four (4) days on full pay is allowed each employee for absence in case of death in the immediate family, defined as spouse, children, mother, father, mother-in-law, father-in-law, or person in the same home as part of the family. A total of not more than two (2) consecutive days on full pay is allowed for each employee for absence in the case of death of other members of the immediate family, defined as son-in-law, daughter-in-law, brother, brother-in-law, sister, sister-in-law, grandparent, grandchildren, niece or nephew. A total of one (1) day on full pay is allowed for each employee in the case of death of a close friend, other relative or neighbor.

Death leave is not limited to four (4) days in one year, but covers each death in the immediate family which occurs during the year. The above mentioned days are minimum and the number of days granted shall be at the discretion of the Superintendent.

UNPAID LEAVE Once all other available leave is exhausted, an employee may request leave without pay. Salaried employees will be deducted pay at a ratio of 1 to the number of contract days times the gross salary. The employee's immediate supervisor should approve unpaid leave. Unpaid days are capped at two consecutive days.

PERSONAL BUSINESS DAYS Personal leave days shall be requested from your supervisor prior to their use. All non-certified employees are eligible to receive three personal leave days annually.

Personal leave days are not cumulative except that one (1) personal leave day may be carried forward for a maximum of four (4) personal leave days during a school year.

PAID HOLIDAYS All 12 month employees are eligible to take the following paid holidays: Independence Day, Labor Day, Thanksgiving, the day after Thanksgiving, Christmas Eve, Christmas, New Year's Day, Good Friday and Memorial Day. When the holiday falls on a Saturday or Sunday, either Friday or Monday will be observed, as designated by the Superintendent. The employee must work the day before and after the holiday in order to be eligible for a paid holiday. The taking of eligible leave shall be considered as having worked the day for purposes of this regulation.

HOLIDAY PAY Employees who are required to work during a paid holiday shall receive double the regular hourly rate for hours worked. Employees should notify the payroll department whenever they were required to work during a holiday.

INCLEMENT WEATHER/EMERGENCY CANCELLATION Employees who work on an hourly basis for the district will be paid only for hours actually worked. When inclement weather does not allow school to be held and the employee cannot make it to work, they will not be paid. Employees paid on a salary basis will not be subject to these provisions but may be expected to make up lost work time. Twelve Month Employees are considered Essential Personnel and are expected to work closures. Work hours designated by Superintendent and or his designee.

Employees may not use personal or vacation leave on days when school is closed due to inclement weather unless such leave was arranged in advance of the school cancellation.

WORKER'S COMPENSATION All employees are covered by district worker's compensation insurance. Employees who are out of work as a result of a work related injury and who are being compensated for loss time by workers compensation shall not be eligible to elect sick, personal or vacation leave.

LONG TERM DISABILITY The district does not provide Long Term Disability insurance for any of its employees. Employees may purchase Long Term Disability insurance through the district's group plan.

Eligibility is subject to the eligibility rules and guidelines determined by the carrier.

BUS DRIVER COMPENSATION Morning and evening route drivers will be guaranteed employment a minimum of three hours daily for each student school day at the established route pay level. If an employee is only employed to drive a morning or an evening route the employment guarantee shall be 1 1/2 hours. Guaranteed Regular Route pay is determined by the Superintendent and /or his designee. All drivers will have the opportunity to work a minimum of 30 minutes per trip they are assigned to drive. Drivers driving routes/trips requiring less than 30 minutes of time should see the transportation director for details. All other pay shall be for actual hours worked at the established rate of pay. The Superintendent or his or her designee shall establish appropriate times to clock in and out during regular routes.

ACTIVITY TRIP DRIVER COMPENSATION Drivers are paid from the time that they clock into the bus garage until the time they clock out. Drivers should not clock in more than 30 minutes prior to the departure time for the trip. Drivers shall be employed for sitting time at their destination less any lunch or dinner breaks that are taken. Drivers who have more than six hours of sitting time at an activity shall be required to take a 30 minute lunch or dinner break. Drivers shall be considered to be off duty during lunch or dinner breaks and shall be free of all duties. The district will not pay for sitting time at a destination if the driver has been directed to return home during the event and the driver requests and is given permission to remain at the event location.

In no case shall a driver be paid for more than 3 hours of sitting time for an activity that takes place in the school district unless specifically directed to remain at the site of the activity and available by his or her supervisor.

Drivers who are assigned to an overnight bus activity trip and who cannot return to the school shall be paid from the time that they leave the bus garage until they park the bus for the evening at the destination. The driver will be paid in subsequent days from the time they commence driving the following day until the bus is parked at its destination at the end of the day, except for lunch and dinner breaks. Drivers may be reimbursed for lodging and meal expenses incurred on overnight trips in accordance with school district expense reimbursement procedures.

OTHER DRIVER COMPENSATION Drivers shall be reimbursed for costs incurred in obtaining licensing except for those costs that the driver would have to incur even if they were not employed by the district. Costs reimbursed include those incurred while obtaining school bus permit, physical examination, Level 1 or 2 training, upgrading from a regular to a commercial license and student driving. The district will not reimburse for fees paid when renewing the CDL license. Mileage will be reimbursed for travel necessary to complete medical physicals as required for employment. Mileage and hour reimbursement is limited to three trips for obtaining a license/permit.

PAY SCHEDULE All employees shall be paid as per the pay schedule adopted by the Board of Education. It shall be the sole discretion of the Superintendent and/or Board to determine placement on that schedule. The district reserves the right to pay an individual outside of the schedule in some

situations.

DIFFERENTIAL PAY Custodial personnel shall be paid an additional 60 cents per hour when more than half of their assigned shift takes place after 4 PM. This shall be considered a night shift differential pay. Maintenance personnel who hold a Nebraska Electrical License shall receive at \$2.00 pay differential. This shall be considered Special Permit Differential.

ASSIGNMENT Employees may be assigned, reassigned, and directed at the discretion of the employee's supervisor(s) or the Superintendent.

DETERMINATIONS Determination of the interpretation and application of eligibility of benefits will be made by the Superintendent of Schools. All determinations by the Superintendent are final.

ACKNOWLEDGEMENT OF RECEIPT

I acknowledge that I have received a copy of the Ashland-Greenwood School District Staff Handbook which includes the district's drug-free workplace policy statement. I understand that, as a condition of my employment, I am required to read and abide by the provisions of the handbook and by all board policies governing my employment. Further, if I have any questions about any provision of this handbook or any board policy, I should confer with my supervisor or building principal.

Print Name

Signature

Date

Saunders County School District Number One
 Ashland-Greenwood Public Schools
 Census History

Age as of June 30	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
0	42	34	40	45	43	40	42	51	43	45	40	37	37	28	32
1	55	48	44	51	52	52	45	51	44	54	57	50	52	46	38
2	53	63	60	58	54	54	61	68	56	49	65	68	59	67	52
3	52	65	69	62	56	50	56	62	56	70	57	77	73	65	86
4	62	59	71	71	65	64	60	65	72	65	75	64	84	87	73
5	68	72	68	64	74	70	74	65	80	81	73	90	79	94	96
6	63	62	66	70	64	72	78	84	66	88	90	79	103	87	104
7	66	64	66	77	75	67	76	84	67	75	95	89	83	113	97
8	78	63	66	56	70	72	71	84	77	77	83	99	94	89	121
9	71	81	66	65	59	67	76	79	87	82	79	84	104	100	99
10	72	64	75	60	69	59	64	65	70	89	87	82	96	111	106
11	56	75	68	78	64	70	59	65	74	72	93	92	80	103	119
12	78	59	79	65	73	57	70	70	69	73	74	97	98	89	106
13	65	82	62	77	67	75	60	55	66	67	74	77	99	105	91
14	66	70	82	61	77	69	73	73	73	69	76	76	88	108	109
15	73	67	75	82	62	75	70	67	69	73	69	82	82	93	113
16	49	74	72	68	82	65	78	78	74	55	76	71	88	85	98
17	79	48	75	70	81	84	65	78	70	73	60	80	73	94	88
18	58	81	48	75	68	63	67	59	74	60	74	62	81	77	95
Total 5-18 % +/-	942 #REF!	962 2.12%	968 0.62%	968 0.00%	985 1.76%	965 -2.03%	981 1.66%	1006 2.55%	1016 0.99%	1034 1.77%	1103 6.67%	1160 5.17%	1248 7.59%	1348 8.01%	1442 6.97%
Grand Total % +/-	1206 #REF!	1231 2.07%	1252 1.71%	1255 0.24%	1255 0.00%	1225 -2.39%	1245 1.63%	1269 1.93%	1287 1.42%	1317 2.33%	1397 6.07%	1456 4.22%	1553 6.66%	1641 5.67%	1723 5.00%

KAREN A. HAASE ^{NE, SD, IA, WY}
STEVE WILLIAMS ^{NE}
BOBBY TRUHE ^{NE, SD}



COADY H. PRUETT ^{NE, CO}
JORDAN JOHNSON ^{NE}
TYLER COVERDALE ^{SD}
SHARI RUSSELL, Paralegal

M E M O R A N D U M

To: KSB Policy Service Subscribers
FROM: KSB School Law
DATE: June 8, 2021
RE: Annual Policy Updates

Attached are the 2021 KSB School Law policy updates. Below, we discuss the policy changes, the changes to our standard forms, and some issues that are raised by certain laws that do not necessarily require a policy change but do present new obligations or things to keep in mind as you enter the 2022-22 school year. We have broken these down into 3 sections: "Policy Changes;" "Forms Changes;" and "Other Issues to Consider."

Keep in mind that most passed bills go into effect three months after the legislature adjourns. This year the Unicameral adjourned May 27th, so the effective date of most bills will be August 27, 2021. However, if a bill includes a specific effective date or an emergency clause, it goes into effect on the stated date or when passed and approved according to law.

To assist subscribers in implementing these policy changes and the other considerations laid out in this Memo, **KSB will hold a webinar on Thursday, June 10, 2021, at 10:00 a.m. Central Time.** In the webinar, we will give a brief overview of the changes and then answer questions from attendees regarding the policies and other considerations. We have included the link to the ZOOM conference in the cover e-mail that transmitted these updates. We will also record the webinar and will post it on the KSB School Law website in the Policy Updates section.

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Please feel free to contact us if you have any additional questions or if you would like to have a policy customized or “tweaked” to meet your individual circumstances.

Policy Changes

REVISION OF POLICY 2005: Conflict of Interest

LB 65 amends Section 49-14,103.01, a provision in the Nebraska Political Accountability and Disclosure Act, relating to local elected officials (including school board members) who have an interest in a contract with their own governing body. LB 65 eliminates the phrase "direct pecuniary fee or commission" and replaces it with "payment, fee or commission."

This change is required.

REVISION OF POLICY 3001: Budget and Property Tax Request

Several districts asked why we include the budget hearing procedures but not the property tax request procedures. To satisfy those inquiries and assist boards and administrators in understanding them, we have added the details about the process that boards now must follow in making property tax requests to this policy. We also changed the name of this policy to reflect the fact that it now includes the property tax request process from the new requirements discussed below.

In addition, LB 528 requires the published budget hearing notice to include the following statement:

For more information on statewide receipts and expenditures, and to compare cost per pupil and performance to other school districts, go to: [Insert Internet address for the web site established pursuant to Laws 2021, LB528, section 5].

The district must "prominently display" this statement on the school district web site with an active link to the Internet address for the web site established by the Nebraska Budget Act to allow the public access to the information.

LB 644 creates the Property Tax Request Act for the alleged purpose of "increased transparency for impacted political subdivisions to raise their property tax levies." If a school district seeks to increase its property tax request by more than the allowable growth percentage, the district must:

- Give notice of the public hearing by sending a postcard to all affected property taxpayers, posting notice of the hearing on the home page of the relevant county's website, and publishing notice in a legal newspaper of general circulation within the county;
- Hold a (joint) public hearing that includes a presentation that includes certain statutorily required information; and
- Pass a resolution.

The hearing must be held during an evening after 6 p.m., on or after September 17th and before September 28th and before the district files its adopted budget statement. Any member of the public must be allowed a reasonable amount of time to speak.

This change is not required but is highly recommended.

REVISION OF POLICIES
3003: Bidding for Construction, Remodeling, Repair, or Site Improvement
AND
3003.1: Bidding for Construction, Remodeling, Repair, or Related Projects Financed with Federal Funds

State law requires the State Board of Education, once every five years, to adjust the dollar amount threshold that requires schools to solicit bids for construction, remodeling, repair, or site improvements. In December, the threshold amount was raised from \$100,000 to \$109,000. Similarly, state law requires the State of Nebraska Board of Engineers and Architects, once every five years, to adjust the dollar amount threshold for projects that require schools to retain the services of an architect or engineer. The board adjusted this amount from \$100,000 to \$118,000. That's right - now you get to remember two different numbers!

These changes are required.

REVISION OF POLICIES
3003.1 Bidding for Construction, Remodeling, Repair, or Related Projects Financed with Federal Funds AND
3004.1 Fiscal Management for Purchasing and Procurement Using Federal Dollars

During a recent round of federal fiscal review, NDE determined that it wants even more information in your federal purchasing/procurement policies and procedures, especially as it relates to internal controls and grant compliance. We have added a Financial Management section to both policies as well as incorporated some provisions in 3004.1 into 3003.1 to address these concerns.

These changes are required.

REVISION OF POLICIES 3042: Construction Management at Risk Contracts AND 3043: Design-Build Contracts

LB 414 amends the Political Subdivisions Construction Alternatives Act to allow schools to use the design-build or construction management at risk contracts for a project that includes water, wastewater, utility, or sewer construction. Using these methods for these purposes was previously prohibited. However, before the school may use either of these construction methods for any of these construction purposes, the board must pass a resolution that includes a statement that the school district has made a determination that the design-build contract or construction management at risk contract delivery system is in the public interest based, at a minimum, on one of the following criteria: (a) savings in cost or time or (b) requirement of specialized or complex construction methods suitable for the design-build contract or construction management at risk contract delivery system.

These changes are required.

NEW POLICY 3058: Naming School Facilities and Property

Several of our districts have inquired about this type of policy over the years. A policy subscriber specifically requested that we draft this policy this year, so here it is. These policy provisions are not required. If you wish to adopt such a policy, you can tailor it to best fit your needs.

This policy is OPTIONAL.

REVISION OF POLICY 5063: Audio and Video Recordings

Remote learning opportunities necessitated by the pandemic led us to revisit our policies regarding audio and video recordings. This policy was revised to broaden the limiting language regarding the use of audio and video recordings. The revised language continues to prohibit inappropriate uses of recordings while permitting appropriate uses consistent with administrative discretion.

This change is required.

REVISED POLICY 6036: Reading Instruction and Intervention Services

LB 528 mostly made grammar and style changes to the Nebraska Reading Improvement Act. However, one substantive change to note is that you now have the first 45 calendar days that school is in session to administer the first approved reading assessment to kindergartners. The deadline for administering the assessment to first, second, and third grades remains the first 30 calendar days that school is in session.

This change is required.

Form Changes

Title IX Notice of Policy Forms

Last year, federal law required you to modify your Title IX policies and procedures prior to August 14, well after many of you already published and distributed your handbooks. As a result, our form notifications referred to the fact that previously published handbooks may be inconsistent with the newly adopted Title IX Policy. These form notifications have been updated to remove these references as you incorporate your policy into next year's handbooks.

This form is required, but the board does not need to approve the form.

Other Issues To Consider

LB 2: Valuation Of Agricultural Land And Horticultural Land For Certain School District Taxes

LB 2 reduces the valuation of agricultural and horticultural land solely for the purposes of educational bonds. Such land will be valued at 50% of its actual value for the purpose of school district taxes levied to pay the principal and interest on bonds that are approved by a vote of the people on or after January 1, 2022.

LB 2 also amends the law to allow the Tax Equalization and Review Commission (TERC) to use 44% to 50% of actual value or special valuation as an "acceptable range" for agricultural and horticultural land for school district taxes levied to pay the principal and interest on bonds that are approved by a vote of the people on or after January 1, 2022.

LB 5: The Purple Stars School Act

LB 5 establishes the Purple Star Schools Program. This program encourages, but doesn't require, every school in the state to appoint a "military liaison" who will then create a transition program for students who might be recent transfers into the school district after moving to the district with their military family; set up a website that demonstrates how to establish a "military-friendly" atmosphere at the school; and offer professional development for staff members on issues related to military-connected students. Choosing to voluntarily participate in the programming would then designate the school as a "Purple Star" school.

LB 83: Meetings During an Emergency Declaration

LB 83 changes provisions of the Open Meetings Act that allow some public bodies to meet through "virtual conferencing." No, schools still cannot "usually" meet by virtual conferencing. However, there is now an exception that allows all public bodies to meet via virtual conferencing if the Governor declared an emergency within any part of your district's territorial jurisdiction. In addition to any formal action taken pertaining to the emergency, the board may hold such a meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the board. The board must provide public access by providing

a dial-in number or a link to the virtual conference. The board must also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Finally, reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. LB 83 has an emergency clause, so this law is already in effect.

LB 139: COVID-19 Liability Protection Act

LB 139 creates the COVID-19 Liability Protection Act. This Act prohibits anyone from filing a civil lawsuit against school districts and other entities seeking recovery for any injuries or damages sustained from exposure or potential exposure to COVID-19 on or after May 25, 2021, if the act or omission alleged to violate a duty of care was in substantial compliance with any federal public health guidance that was applicable to the person, place, or activity at issue at the time of the alleged exposure or potential exposure.

LB 143: Require Notice to School Districts Regarding Changes in Child Placement

LB 143 provides that if a determination is made by the Nebraska Department of Health and Human Services that it is in the best interest of a child who is in the care of the department to not remain in the same school district after a placement change is made, the notice of placement change that is filed with the court shall also be provided to the new school where the child will be enrolled. The new law also allows school districts that disagree with a "best interest determination" by DHHS to go to court and challenge that decision. This means you should train your staff to (1) require DHHS to submit a written best interest determination from DHHS any time they seek to enroll a foster child in your school district; and (2) think critically about the merits of that determination rather than just accepting the case worker's unfettered discretion on the issue of where to enroll the student.

LB 147: Retired Teachers as Substitute Teachers

The main purpose of LB 147 was to transfer management of the OPS (Class V) Retirement Plan to NPERS. However, hidden away in the 115-page bill is a little nugget that may prove useful to many districts. Typically, recently retired teachers were prohibited from providing any services to a district during the first 180 days after a "bona fide separation from service of

employment” (i.e. retirement). However, section 3 of LB 147 allows the retired employee to provide services to the district on an “intermittent basis,” defined to mean up to eight days of service during a calendar month during the 180 day period. This change should help ease the shortage of quality (or any!) substitute teachers.

LB 154: Tracking of Student Discipline

LB 154 requires the implementation of a state-wide system for tracking individual student discipline. Data tracked will include suspensions, expulsions, and incidents involving violence or requiring restraint, and when law enforcement are required to be involved. In addition to the incident reports, data collected will include, but not be limited to, demographic information, race, poverty, attendance, disabilities, and English proficiency.

LB 322: The School Safety and Security Reporting System Act

LB 322 creates the School Safety and Security Reporting System Act. The Act requires NDE to establish the Safe2HelpNE report line as a statewide, anonymous reporting system to support threat assessment teams and reduce potential risks and incidents of violence resulting in harm to self, others, or school property. The Safe2HelpNE report line allows anyone to anonymously report concerns and information about concerning behavior or possible harm to persons or property by telephone call, mobile application, web site, or email. The report line will be staffed 24 hours per day, 7 days per week.

The report line staff must immediately alert the appropriate threat assessment team of any concern directly regarding a student, school staff member, or school property or that is likely to impact a student, school staff member, or school property. If there is an immediate life safety concern, report line staff must contact emergency services before contacting any threat assessment team. The threat assessment team must assess any alert that is not referred to emergency services, law enforcement, or child protective services. If a threat assessment team decides a report regarding a student is credible, a representative of the school administration must, within a reasonable period of time, attempt to notify a parent or guardian of the student except when such notification could reasonably be believed to contribute to the endangerment of the student or others. Such notification or attempted notification must be documented in a manner prescribed by NDE.

Any information or material in the possession of the threat assessment team must remain separate from educational records and shall be considered security records.

More training for educators! NDE must provide training for the members of any threat assessment team serving a public or nonpublic school. The training must provide the knowledge and skill to allow threat assessment teams to work collaboratively to conduct threat assessments, engage in crisis intervention, increase awareness of concerning behavior among school staff, students, and the public, and interrupt violence in the planning stage to thwart potential harm to persons and property.

NDE will be issuing rules and regulations to carry out the Act. We are awaiting these rules and regulations before amending our threat assessment team policy.

LB 396: The Nebraska Farm-to-School Program Act

LB 396 creates the Nebraska Farm-to-School Program Act. The program links schools with Nebraska farms to provide schools with fresh and minimally processed food for school meals and snacks, encourages children to develop healthy eating habits, and allows Nebraska producers to enjoy direct access to consumer markets. The program may also include activities that provide students with hands-on learning opportunities, including, but not limited to, farm visits, cooking demonstrations, and school gardening and composting programs, and that integrate nutrition and agricultural education into the school curricula.

LB 451: Race Includes Hair Texture and Protective Hairstyles

The Nebraska Fair Employment Practice Act prohibits discrimination in employment on the basis of race. LB 451 expands the definition of race to include characteristics such as skin color, hair texture, and protective hairstyles. Protective hairstyles include braids, locks, and twists. The Statement of Intent for this bill states that it prohibits discrimination in employment based upon natural hair styles and conditions.

Keep in mind this specific change applies only to employees protected by the Act and does not amend any other aspect of law, such as those that would otherwise apply to students. Students can certainly allege discrimination

based on skin color, hair texture, and protective hairstyles, but the bill did not specifically add these items to any state law directly applicable to students.

LB 452: The Financial Literacy Act

LB 452 creates the Financial Literacy Act.

Beginning with school year 2023-24, each school district, in consultation with the State Department of Education, must include financial literacy instruction, as appropriate, in the instructional program of its elementary and middle schools and require each student to complete at least one five-credit high school course in personal finance or financial literacy prior to graduation.

On or before December 31, 2024, and on or before December 31st of each year thereafter, each school district must provide an annual financial literacy status report to its school board, including, but not limited to, student progress in financial literacy courses and other district determined measures of financial literacy progress from the previous school year.

Finally, the State Board of Education must adopt measurable academic content standards for financial literacy as part of the social studies standards.

LB 527: "Developmental Disability" Transition Services

LB 527 changed section 83-1225, a law outside of the school or special education statutes. Section 83-1225 is part of the Developmental Disabilities Services Act, a set of statutes generally enforced by Nebraska DHHS. The Act permits DHHS to contract with local entities who provide services to individuals with developmental disabilities. It also allows DHHS to develop its own programs and to implement rules and regulations governing services to individuals with developmental disabilities.

However, section 83-1225 specifically requires school districts to provide "transition services" to students with "developmental disabilities." Since 1996, the statute has said that each school district must provide transition services for each student with a developmental disability "no later than when the student reaches sixteen years of age." These DD services must be provided until the student graduates or no longer meets the definition of "a

child with a disability” pursuant to section 79-1117. Section 79-1117 is the special education statute that defines when a child is no longer eligible for special education services under the IDEA.

This process should look familiar, because it mostly parallels the definitions and obligations of “transition services” from the IDEA and Rule 51. However, there are very key differences between the definitions and requirements in section 83-1225 and schools’ requirements under the IDEA. For example, many students eligible for special education services under the IDEA are not eligible to receive DD transition services under section 83-1225.

Here’s where things get interesting. LB 527 lowers the age of DD transition services from 16 years of age to 14 years of age. This begs the question: does LB 527 effectively require school districts to provide IDEA/Rule 51 transition services to all students age 14 and older? Rule 51 did not change; Chapter 79 did not change.

We believe NDE is going to answer, “Yes.” In our discussions with NDE, they are planning to open and amend Rule 51 to lower the age of eligibility for transition services from 16 to 14. This would mean all IDEA-eligible students’ IEPs must have transition goals and services in place by their 14th birthday. That requires a cascading effect of obligations: additional transition assessments, revised meeting notices when teams will consider transition services, etc.

NDE intends to issue a regulatory memorandum prior to proposing amendments to Rule 51. We believe they plan to do this because LB 527 becomes effective August 27, but NDE could not comply with the procedural requirements of amending Rule 51 by that time. What all of this means for IDEA compliance, school obligations, and your case managers’ summer/fall workload should be clarified when NDE releases its guidance. Once the guidance is released, we plan to review it, determine its legal effect, and provide additional guidance to our clients. This may or may not include changes to policy or our special education procedures document, found in the 6000 series forms.

LB 528: ID Card Notice

Beginning with the 2022-23 school year, schools must include the telephone number for a national suicide prevention hotline, a local suicide prevention

hotline, or a crisis text line on each new middle school or high school student identification card issued.

LB 639: Seizure Safe Schools Act

LB 639 creates the Seizure Safe Schools Act.

Beginning with the 2022-23 school year, each school must have at least one school employee at each school who has met the training requirements necessary to administer or assist with the self administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms as approved by the United States Food and Drug Administration.

Before the administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms by a school employee, a student's parent or guardian must:

- Provide the school with a written authorization to administer the medication at school;
- Provide a written statement from the student's health care practitioner containing specific information;
- Provide the medication to the school in its unopened, sealed package with the intact label affixed by the dispensing pharmacy; and
- Collaborate with school employees to create a seizure action plan.

The parental authorization must be renewed each school year.

Beginning with the 2022-23 school year, every certificated school employee must participate in a minimum of one hour of self-study review of seizure disorder materials at least once in every two school years.

The Unicameral has directed NDE to adopt and promulgate rules and regulations to carry out the Act.

B.L. v. Mahanoy Area School District

On April 28th, the U.S. Supreme Court heard oral arguments in this case, which asks this question: what authority and jurisdiction do schools have to regulate and discipline for off-campus speech students make online? In this case, a student sent a series of profanity-laced Snapchat rants related to a cheer team. The Third Circuit Court of Appeals essentially held that schools

have no authority to discipline students for off-campus, online speech or conduct. One trip through the federal case law would show this is not how most federal courts have interpreted school authority under the *Tinker* standard. The U.S. Supreme Court took the case, presumably because of the stark contrast between the Third Circuit's opinion in *B.L.* and other cases from across the country.

What we're left with is a waiting game to see what, if anything, this means for additional policy work and training for principals. During the oral arguments, the advocates and Justices were all over the place. The Court could narrowly decide the case and avoid sweeping changes to the classic *Tinker* "material and substantial disruption" standard. On the other end of the spectrum, the Court could fundamentally redefine this area of the law.

Decisions for the current term are typically issued by the end of June or early July, and we expect the *B.L.* decision to run right up to the deadline. Once we know, you'll know, but if the Court issues a sweeping opinion we could be looking at a second round of policy updates and a lot of training....

Biden Administration Title IX and Inclusion Executive Orders

President Biden has signed a handful of executive orders related to inclusivity, including one specifically aimed at Title IX signed on March 8. That order gave the U.S. Department of Education 100 days to review its current rules, regulations, and guidance. The USDOE's Office for Civil Rights has already received over 15,000 comments, and OCR is holding public hearings from June 7 to June 11.

Based on comments from Secretary of Education Cardona and others, we fully expect the current administration to propose amendments to the Title IX regulations and issue new guidance. In addition to *another* set of updates to the formal grievance process regulations implemented last August, we anticipate updates on other key issues like gender identity, sexual orientation, and transgender individuals participating in sports and activities (for example, Sec. Cardona recently gave an interview to ESPN discussing transgender athlete participation and the formal grievance process under Title IX).

We plan to follow this process closely. The executive order did not specify a timeline for putting out proposed changes and updated guidance, but we suspect it will be out this summer. At that point, we'll keep you posted on whether any modified policies and additional training are necessary.

CONCLUSION

It is all too easy to adopt policies that look good, but that do not actually reflect how the school operates or assist the school in accomplishing its goals. Every year we stress that it is very important to us to give you a working, useful set of policies and a continuing ***policy service***. For our Complete Service subscribers, there is no additional charge for revisions to our policies or consultation about them. Please don't hesitate to contact any one of us with questions about the updates or other policies. Our group e-mail address is ksb@ksbschoollaw.com.

3001
Budget and Property Tax Request

The board of education shall adopt a budget each year to support the school district's programs and services for the ensuing fiscal year. The superintendent of schools shall be responsible for developing the budget subject to the direction and decisions of the board. The budget document shall be under continuous development, based upon the requirements of the adopted educational program.

BUDGET PROCEDURES

Proposed Budget. The superintendent shall prepare the proposed budget in accordance with board policies and goals, state statutes, and regulations. As the district's spending plan, the budget will be based on up-to-date revenue estimates, and will reflect the assessed needs and programs approved by the board.

Budget Hearing Notice. Notice of place and time of the hearing, together with a summary of the proposed budget statement, must be published at least four calendar days prior to the date set for hearing in a newspaper of general circulation within the school district. The four calendar days shall include the day of publication but not the day of hearing. The notice shall include the following statement:

For more information on statewide receipts and expenditures, and to compare cost per pupil and performance to other school districts, go to: [Insert Internet address for the web site established pursuant to Laws 2021, LB528, section 5].

In addition, the district must electronically publish this statement on the school district web site. Such electronic publication must be prominently displayed with an active link to the Internet address for the web site established by the Nebraska Budget Act to allow the public access to the information.

Budget Hearing. The board must conduct a hearing prior to adopting the budget. The hearing must be held separately from any regularly scheduled meeting and may not be limited by time. The board must make a presentation outlining key provisions of the proposed budget statement, including, but not limited to, a comparison with the prior year's budget. Any member of the public desiring to speak on the proposed budget statement shall be allowed to address the board at the hearing and must be given a reasonable amount of time to do so. Five minutes shall generally be considered a reasonable amount

of time.

Budget Hearing Documents. The board must make at least three copies of the proposed budget statement and at least one copy of all other reproducible written material to be discussed at the hearing available to the public at the hearing.

Budget Adoption. After the budget hearing, the proposed budget statement shall be adopted or amended and adopted as amended. If the adopted budget statement reflects a change from that shown in the published proposed budget statement, a summary of the changes (including the items changed and the reasons for such changes) must be published in a newspaper of general circulation within the school district within twenty calendar days after its adoption without further hearing.

Certification and Filing. The amount to be received from personal and real property taxation shall be certified to the appropriate levying board as provided by law. The budget shall also be filed with the state auditor.

Purchase Authorization. Except for bids required under the section "Bid Letting and Contracts," the board's adoption of the budget shall authorize the purchases without further board action.

Monthly Report. At each monthly board meeting, the superintendent will provide a report on the current status of the major sections of the budget.

PROPERTY TAX REQUEST PROCEDURES

Property Tax Request Hearing. The board must hold a special public hearing called for the purpose of passing a property tax request resolution.

Property Tax Request Hearing Notice. The district must publish a hearing notice in a newspaper of general circulation in the school district at least four calendar days prior to the hearing. The four calendar days shall include the day of publication but not the day of hearing. The hearing notice must contain the following information: The certified taxable valuation under section 13-509 for the prior year, the certified taxable valuation under section 13-509 for the current year, and the percentage increase or decrease in such valuations from the prior year to the current year; the dollar amount of the prior year's tax request and the property tax rate that was necessary to fund that tax request; the property tax rate that would be necessary to fund last year's tax request if applied to the current year's valuation; the proposed dollar amount of the tax request for the current year and the property tax rate that will be necessary to fund that tax request; the percentage increase or decrease in

the property tax rate from the prior year to the current year; and the percentage increase or decrease in the total operating budget from the prior year to the current year.

Increase in Total Property Taxes Levied. If the annual assessment of property would result in an increase in the total property taxes levied as determined using the previous year's rate of levy, the district's property tax request for the current year shall be no more than its property tax request in the prior year, and the district's rate of levy for the current year shall be decreased accordingly when such rate is set by the county board of equalization. If the board wishes to set its property tax request at an amount that exceeds its property tax request in the prior year, it may do so after holding the public hearing required above and by passing a resolution as provided below.

Decrease or No Change in Total Property Taxes Levied. If the annual assessment of property would result in no change or a decrease in the total property taxes levied as determined using the previous year's rate of levy, the district's property tax request for the current year shall be no more than its property tax request in the prior year, and the district's rate of levy for the current year shall be adjusted accordingly when such rate is set by the county board of equalization.

Resolution. The board shall pass a resolution to set the amount of its property tax request only after holding the public hearing. The resolution setting the district's property tax request at an amount that exceeds the prior year's property tax request shall include, but not be limited to, the information required by section 77-1601.02(4).

Certification. The resolution setting the property tax request shall be certified and forwarded to the county clerk on or before October 13th of the year for which the tax request is to apply.

Adopted on: _____

Revised on: _____

Reviewed on: _____

2005 Conflict of Interest

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

1. Definitions. For purposes of this policy:

a. Business with which a board member is associated shall include the following:

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

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

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

c. Immediate family member or member of the immediate family shall mean a child residing in an individual's household, a spouse of an individual, or an individual claimed by that individual or that individual's spouse as a dependent for federal income tax purposes.

2. Contracts with the School District.

a. No board member or member of his or her immediate family shall enter into a contract valued at two thousand dollars or more, in

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

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

3. Contracts with Board Member's Immediate Family.

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

4. Employing Members of the Immediate Family.

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

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

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

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

7. Conflict of Interest Statement

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

- (1) Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict;
 - (2) Deliver a copy of the statement to the school board secretary who shall enter the statement onto the school district's public records; and
 - (3) Abstain from participating or voting on the matter in which he or she has a conflict of interest.
- b. If the board member would like a formal opinion from the NADC as to whether there is an actual conflict of interest, he/she shall deliver a copy of the statement to the NADC.

8. Recordkeeping

- a. The board secretary shall maintain a separate record of the following information for every contract entered into by the school board in which a board member has an interest and for which disclosure was made pursuant to section 2d of this policy:
 - (1) The names of the contracting parties.
 - (2) The nature of the interest of the board member in question.
 - (3) The date that the contract was approved.
 - (4) The amount of the contract.
 - (5) The basic terms of the contract.
- b. The information supplied relative to the contract shall be provided no later than ten (10) days after the contract has been signed by both parties. The ledger kept by the board secretary shall be available for public inspection during normal working hours of the office in which it is kept.

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

Adopted on: _____

Revised on: _____

Reviewed on: _____

3003

Bidding for Construction, Remodeling, Repair, or Site Improvement

I. Applicability of this policy.

Construction and contracts undertaken with federal funds, whether those funds are derived directly from the federal government (e.g. award of a federal grant) or are derived by pass-through awards from the Nebraska Department of Education (e.g. special education funds, school lunch funds, Title I funds) are subject to the policy on Construction with Federal Funds, which is found elsewhere in this section.

This policy applies to all other purchases and contracts made by the school district for construction, remodeling, repair and other site improvements.

II. Projects with an Estimated Cost of Less than \$~~100109~~,000

- A. The school district will solicit quotes and/or estimates for all projects with an estimated cost of less than \$~~100109~~,000.
- B. Prior to solicitation of the quotes and/or estimates, the superintendent will determine whether the district will accept oral submissions.
- C. Quotes and/or estimates may be solicited by the superintendent or his/her designee without board action.
- D. The terms of any construction project undertaken pursuant to this policy will be memorialized in a written contract which has been reviewed by the district's legal counsel and approved by the board.
- E. The district may use a Nebraska state-wide cooperative purchasing program in lieu of obtaining quotes or bids under this policy to the extent such a bid or quote is not otherwise independently required by law.
- F. Nothing in this subsection prohibits or requires the use of the formal bidding procedures. If the district is going to solicit formal bids for projects of less than \$~~100109~~,000 they must follow the formal procedures outlined in this policy.

III. Formal Bidding for Major Purchases and Construction

- A. Pursuant to section 73-106 of the Nebraska statutes, the board will advertise for bids when the contemplated expenditure of the project

exceeds \$~~100~~109,000 for the construction, remodeling or repair of a school-owned building or for site improvement.

- B. In projects that involve professional engineering or architecture, the board will have a registered professional engineer or architect prepare the plans, specifications, and estimates when the anticipated cost of the project exceeds \$~~100~~118,000.

C. Advertising for Bids

1. The superintendent or designee will arrange to advertise for bids under this section by publishing notice in any newspaper of general circulation within the school district at least 7 calendar days prior to the date on which bids are due.
2. Nothing in this policy shall prevent the superintendent or designee from advertising in additional media outlets or for a longer period of time.

D. Bid Documents

1. The bid documents shall identify the day upon which the bids shall be returned, received or opened and shall identify the hour at which the bids will close or be received or opened.
2. The invitation for bids will be sufficiently certain and specific, will include any specifications and pertinent attachments, and will define the items or services in order to allow the bidder to properly respond.
3. The bid documents shall also provide that such bids shall be opened simultaneously in the presence of the bidders or their representatives.
4. Bids received after the date and time specified in the bid documents shall be returned to the bidder unopened.
5. If bids are being opened on more than one contract, the board, in its discretion, may award each contract as the bids are opened.
6. Sealed bids will be opened in a place and at the specific time

stated in the bid form. Bidders shall be notified of the opening and invited to be present.

7. The board shall have discretion in determining which bidders are responsible and responsive and shall award the contract to the lowest, responsible, and responsive bidder whose bid meets the bid specifications.

E. Any or all bids may be rejected if there is a sound documented reason

F. The terms of any construction project undertaken pursuant to this policy will be memorialized in a written contract which has been reviewed by the district's legal counsel and approved by the board.

Adopted on: _____

Revised on: _____

Reviewed on: _____

3003.1
Bidding for Construction, Remodeling, Repair, or Related Projects
Financed with Federal Funds

I. Applicability of the Policy

This policy applies only to construction and contracts undertaken with federal funds which are subject to the federal Uniform Grant Guidance (UGG) and other applicable federal law, including but not limited to the Education Department and General Administration Regulations (EDGAR) and the United States Department of Agriculture (USDA) regulations governing school food service programs. In the event this policy conflicts or is otherwise inconsistent with mandatory provisions of the UGG, EDGAR or other applicable federal law, the mandatory provisions of the laws shall control.

The District will also comply with the requirements of the public lettings laws (NEB. REV. STAT. §§ 73-101 through 73-106) when the contemplated expenditure for the complete project exceeds \$~~100~~109,000, the Political Subdivisions Construction Alternatives Act (NEB. REV. STAT. §§ 13-2901 through 13-2914), energy financing contracts (NEB. REV. STAT. §§ 66-1062 through 66-1066), other applicable state laws, and the board's general policy on Bidding for Construction and Related Projects. In the event of a conflict between state and federal law, the more stringent requirement shall apply.

II. All projects undertaken pursuant to this policy will be subject to the following bond requirements

- A.** A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- B.** A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
- C.** A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons

supplying labor and material in the execution of the work provided for in the contract.

III. Construction Projects with an Anticipated Cost of Under \$250,000

A. Methods of Bidding/Soliciting Quotations or Estimates

The type of procedures required depends on the anticipated cost of the project.

1. Construction with an Anticipated Cost of up to \$10,000 (Micro-Purchases)

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the annual aggregate amount of which does not exceed \$10,000. Micro-purchases may be made or awarded without soliciting competitive quotations, to the extent district staff determine that the cost of the purchase is reasonable. For purposes of this policy "reasonable" means the purchase is comparable to market prices for the geographic area.

To the extent practicable, the District distributes micro-purchases equitably among qualified suppliers. The District will follow its standard policy on purchasing.

2. Construction with an Anticipated Cost of between \$10,000 and \$250,000 (Small Purchase Procedures)

For construction projects subject to this policy, small purchases are purchases that, in the aggregate amount, is more than \$10,000 and less than \$250,000 annually. For small purchases, price or rate quotes shall be obtained in advance from a reasonable number of qualified sources as detailed in the district's standard policies on purchasing and on bid letting and contracts.

B. Construction Projects with an estimated cost of between \$~~100109~~,000 and \$249,999 will be made pursuant to the District's Policy on Bid Letting and Contracts.

Pursuant to Nebraska law, construction projects which have an anticipated aggregate cost of \$~~100109~~,000 or more are subject to state

public lettings laws (NEB. REV. STAT. §§ 73-101 through 73-106). The board will follow its standard policy on bid letting and contracts for construction projects financed with federal funds which have an anticipated aggregate cost of between \$~~100~~109,000 and \$250,000.

IV. Construction Projects with an Anticipated Cost Over \$250,000

A. Sealed Bids: All constructions projects subject to this policy with an anticipated cost of \$250,000 or more will be publicly solicited using the sealed bid method

1. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local, and tribal governments, the invitation for bids must be ~~publically~~publicly advertised;
2. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
3. Sealed bids will be ~~publically~~publicly opened in a place and at the specific time stated in the bid solicitation. Bidders shall be notified of the opening and invited to be present.
4. The contract will be awarded to the lowest responsive and responsible bidder.
 - a) Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest.
 - b) Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.
 - c) Any or all bids may be rejected if there is a sound documented reason.
5. The board shall have discretion in determining which bidders are responsible and responsive and shall award the contract to the lowest, responsible, and responsive bidder whose bid meets the bid specifications. This means that the board will select the bid that offers the best value and award a contract based upon the amount of the bid and the bidder's ability and capacity to carry on

the work, its equipment and facilities, honesty, integrity, skills, business judgment, experience, equipment, facilities, financial stability, past performance, and other relevant factors.

6. The board will generally complete its review of bids and select a vendor within 30 days of bid submission.

B. Advertising for Bids.

1. The superintendent or designee will arrange to advertise for bids by publishing notice in any newspaper of general circulation within the school district at least 7 calendar days prior to the date on which bids are due.

2. Nothing shall prevent the superintendent or designee from advertising in additional media outlets or for a longer period of time.

C. Bid Documents

1. The bid documents shall identify the day upon which the bids shall be returned, received, or opened and shall identify the hour at which the bids will close or be received or opened.

2. The bid documents shall also provide that such bids shall be opened simultaneously in the presence of the bidders or their representatives.

3. Bids received after the date and time specified in the bid documents shall be returned to the bidder unopened.

4. If bids are being opened on more than one contract, the board, in its discretion, may award each contract as the bids are opened.

5. Sealed bids will be opened in a place and at the specific time stated in the bid solicitation. Bidders shall be notified of the opening and invited to be present.

6. Bids will be reviewed by the Superintendent and/or designee and submitted to the board for approval.

7. The board shall have discretion in determining which bidders are responsible and responsive and shall award the contract to the

lowest, responsible, and responsive bidder whose bid meets the bid specifications. This means that the board will select the bid that offers the best value and award a contract based upon the amount of the bid and the bidder's ability and capacity to carry on the work, its equipment and facilities, honesty, integrity, skills, business judgment, experience, equipment, facilities, financial stability, past performance, and other relevant factors.

8. The board will generally complete its review of bids and select a vendor within 30 days of bid submission.

D. The terms of any construction project undertaken pursuant to this policy will be memorialized in a written contract which has been reviewed by the district's legal counsel and approved by the board.

V. Other Contract Matters.

A. Required Terms

The non-Federal entity's contracts must contain the applicable provisions required by section 200.326 and described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

B. Contracting with Certain Vendors

Pursuant to the standards contained in 2 C.F.R. § 200.321, the District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible and consistent with state law.

To the maximum extent practicable, the school food program shall purchase domestic commodities or products produced in the U.S. or processed in the U.S. substantially using agricultural commodities produced in the U.S.

C. Full and Open Competition

The district's procurement transactions will be conducted in a manner providing full and open competition consistent with 2 C.F.R §200.319.

D. Debarment and Suspension

The District awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed

procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

The District may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000 the District verifies that the vendor with whom the District intends to do business with is not excluded or disqualified. 2 C.F.R. Part 200, Appendix II(1) and 2 C.F.R. §§ 180.220 and 180.300.

The District will verify debarment or suspension by revising the excluded parties list on SAM.gov, collecting a certification through the bidding process, and/or by including a debarment and suspension provision in the bid and contract documents. The Superintendent or his/her designee shall be responsible for such verification.

E. Settlements of Issues Arising Out of Contract

The District alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the District of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

F. Record Keeping

1. Record Retention

- a) The District maintains all records that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and §§ 75.730-.731. The District also maintains records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.

- b) The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding construction projects for a minimum of five (5) years after the sale or demolition of the building. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.
 - c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.
2. Maintenance of Construction Records for Projects Financed with Federal Funds
- a) The District must maintain records sufficient to detail the history of all construction projects financed with federal funds. These records will include, but are not necessarily limited to the following: rationale for the method of construction, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.
 - b) Retention of construction records shall be in accordance with applicable law and Board policy.

VI. Conflict of Interest and Code of Conduct

- A.** Board and staff member conflicts of interest are governed by the district's conflict of interest policies.
- B.** Contracts covered by this policy are subject to the following additional provisions.
 1. Employees, officers, and agents engaged in the selection, award, and/or administration of district contracts which are prohibited from engaging in such actions if a real or apparent conflict of interest is present.
 2. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
 3. The board may determine at its discretion that a financial interest is not substantial enough to give rise to a conflict of interest.

C. Favors and Gifts

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, with the limited exception of unsolicited items of nominal value.

D. Enforcement

Disciplinary Actions will be applied for violations of such standards by officers, employees, or agents of the District at the board's discretion.

VII. Financial Management

A. Identification.

The District will identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification include, as applicable, the CFDA title and

number, federal award identification number and year, name of the federal agency, and, if applicable, name of the pass-through entity.

B. Financial Reporting

The District will make an accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the financial reporting requirements set forth in the Education Department General Administrative Regulations (EDGAR).

C. Accounting Records

The District maintains records which adequately identify the source and application of funds provided for federally-assisted activities. These records must contain information pertaining to grant or subgrant awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

D. Internal Controls

The Superintendent or his/her designee must maintain effective control and accountability for all funds, real and personal property, and other assets through board review and approval of claims, an annual audit of the district's finances pursuant to the applicable Nebraska Department of Education and federal rules and regulations, and comparison of expenditures and outlays to budgeted amounts. The District adequately safeguards all such property and assures that it is used solely for authorized purposes. -

E. Budget Control

Actual expenditures or outlays will be compared with budgeted amounts for each federal award at least annually and more often as required by law or deemed prudent by the board or administrative staff.

F. Payment Methods

The District will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the District, in accordance with the Cash Management Improvement Act at 31 CFR Part 205. Generally, the District receives payment from the Nebraska Department of Education on a reimbursement basis. 2 CFR § 200.305. However, if the District receives an advance in

federal grant funds, the District will remit interest earned on the advanced payment quarterly to the federal agency. The District may retain interest amounts up to \$500 per year for administrative expenses. 2 CFR § 200.305(b)(9).

Consistent with state and federal requirements, the District will maintain source documentation supporting the federal expenditures (invoices, time sheets, payroll stubs, etc.) and will make such documentation available for the Nebraska Department of Education to review upon request.

G. Allowability of Costs

Expenditures must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval.

When determining how the District will spend its grant funds, the Superintendent or his/her designee will review the proposed cost to determine whether it is an allowable use of federal grant funds before obligating and spending those funds on the proposed good or service. All costs supported by federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part. The Superintendent or his/her designee must consider these factors when making an allowability determination.

The Superintendent or his/her designee will consider Part 200's cost guidelines when federal grant funds are expended. The Superintendent or his/her designee will also consider whether all state - and District-level requirements and policies regarding expenditures have been followed.

VIII. Other Contract Matters.

A. Required Terms

The non-Federal entity's contracts must contain the applicable provisions required by section 200.326 and described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

B. Contracting with Certain Vendors

Pursuant to the standards contained in 2 C.F.R. § 200.321, the District will take all necessary affirmative steps to assure that minority businesses,

women's business enterprises, and labor surplus area firms are used when possible consistent with state law.

To the maximum extent practicable, the school food program shall purchase domestic commodities or products produced in US or processed in US substantially using agricultural commodities produced in US.

C. Record Keeping

1. Record Retention

a) The District maintains all records that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and §§ 75.730-.731. The District also maintains records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.

b) The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding federal awards for a minimum of six (6) years. Consequently, the District shall retain records for a minimum of six (6) years from the date on which the final Financial Status Report is submitted, unless otherwise notified in writing to extend the retention period by the awarding agency, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings

involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.

c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.

2. Maintenance of Procurement Records

a) The District must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

b) Retention of procurement records shall be in accordance with applicable law and Board policy.

D. Privacy

The District has protections in place to ensure that the personal information of both students and employees is protected. These include the use of passwords that are changed on a regular basis; staff training on the requirements of the Family Educational Rights and Privacy Act (FERPA) and State confidentiality requirements; and training on identifying whether an individual requesting access to records has the right to the documentation.

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

3004.1 Fiscal Management for Purchasing and Procurement Using Federal Funds

I. Applicability of Policy

This policy applies only to non-construction related purchases undertaken with federal funds which are subject to the federal Uniform Grant Guidance (UGG) and other applicable federal law, including but not limited to the Education Department and General Administration Regulations (EDGAR) and the United States Department of Agriculture (USDA) regulations governing school food service programs. In the event this policy conflicts or is otherwise inconsistent with mandatory provisions of the UGG, EDGAR or other applicable federal law, the mandatory provisions of the laws shall control.

All other non-construction purchases will be governed by the Board's general purchasing policy, which can be found earlier in this subsection. In the event of a conflict between state and federal law, the more stringent requirement shall apply.

This procurement policy shall govern all purchasing activities that relate to any aspect of the National School Lunch and Breakfast Programs. The district's goal is to fully implement all required procurement rules, regulations and policies set forth in 2 CFR 200, 7 CFR parts 210, 3016 and 3019, and by the Nebraska Department of Education.

II. Procurement System

The District maintains the following purchasing procedures.

A. Responsibility for Purchasing

The authority to make purchases shall be governed by the District's purchasing policy, which can be found elsewhere in this section. Except as otherwise provided in the District's purchasing policy, the acquisition of services, equipment, and supplies shall be centralized in the administration office under the supervision of the superintendent of schools, who shall be responsible for developing and administering the purchasing program of the school district. Purchases or commitments of district funds that are not authorized by this policy will be the responsibility of the person making the commitment.

B. Methods of Purchasing

The type of purchase procedures required depends on the cost of the item(s) being purchased.

1. Purchases up to \$10,000 (Micro-Purchases)

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the annual aggregate amount of which does not exceed \$10,000. Micro-purchases may be made or awarded without soliciting competitive quotations, to the extent district staff determine that the cost of the purchase is reasonable. For purposes of this policy "reasonable" means the purchase is comparable to market prices for the geographic area.

To the extent practicable, the District distributes micro-purchases equitably among qualified suppliers. The District will follow its standard policy on purchasing, which can be found earlier in this subsection.

2. Purchases between \$10,000 and \$250,000 (Small Purchase Procedures)

Small purchases are purchases that, in the aggregate amount, is more than \$10,000 and less than \$250,000 annually. For small purchases, price or rate quotes shall be obtained in advance from a reasonable number of qualified sources as detailed in the district's standard policies on purchasing and on bid letting and contracts, which can be found earlier in this subsection.

3. Purchases Over \$250,000

a) Sealed Bids (Formal Advertising)

For purchases over \$250,000, the district will generally follow the bidding process outlined in the board's policy on Bidding for Construction, Remodeling, Repair or Site Improvement.

b) Contract/Price Analysis

The District performs a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. The district will make an independent estimate of costs prior to receiving bids or proposals.

4. Noncompetitive Proposals (Sole Sourcing)

a) Procurement by noncompetitive proposals is procurement through solicitation of a proposal from

only one source and may be used only when one or more of the following circumstances apply:

- 1) The item is available only from a single source;
 - 2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - 3) The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; or
 - 4) After solicitation of a number of sources, competition is determined inadequate.
- b) Noncompetitive proposals may only be solicited with the approval of the superintendent or the board. Sufficient and appropriate documentation that justifies the sole sourcing decision must be maintained by the superintendent or designee.
- c) A cost or price analysis will be performed for noncompetitive proposals when the price exceeds \$250,000.

C. Use of Purchase (Debit & Credit) Cards

District use of purchase cards is subject to the policy on purchase cards which can be found elsewhere in this subsection.

D. Federal Procurement System Standards

The district's procurement transactions will be conducted in a manner providing full and open competition consistent with 2 C.F.R §200.319.

The District will maintain and follow general procurement standards consistent with 2 C.F.R. §200.318.

E. Debarment and Suspension

The District awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed

procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

The District may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000 the District verifies that the vendor with whom the District intends to do business with is not excluded or disqualified. 2 C.F.R. Part 200, Appendix II(1) and 2 C.F.R. §§ 180.220 and 180.300.

The District will verify debarment or suspension by revising the excluded parties list on SAM.gov, collecting a certification through the bidding process, and/or by including a debarment and suspension provision in the bid and contract documents. The Superintendent or his/her designee shall be responsible for such verification.

F. Settlements of Issues Arising Out of Procurements

The District alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the District of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

III. Conflict of Interest and Code of Conduct

A. Board and staff member conflicts of interest are governed by the district's conflict of interest policies.

B. Purchases covered by this policy are subject to the following additional provisions.

- 1.** Employees, officers, and agents engaged in the selection, award, and/or administration of district contracts which are prohibited from engaging in such actions if a real or apparent conflict of interest is present.
- 2.** Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or

other interest in or a tangible personal benefit from a firm considered for a contract.

3. The board may determine at its discretion that a financial interest is not substantial enough to give rise to a conflict of interest.

C. Favors and Gifts

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, except that this provision does not prohibit the receipt of unsolicited items of nominal value. For purposes of this policy, "nominal value" means a fair market value of \$25 or less.

D. Enforcement

Disciplinary Actions including, but not limited to, counseling, oral reprimand, written reprimand, suspensions without pay, or termination of employment, will be applied for violations of such standards by officers, employees, or agents of the District.

IV. Property Management Systems

A. Property Classifications

1. Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the District for financial statement purposes, or \$5,000.
2. Supplies means all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the District for financial statement purposes or \$5,000, regardless of the length of its useful life. 2 C.F.R. §200.94.
3. Computing Devices means machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or "peripherals") for printing, transmitting and receiving, or storing electronic information. 2 C.F.R. §200.20.

4. Capital Assets means tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with GAAP. Capital assets include:
 - a) Land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, lease-purchase, exchange, or through capital leases; and
 - b) Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance). 2 C.F.R. §200.12.

B. Inventory Procedure

Newly purchased property shall be received and inspected by the staff member who ordered it to ensure that that it matches the purchase order, invoice, or contract and that it is in acceptable condition.

Equipment, Computing Devices, and Capital Assets must be tagged with an identification number, manufacturer, model, name of individual who tagged the item, and date tagged).

C. Inventory Records

For equipment, computing devices, and capital assets purchased with federal funds, the following information is maintained in the property management system:

1. Serial number;
2. District identification number;
3. Manufacturer;
4. Model;
5. Date tagged and individual who tagged it;
6. Source of funding for the property;
7. Who holds title;
8. Acquisition date and cost of the property;
9. Percentage of federal participation in the project costs for the federal award under which the property was acquired;
10. Location, use and condition of the property; and
11. Any ultimate disposition data including the date of disposal and sale price of the property.

The inventory list shall be adjusted by the superintendent of schools or his/her designee for property that is sold, lost, stolen, cannot be repaired, or that cannot be located.

D. Physical Inventory

- 1.** A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
- 2.** The Superintendent or his/her designee will ensure that the physical inventory is performed. The physical inventory will generally occur during the months of June or July, but may be conducted during other time periods with the approval of the superintendent.

E. Maintenance

In accordance with 2 C.F.R. 313(d)(4), the District maintains adequate maintenance procedures to ensure that property is kept in good condition.

F. Lost or Stolen Items

The District maintains a control system that ensures adequate safeguards are in place to prevent loss, damage, or theft of the property.

G. Use of Equipment

Equipment must be used in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the federal award, and the District will not encumber the property for any non-federal program use without prior approval of the federal awarding agency and the pass-through entity.

H. Disposal of Equipment

When it is determined that original or replacement equipment acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the Superintendent or his/her designee will contact the awarding agency (or pass-through for a state-administered grant) for disposition instructions.

If the item has a current FMV of \$5,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency.

V. Financial Management

A. Identification.

~~In its accounts~~ The District will identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification include, as applicable, the CFDA title and number, federal award identification number and year, name of the federal agency, and, if applicable, name of the pass-through entity.

B. Financial Reporting

The District will make an accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the financial reporting requirements set forth in the Education Department General Administrative Regulations (EDGAR).

C. Accounting Records

The District maintains records which adequately identify the source and application of funds provided for federally-assisted activities. These records must contain information pertaining to grant or subgrant awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

D. Internal Controls

The Superintendent or his/her designee must maintain effective control and accountability for all funds, real and personal property, and other assets through board review and approval of claims, an annual audit of the district's finances pursuant to the applicable Nebraska Department of Education and federal rules and regulations, and comparison of expenditures and outlays to budgeted amounts. The District adequately safeguards all such property and assures that it is used solely for authorized purposes.

E. Budget Control

Actual expenditures or outlays will be compared with budgeted amounts for each federal award at least annually and more often as required by law or deemed prudent by the board or administrative staff.

F. Payment Methods

The District will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the District, in accordance with the Cash Management Improvement Act at 31 CFR Part 205. Generally, the District receives payment from the Nebraska Department of Education on a reimbursement basis. 2 CFR § 200.305. However, if the District receives an advance in federal grant funds, the District will remit interest earned on the advanced payment quarterly to the federal agency. The District may retain interest amounts up to \$500 per year for administrative expenses. 2 CFR § 200.305(b)(9).

Consistent with state and federal requirements, the District will maintain source documentation supporting the federal expenditures (invoices, time sheets, payroll stubs, etc.) and will make such documentation available for the Nebraska Department of Education to review upon request.

G. Allowability of Costs

Expenditures must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval.

When determining how the District will spend its grant funds, the Superintendent or his/her designee will review the proposed cost to determine whether it is an allowable use of federal grant funds before obligating and spending those funds on the proposed good or service. All costs supported by federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part. The Superintendent or his/her designee must consider these factors when making an allowability determination.

The Superintendent or his/her designee will consider Part 200's cost guidelines when federal grant funds are expended. The Superintendent or his/her designee will also consider whether all state - and District-level requirements and policies regarding expenditures have been followed.

V.VI. Other Contract Matters.

A. Required Terms

The non-Federal entity's contracts must contain the applicable provisions required by section 200.326 and described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

B. Contracting with Certain Vendors

Pursuant to the standards contained in 2 C.F.R. § 200.321, the District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible consistent with state law.

To the maximum extent practicable, the school food program shall purchase domestic commodities or products produced in US or processed in US substantially using agricultural commodities produced in US.

C. Record Keeping

1. Record Retention

- a) The District maintains all records that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and §§ 75.730-.731. The District also maintains records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.

- b) The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding federal awards for a minimum of six (6) years. Consequently, the District shall retain records for a minimum of six (6) years from the date on which the final

Financial Status Report is submitted, unless otherwise notified in writing to extend the retention period by the awarding agency, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.

- c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.

2. Maintenance of Procurement Records

- a) The District must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.
- b) Retention of procurement records shall be in accordance with applicable law and Board policy.

D. Privacy

The District has protections in place to ensure that the personal information of both students and employees is protected. These include the use of passwords that are changed on a regular basis; staff training on the requirements of the Family Educational Rights and Privacy Act (FERPA) and State confidentiality requirements; and training on identifying whether an individual requesting access to records has the right to the documentation.

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

3042 Construction Management at Risk Contracts

This policy is adopted pursuant to the Political Subdivisions Construction Alternatives Act (NEB. REV. STAT. § 13-2901 through § 13-2914).

The board shall adopt a resolution by a two-thirds affirmative vote selecting the construction management at risk contract delivery system prior to proceeding with any of the steps involved with solicitation or execution of any construction contract. For a project authorized under subsection (3) of section 13-2914, the resolution shall include a statement that the political subdivision has made a determination that the construction management at risk contract delivery system is in the public interest based, at a minimum, on one of the following criteria: (a) Savings in cost or time or (b) requirement of specialized or complex construction methods suitable for the construction management at risk contract delivery system.

Definitions. For purposes of this policy:

1. Construction management at risk contract means a contract by which a construction manager (a) assumes the legal responsibility to deliver a construction project within a contracted price to the school district, (b) acts as a construction consultant to the school district during the design development phase of the project when the school district's architect or engineer designs the project, and (c) is the builder during the construction phase of the project;
2. Construction manager means the legal entity which proposes to enter into a construction management at risk contract pursuant to the Act;
3. Proposal means an offer in response to a request for proposals by a construction manager to enter into a construction management at risk contract for a project pursuant to the act;
4. Request for proposals means the documentation by which a school district solicits proposals; and
5. School district means _____ Public Schools.

Procedures.

1. Procedures for the preparation and content of requests for proposals shall include the following:

- A. At least thirty days prior to the deadline for receiving and opening proposals, notice of the request for proposals shall be published in a newspaper of general circulation within the school district and filed with the State Department of Education. The request for proposals shall contain, at a minimum, the following elements:
1. The identity of the school district for which the project will be built and the school district that will execute the contract;
 2. Policies adopted by the school district pursuant to the Act;
 3. The proposed terms and conditions of the contract, including any terms and conditions which are subject to further negotiation. The proposed general terms and conditions shall be consistent with nationally recognized model general terms and conditions which are standard in the design and construction industry in Nebraska. The proposed terms and conditions may set forth an initial determination of the manner by which the construction manager selects any subcontractor and may require that any work subcontracted be awarded by competitive bidding;
 4. Any bonds and insurance required by law or as may be additionally required by the school district;
 5. General information about the project which will assist the school district in its selection of the construction manager, including a project statement which contains information about the scope and nature of the project, the project site, the schedule, and the estimated budget;
 6. The criteria for evaluation of proposals and the relative weight of each criterion; and
 7. A description of any other information which the school district chooses to require.
2. Procedures for the preparation and submission of proposals by the

construction manager shall be determined on a project-by-project basis and included within the requests for proposals.

3. Procedures for evaluating requests for proposals submitted to the school district by a construction manager shall include the following:

A. The school district shall refer the proposals for recommendation to a selection committee. The selection committee shall be a group of at least five persons designated by the school district. Members of the selection committee shall include (1) members of the school board, (2) members of the school administration or staff, (3) the school's architect or engineer (4) any person having special expertise relevant to selection of a construction manager under the Act, and (5) a resident of the school district other than an individual included in subdivisions (1) through (4) of this subsection. A member of the selection committee designated under subdivision (4) or (5) of this subsection shall not be employed by or have a financial or other interest in a construction manager who has a proposal being evaluated and shall not be employed by the school district or the school's architect or engineer.

B. The selection committee and the school district shall evaluate proposals taking into consideration the criteria enumerated in subdivisions (1) through (7) of this subsection with the maximum percentage of total points for evaluation which may be assigned to each criterion set forth following the criterion. The following criteria shall be evaluated, when applicable:

(1) The financial resources of the construction manager to complete the project **(up to ten percent)**;

(2) The ability of the proposed personnel of the construction manager to perform **(up to thirty percent)**;

(3) The character, integrity, reputation, judgment, experience, and efficiency of the construction manager **(up to thirty percent)**;

(4) The quality of performance on previous projects **(up**

to thirty percent);

- (5) The ability of the construction manager to perform within the time specified **(up to thirty percent);**
- (6) The previous and existing compliance of the construction manager with laws relating to the contract **(up to ten percent);** and
- (7) Such other information as may be secured having a bearing on the selection **(up to twenty percent).**

~~NOTE TO BE DELETED: The percentages listed above must be modified so that they add up to 100%. This can be done directly in the policy, at the time the school board designates the CM@R method for a specific project, or at a later time but before the RFP is published and sent out.~~

The records of the selection committee in evaluating proposals and making recommendations shall be considered public records for purposes of NEB. REV. STAT. § 84-712.01.

- C. The school district shall then evaluate and rank each proposal on the basis of best meeting the criteria in the request for proposals and taking into consideration the recommendation of the selection committee.
4. Procedures for negotiations between the school district and the construction managers submitting proposals prior to the acceptance of a proposal if any such negotiations are contemplated shall include the following:
- A. The school district may attempt to negotiate a construction management at risk contract with the highest ranked construction manager and may enter into a construction management at risk contract after negotiations.
 - B. The negotiations shall include a final determination of the manner by which the construction manager selects a subcontractor.
 - C. If the school district is unable to negotiate a satisfactory contract with the highest ranked construction manager, the school district may terminate negotiations with that construction manager. The school district may then undertake negotiations with the second highest ranked

- construction manager and may enter into a construction management at risk contract after negotiations.
- D. If the school district is unable to negotiate a satisfactory contract with the second highest ranked construction manager, the school district may undertake negotiations with the third highest ranked construction manager, if any, and may enter into a construction management at risk contract after negotiations.
 - E. If the school district is unable to negotiate a satisfactory contract with any of the ranked construction managers, the school district may either revise the request for proposals and solicit new proposals or cancel the construction management at risk process under the act.
 - F. If the school district is able to negotiate a satisfactory contract with a construction manager, the school district shall file a copy of all construction management at risk contract documents with the State Department of Education within thirty days after their full execution. Within thirty days after completion of the project, the construction manager shall file a copy of all contract modifications and change orders with the State Department of Education.
5. Procedures for filing and acting on formal protests relating to the solicitation or execution of construction management at risk contracts shall include the following:
- A. Definitions.
 - (1) Interested party shall mean an actual or prospective bidder whose direct economic interest would be affected by the award of a contract by the school district to another party or by the failure of the school district to award a contract to such actual or prospective bidder.
 - (2) Protest shall mean a written objection by an interested party on any phase of the bidding process, including specification, preparation, bid solicitation, and intent to award.
 - B. Right to Protest. An interested party may protest to the Superintendent. The protest shall be submitted in writing on company letterhead within five working days after public notice of the bid. Protests based on alleged apparent

improprieties in a solicitation or other request for proposals must be filed before bid opening or the closing date for receipt of proposals. In all other cases, the protest must be filed within five working days following the selection of the construction manager. To expedite handling of protests, the envelope containing the protest should be clearly labeled "Protest". The written protest shall include as a minimum the following:

- (1) The name and address of the interested party;
- (2) Appropriate identification of the relevant solicitation, and if a bid has been opened, its number, and date of opening;
- (3) A detailed statement of reasons for the protest;
- (4) Supporting, exhibits, evidence, or documents to substantiate any claims unless not available within the filing time, in which case the expected availability date shall be indicated; and a list of all persons who have knowledge of facts relevant to the protest; and
- (5) The action(s) the protestor desires the school district to take to resolve the protest.

The Superintendent will immediately decide upon receipt of the protest whether or not the award of a contract shall be delayed, or if the protest is timely received after the award, whether the performance of the contract should be suspended. The school district shall not proceed further with the solicitation or with the award of the contract and shall suspend performance under the contract, if awarded, unless the Superintendent makes a written determination that the protest is clearly without merit or that award of the contract without delay is necessary to protect the substantial interests of the school district.

- C. Authority to Resolve Protests. Prior to the commencement of an administrative review by the Board concerning any protest, the Superintendent shall attempt to resolve any protest filed by an interested party concerning any solicitation. If the protest is not resolved by mutual agreement, the Superintendent shall create and deliver a

Decision to the protestor within a reasonable time after the written protest was received. The Decision shall include a written summary of the Superintendent's investigation and a recommendation regarding the outcome of the protest. The Decision shall (1) state the reasons for the action taken, and (2) inform the interested party of their right to the administrative review by the Board. A copy of the Decision shall be mailed or otherwise furnished immediately to the interested party and any other party intervening protestor and all other bidders. If not satisfied with the decision of the Superintendent, any interested party protestor may appeal to the Board, but the decision shall be final unless the interested party protestor files a timely appeal with the Board.

D. Board Appeal Procedures. Any interested party protestor, within five working days of receipt of a decision of the Superintendent, may file with the Superintendent a written notice of appeal for an administrative review before the Board. The Notice of Appeal must clearly state the action protested and the basis of appeal. The Board will conduct an administrative review at its next regularly scheduled meeting or at a special meeting. The school district board of education shall consider the Decision of the Superintendent and shall make the final decision on the protest. The school district board of education's decision shall be final.

6. A construction management at risk contract may be conditioned upon later refinements in scope and price and may permit the school district in agreement with the construction manager to make changes in the project without invalidating the contract. Later refinements shall not exceed the scope of the project statement contained in the request for proposals.

Prohibitions. The school district shall not use a construction management at risk contract for any construction project excluded by NEB. REV. STAT. § 13-2914 or any other applicable law.

Adopted on: _____

Revised on: _____

Reviewed on: _____

3043 Design-Build Contracts

This policy is adopted pursuant to the Political Subdivisions Construction Alternatives Act (NEB. REV. STAT. § 13-2901 through § 13-2914).

The board shall adopt a resolution by a two-thirds affirmative vote selecting the design-build contract delivery system prior to proceeding with any of the steps involved with solicitation or execution of any construction contract. For a project authorized under subsection (3) of section 13-2914, the resolution shall include a statement that the political subdivision has made a determination that the design-build contract delivery system is in the public interest based, at a minimum, on one of the following criteria: (a) Savings in cost or time or (b) requirement of specialized or complex construction methods suitable for the design-build contract delivery system.

Definitions. For purposes of this policy:

1. Board means the District's Board of Education.
2. Department means the Nebraska Department of Education.
3. Design-Build Contract (DB Contract) means a contract which is subject to qualification-based selection between the District and a Design-Builder to furnish (a) architectural, engineering, and related design services for a project pursuant to the Nebraska Political Subdivisions Construction Alternatives Act (Act) and (b) labor, materials, supplies, equipment, and construction services for a project pursuant to the Act.
4. Design-Builder means a legal entity which proposes to enter into a DB Contract which is subject to qualification-based selection pursuant to the Act.
5. District means _____ Public Schools.
6. NEARA means the Nebraska Engineers and Architects Regulation Act.
7. Performance-Criteria Developer (PCD) means any person licensed or any organization issued a certificate of authorization to practice architecture or engineering pursuant to the NEARA who is selected by the District pursuant to this policy to assist the District in the development of Project Performance Criteria, Requests For Proposals, evaluation of Proposals, evaluation of construction under

a DB Contract to determine adherence to the Project Performance Criteria, and any additional services requested by the District to represent its interests in relation to a project.

8. Project Performance Criteria means the performance requirements of the project suitable to allow the Design-Builder to make a Proposal. Performance requirements include the following, if required by the project: capacity, durability, standards, ingress and egress requirements, description of the site, surveys, soil and environmental information concerning the site, interior space requirements, material quality standards, design and construction schedules, site development requirements, provisions for utilities, storm weather retention and disposal, parking requirements, applicable governmental code requirements, and other criteria for the intended use of the project.
9. Proposal means an offer in response to a Request For Proposals ("RFP") by a Design-Builder to enter into a DB Contract for a project pursuant to the Act.
10. Act means the Nebraska Political Subdivisions Construction Alternatives Act.
11. Request for Proposals (RFP) means the documentation by which the District solicits Proposals.
12. Superintendent means the District's Superintendent of Schools.

Procedures. The District shall follow the procedures below in connection with any DB Contract.

- 1. Rules and Procedures for Selecting and Hiring a PCD for a Specific Project.**
 - A. The District shall encourage eligible persons or organizations who desire to provide services to the District as a PCD to submit a statement of qualifications and performance data to the District. At least thirty days prior to selecting and hiring a PCD, the District shall publish notice in a newspaper of general circulation in the District that it is seeking a PCD for a design-build project. The notice shall include the following:
 - (1) A general description of the Design-Build project;

- (2) Directions regarding how interested persons or organizations can apply for consideration by the District;
 - (3) The date by which persons or organizations must submit their applications; and
 - (4) A statement that any person or organization applying for consideration by the District must obtain a copy of the District's Design-Build Contract Policy from the Superintendent.
- B. To apply to be the District's PCD, applicants must submit a current statement of qualifications and performance data to the District. The statement of qualifications must include evidence that the applicant is licensed or certified to practice architecture or engineering pursuant to the NEARA. Applicants must update any information provided to the District to reflect any changed conditions of the applicant.
- C. Applicants shall first be certified by the Superintendent as qualified to act as a PCD for the District. In order to certify an applicant, the Superintendent shall make a finding that a PCD is fully qualified to render the required service. Factors to be considered in making this finding shall include capabilities to perform, adequacy of personnel, past record and performance, and experience; and may also include consideration of recent, current, and projected workloads; experience; equipment and facilities; promptness, and the quality of work previously done by applicant; suitability to the particular task; willingness to meet time and budget requirements; and such other qualities as are found necessary to consider in order to determine whether or not, if awarded the contract, the applicant could perform it strictly in accordance with its terms capabilities to perform.
- D. The Board shall evaluate each qualified applicant's current statement of qualifications and performance data. The Board shall conduct discussions with, and may require public presentations by no less than three applicants regarding their qualifications, approach to the project, ability to furnish the required service, and other factors identified above.
- E. The Board shall select, in order of preference, at least three applicants deemed to be most highly qualified to perform the required services after considering the factors outlined above.

- F. The Board shall negotiate a contract with the most qualified applicant for compensation which the Board determines is fair and reasonable. In making this determination, the Board shall conduct a detailed analysis of the cost of the professional services required in addition to considering their scope and complexity. For all lump-sum or cost-plus-a-fixed-fee professional service contracts, the Board shall require the applicant receiving the award to execute a certificate stating that wage rates and other factual unit costs supporting the compensation are accurate, complete, and current at the time of contracting. Any contract under which such a certificate is required shall contain a provision that the original contract price and any additions thereto shall be adjusted to exclude any significant sums by which the Board determines the contract price had been increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs. All such contract adjustments shall be made within one year following the end of the contract.

- G. If the Board is unable to negotiate a satisfactory contract with the applicant considered to be the most qualified at a price the Board determines to be fair and reasonable, it shall terminate negotiations with that applicant. The Board may then undertake negotiations with the second most qualified applicant. If the Board fails to reach an agreement with the second most qualified applicant, it shall terminate negotiations with that applicant. The Board shall then undertake negotiations with the third most qualified applicant.

- H. If the Board is unable to negotiate a satisfactory contract with any of the selected applicants, it shall either select additional applicants in order of their competence and qualification and continue negotiations in accordance with this policy until an agreement is reached or review the agreement under negotiation to determine the possible cause for failure to achieve a negotiated agreement.

- I. The Board may designate a committee to carry out any or all of the Board's duties under the PCD selection section of this policy, provided that the Board must approve any agreement with an applicant prior to its execution. Any such committee must have among its membership at least one person who is licensed to practice architecture or engineering pursuant to the NEARA.

- J. The public shall not be excluded from the meetings or proceedings under this section of this policy in accordance with the Open Meetings Act.
- K. The contract between the District and the PCD shall contain a prohibition against contingent fees as follows: "The PCD warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the PCD, to solicit or secure this agreement and that the PCD has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the PCD, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award or the making of this agreement." Upon violation of such provision, the District shall have the right to terminate the agreement without liability and, at its discretion, to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, or consideration.
- L. The PCD is ineligible to be included as a provider of any services in a Proposal for the project on which it has acted as a PCD.
- M. A PCD may not be employed by or may not have a financial or other interest in a Design-Builder that will submit a Proposal.

2. Procedures and standards to be used to prequalify Design-Builders.

- A. The District, with the help of the PCD, shall prepare a request for letters of interest. The request for letters of interest shall:
 - (1) Describe the project in sufficient detail to permit a Design-Builder to submit a letter of interest;
 - (2) Be published in a newspaper of general circulation within the District at least 30 days prior to the deadline for receiving letters of interest; and
 - (3) Be sent by first-class mail to any Design-Builder upon request.
- B. Letters of interest shall be reviewed by the District in consultation with the PCD. The District and the PCD will evaluate prospective Design-Builders based on the information submitted to the District in response to the request for letters of interest.

- C. The District shall select at least three prospective Design-Builders, except that if only two Design-Builders have submitted letters of interest, the District shall select at least two prospective Design-Builders. Such selected Design-Builders shall be considered prequalified and eligible to receive and respond to the RFP.
- D. The District and PCD shall use the following standards when selecting which prospective Design-Builders to prequalify: capabilities to perform, adequacy of personnel, past record and performance, and experience; and may also include consideration of recent, current, and projected workloads; experience; equipment and facilities; promptness, and the quality of work previously done by applicant; suitability to the particular task; willingness to meet time and budget requirements; and such other qualities as are found necessary to consider in order to determine whether or not, if awarded the contract, the applicant could perform it strictly in accordance with its terms capabilities to perform.

3. Procedures for the preparation and content of RFPs.

- A. The District, with the help of the PCD, shall prepare the RFP, which shall contain:
 - (1) The identity of the school district for which the project will be built and will execute the Design-Build Contract;
 - (2) A copy of this Design-Build Contract Policy and all other policies adopted by the District relating to the DB Contract;
 - (3) The proposed terms and conditions of the DB Contract, including any terms and conditions which are subject to further negotiation. The proposed general terms and conditions shall be consistent with nationally recognized model general terms and conditions which are standard in the design and construction industry in Nebraska. The proposed terms and conditions may set forth an initial determination of the manner by which the Design-Builder selects any subcontractor and may require that any work subcontracted be awarded by competitive bidding;
 - (4) A project statement which contains information about the scope and nature of the project;
 - (5) Project Performance Criteria;
 - (6) Budget parameters for the project;

- (7) Any bonds or insurance required by law or as may be additionally required by the District;
- (8) The criteria for evaluation of Proposals and the relative weight of each criterion;
- (9) A requirement that the Design-Builder provide a written statement of its proposed approach to the design and construction of the project, which may include graphic materials illustrating the proposed approach to design and construction but shall not include price proposals;
- (10) A requirement that the Design-Builder agree to the following conditions:
 - (i) An architect or engineer licensed to practice in Nebraska will participate substantially in those aspects of the offering which involve architectural or engineering services;
 - (ii) At the time of the design-build offering, the Design-Builder will furnish to the Board a written statement identifying the architect or engineer who will perform the architectural or engineering work for the design-build project;
 - (iii) The architect or engineer engaged by the Design-Builder to perform the architectural or engineering work with respect to the design-build project will have direct supervision of such work and may not be removed by the Design-Builder prior to the completion of the project without the written consent of the Board;
 - (iv) A Design-Builder offering design-build services with its own employees who are design professionals licensed to practice in Nebraska will: (a) comply with the NEARA by procuring a certificate of authorization to practice architecture or engineering and (b) submit proof of sufficient professional liability insurance; and
 - (v) The rendering of architectural or engineering services by a licensed architect or engineer employed by the Design-Builder will conform to the NEARA and rules and regulations adopted under the Act; and
- (11) Other information the District chooses to require.

- B. At least 30 days prior to the deadline for receiving and opening Proposals, the notice of the RFP shall be:
 - (1) Published in a newspaper of general circulation within the District;
 - (2) Filed with the Department; and
 - (3) Sent by first-class mail to the prequalified Design-Builders only.

4. Procedures for preparing and submitting Proposals.

- A. Prequalified Design-Builders shall prepare and submit Proposals as required by the RFP.
- B. All Proposals shall be sealed. Proposals shall not be opened until expiration of the time established for making Proposals as set forth in the RFP.
- C. Proposals may be withdrawn at any time prior to acceptance.
- D. The District has the right to reject any and all Proposals except for the purpose of evading the law. The District may thereafter solicit new Proposals using the same or a different Project Performance Criteria.

5. Procedures for evaluating Proposals.

- A. The District may only proceed to negotiate and enter into a DB Contract if there are at least two proposals from prequalified Design-Builders.
- B. The District shall refer the proposals for recommendation to a selection committee. The selection committee shall be a group of at least five persons designated by the District. Members of the selection committee shall include (1) members of the school board, (2) members of the school administration or staff, (3) the school's architect or engineer (4) any person having special expertise relevant to selection of a design-builder under the Act, and (5) a resident of the District other than an individual included in subdivisions (1) through (4) of this subsection. A member of the selection committee designated under subdivision (4) or (5) of this subsection shall not be employed by or have a financial or other interest in a design-builder who has a proposal being evaluated and shall not be employed by the District or the school's architect or engineer.

- C. The selection committee and the District shall evaluate proposals taking into consideration the criteria enumerated in subdivisions (1) through (7) of this subsection with the maximum percentage of total points for evaluation which may be assigned to each criterion set forth following the criterion. The following criteria shall be evaluated, when applicable:
- (1) The financial resources of the design-builder to complete the project **(up to ten percent)**;
 - (2) The ability of the proposed personnel of the design-builder to perform **(up to thirty percent)**;
 - (3) The character, integrity, reputation, judgment, experience, and efficiency of the design-builder **(up to thirty percent)**;
 - (4) The quality of performance on previous projects **(up to thirty percent)**;
 - (5) The ability of the design-builder to perform within the time specified **(up to thirty percent)**;
 - (6) The previous and existing compliance of the design-builder with laws relating to the contract **(up to ten percent)**; and
 - (7) Such other information as may be secured having a bearing on the selection **(up to twenty percent)**.

NOTE TO BE DELETED: The percentages listed above must be modified so that they add up to 100%. This can be done directly in the policy, at the time the school board designates the Design-Build method for a specific project, or at a later time but before the RFP is published and sent out.

The records of the selection committee in evaluating proposals and making recommendations shall be considered public records for purposes of NEB. REV. STAT. § 84-712.01.

- D. The District shall then evaluate and rank each proposal on the basis of best meeting the criteria in the request for

proposals and taking into consideration the recommendation of the selection committee.

6. Procedures for Negotiations between the District and Design-Builders Submitting Proposals Prior to the District's Acceptance of a Proposal.

- A. The District may attempt to negotiate a DB Contract with the highest ranked Design-Builder selected by the Board and may enter into a DB Contract after negotiations.
- B. The negotiations shall include a final determination of the manner by which the design-builder selects a subcontractor.
- C. If the District is unable to negotiate a satisfactory DB Contract with the highest ranked Design-Builder, it may terminate negotiations with that Design-Builder. The District may then undertake negotiations with the second highest ranked Design-Builder and may enter into a DB Contract with that Design-Builder after negotiations.
- D. If the District is unable to negotiate a satisfactory DB Contract with the second highest ranked Design-Builder, it may terminate negotiations with that Design-Builder. The District may then undertake negotiations with the third highest ranked Design-Builder, if any, and may enter into a DB Contract with that Design-Builder after negotiations.
- E. If the District is unable to negotiate a satisfactory DB Contract with any of the ranked Design-Builders, it may either revise the RFP and solicit new Proposals or cancel the design-build process.
- F. If the District is able to negotiate a satisfactory contract with a design-builder, the District shall file a copy of all design-build contract documents with the State Department of Education within thirty days after their full execution. Within thirty days after completion of the project, the design-builder shall file a copy of all contract modifications and change orders with the State Department of Education.

7. Procedures for Filing and Acting on Formal Protests Relating to the Solicitation or Execution of DB Contracts.

- A. Definitions.
 - (1) Interested party shall mean an actual or prospective bidder whose direct economic interest would be affected by the award of a contract by the District to another party

or by the failure of the District to award a contract to such actual or prospective bidder.

- (2) Protest shall mean a written objection by an interested party on any phase of the bidding process, including specification, preparation, bid solicitation, and intent to award.

B. Right to Protest. An interested party may protest to the Superintendent. The protest shall be submitted in writing on company letterhead within five working days after public notice of the bid. Protests based on alleged apparent improprieties in a solicitation or other request for proposals must be filed before bid opening or the closing date for receipt of proposals. In all other cases, the protest must be filed within five working days following the selection of the design-builder. To expedite handling of protests, the envelope containing the protest should be clearly labeled "Protest". The written protest shall include as a minimum the following:

- (1) The name and address of the interested party;
- (2) Appropriate identification of the relevant solicitation, and if a bid has been opened, its number, and date of opening;
- (3) A detailed statement of reasons for the protest;
- (4) Supporting, exhibits, evidence, or documents to substantiate any claims unless not available within the filing time, in which case the expected availability date shall be indicated; and a list of all persons who have knowledge of facts relevant to the protest; and
- (5) The action(s) the protestor desires the school district to take to resolve the protest.

The Superintendent will immediately decide upon receipt of the protest whether or not the award of a contract shall be delayed, or if the protest is timely received after the award, whether the performance of the contract should be suspended. The school district shall not proceed further with the solicitation or with the award of the contract and shall suspend performance under the contract, if awarded, unless the Superintendent makes a written determination that the protest is clearly without merit or that award of the contract without delay is necessary to protect the substantial interests of the District.

- C. Authority to Resolve Protests. Prior to the commencement of an administrative review by the Board concerning any protest, the Superintendent shall attempt to resolve any protest filed by an interested party concerning any solicitation. If the protest is not resolved by mutual agreement, the Superintendent shall create and deliver a Decision to the protestor within a reasonable time after the written protest was received. The Decision shall include a written summary of the Superintendent's investigation and a recommendation regarding the outcome of the protest. The Decision shall (1) state the reasons for the action taken, and (2) inform the interested party of their right to the administrative review by the Board. A copy of the Decision shall be mailed or otherwise furnished immediately to the interested party and any other party intervening protester and all other bidders. If not satisfied with the decision of the Superintendent, any interested party protester may appeal to the Board, but the decision shall be final unless the interested party protester files a timely appeal with the Board.

- D. Board Appeal Procedures. Any interested party protester, within five working days of receipt of a decision of the Superintendent, may file with the Superintendent a written notice of appeal for an administrative review before the Board. The Notice of Appeal must clearly state the action protested and the basis of appeal. The Board will conduct an administrative review at its next regularly scheduled meeting or at a special meeting. The school district board of education shall consider the Decision of the Superintendent and shall make the final decision on the protest. The school district board of education's decision shall be final.

8. Refinements and Changes. A DB Contract may be conditioned upon later refinements in scope and price and may permit the District, in agreement with the Design-Builder, to make changes in the project without invalidating the DB Contract. Later refinements shall not, however, exceed the scope of the project statement contained in the RFP.

9. Projects Excluded. The District shall not use a design-build contract for any construction project excluded by NEB. REV. STAT. § 13-2914 or any other applicable law.

Adopted on: _____

Revised on: _____

Reviewed on: _____

5063 Audio and Video Recording

Students and their parents or guardians should assume that any class in which students are enrolled may be recorded by the school district or other students for legitimate educational purposes. Recordings permitted pursuant to this policy may only be used ~~by students for personal academic~~ for authorized purposes and may not be republished without additional, written consent from a school administrator. For purposes of this policy “recording” includes still photographs, video, audio, and other similar data captured in any medium.

Recordings Made by The District. The district may use cameras or other devices for purposes of making security, safety, or other recordings without a specific purpose or for a specific purpose when such recordings are deemed necessary or appropriate by the administration. The district will not maintain the recordings unless the recording is purposefully copied and saved, and the recordings will only be available for review for a limited time based on the district’s then-current recording capacity. The district administrators estimate that this is approximately **10** days but may change at any time.

Classroom Recordings by Staff. Staff members may make audio and video recordings of classroom instruction and school activities upon authorization of the superintendent or supervising administrator.

Prohibited Recordings by Students. Unless otherwise authorized by this policy or law, students are prohibited from making audio or video recordings during the school day on school grounds; when being transported to and from school activities or programs in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or by his or her designee; or at a school-sponsored activity or athletic event, unless the recording is made in a manner permitted by the school for members of the public. In such an instance, the students remain subject to the district’s appropriate use and student discipline policies.

For example, this policy does not prohibit students from making recordings of an athletic event for their personal use similar to a parent or other patron, subject to other applicable board policy. However, this policy generally prohibits students from using smart-speakers or other devices which actively or passively create or transmit audio or video recordings, including Google Home, Amazon Alexa, Apple HomePod, and AngelSense devices.

Permitted Classroom Recordings by Students. Students may make audio or video recordings of classroom lectures or discussions:

- (1) For their convenience after providing notice to the classroom teacher and receiving the teacher’s permission;
- (2) For the benefit of another student who is absent after providing notice to the classroom teacher and receiving the teacher’s permission;
- (3) If recording is necessary to accommodate the student’s disability and is required by the student’s Individualized Education Plan (IEP) or Section 504 Plan.

Staff may revoke permission to record if the recording distracts from or disrupts the classroom environment, unless the recording is necessary to accommodate a student’s disability.

Permitted Non-classroom Recordings. Students may make audio or video recordings otherwise prohibited by this policy outside the classroom only with the permission of a teacher or school administrator, provided that such recordings otherwise comply with any applicable state and federal laws and district policy. In no event shall photographs or video recordings be taken or made in restrooms, locker rooms, or other areas where there is a reasonable expectation of privacy.

Adopted on: _____

Revised on: _____

Reviewed on: _____

6036

Reading Instruction and Intervention Services

The purpose of this policy is to facilitate reading instruction and intervention services to address student reading needs, including, but not limited to, dyslexia. It is the school district's goal that each student be able to read at or above grade level by third grade.

Effective Reading Teachers. It is the intent of the school district to employ teachers for kindergarten through third grade who are effective reading teachers as evidenced by (a) evaluations based on classroom observations and student improvement on reading assessments or (b) specialized training in reading improvement.

Reading Assessment. ~~Beginning in 2019-20,~~ ~~the~~ The school district will administer a reading assessment approved by the Nebraska Department of Education three times during the school year to all students in kindergarten through third grade. Exceptions to this requirement include:

- Any student receiving specialized instruction for limited English proficiency who has been receiving such instruction for less than two years;
- Any student receiving special education services for whom such assessment would conflict with the individualized education plan; and
- Any student receiving services under a plan pursuant to the requirements of section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794, or Title II of the federal Americans with Disabilities Act of 1990, 42 U.S.C. 12131 to 12165, as such acts and sections existed on January 1, 2018, for whom such assessment would conflict with such section 504 or Title II plan.

The first assessment for kindergarten students must occur within the first 30 45 calendar days of the school year that school is in session of each school year. For all other grades, the first assessment must occur within the first 30 calendar days that school in in session of each school year.

Diagnostic assessments used within a supplemental reading intervention program do not require Nebraska Department of Education approval.

Deficiency Identification. Any student in kindergarten through third grade performing below the threshold level as determined by the Nebraska Department of Education shall be identified as having a reading deficiency for purposes of the Nebraska Reading Improvement Act and this policy. A student who is identified as having a reading deficiency shall remain identified as having a reading deficiency until the student performs at or above the

threshold level on an approved reading assessment. Nothing in the Nebraska Reading Improvement Act or this policy shall prohibit a school district from identifying any other student as having a reading deficiency.

Supplemental Reading Intervention Program. The school district will provide a supplemental reading intervention program to ensure that students can read at or above grade level at the end of third grade. The school district may work collaboratively with a reading specialist at the Nebraska Department of Education, with educational service units, with learning communities, or through interlocal agreements to develop and provide such supplemental reading intervention programs. Each supplemental reading intervention program must be:

- ~~Be p~~rovided to any student identified as having a reading deficiency;
- ~~Be i~~implemented during regular school hours in addition to regularly scheduled reading instruction unless otherwise agreed to by a parent or guardian; and
- ~~Make~~ ~~Made~~ available as a summer reading program between each summer for any student who has been enrolled in grade one, grade two, or grade three or in a higher grade and is identified as continuing to have a reading deficiency at the conclusion of the school year preceding such summer reading program. The summer reading program may be held in conjunction with existing summer programs in the school district or in a community reading program not affiliated with the school district or ~~may be~~ offered online.

The supplemental reading intervention program may also include:

- Reading intervention ~~techniques that are based on scientific research and best practices~~ that are evidence-based;
- Diagnostic assessments to identify specific skill-based strengths and weaknesses a student may have;
- ~~Frequent~~ frequently monitoring of student progress throughout the school year ~~and adjust~~ with instruction adjusted accordingly;
- Intensive intervention using strategies selected from the following list to match the weaknesses identified in the diagnostic assessment:
 - Development in phonemic awareness, phonics, fluency, vocabulary, and reading comprehension;
 - Explicit and systematic instruction with detailed explanations, extensive opportunities for guided practice, and opportunities for error corrections and feedback; or
 - Daily targeted individual or small-group reading intervention based on student needs as determined by diagnostic assessment data subject to planned extracurricular school activities;

- Strategies and resources to assist with reading skills at home, including parent-training workshops and suggestions for parent-guided home reading; or
- Access to before-school or after-school supplemental reading intervention with a teacher or tutor who has specialized training in reading intervention.

Parent/Guardian Notification. The school will give notice in writing or by electronic communication to the parent(s) or guardian(s) of any student identified as having a reading deficiency within 15 working days of such identification that the student has been identified as having a reading deficiency and that an individual reading improvement plan will be established and shared with the parents or guardians.

Reading Improvement Plan. Any student who is identified as having a reading deficiency will receive an individualized reading improvement plan, that shall include a supplemental reading intervention program, no later than 30 days after the identification of the reading deficiency. The reading improvement plan may be created by the teacher, the principal, other pertinent school personnel, and the parents or guardians of the student and shall describe the reading intervention services the student will receive through the supplemental reading intervention program to remedy the reading deficiency. The student must receive reading intervention services through the supplemental reading intervention program until the student is no longer identified as having a reading deficiency.

Reading Progress. Each student in kindergarten through third grade and his or her parent(s) or guardian(s) will be informed of the student's reading progress within a reasonable time after the school district receives the results from the student's approved reading assessment.

Adopted on: _____

Revised on: _____

Reviewed on: _____