

Board of Education Regular Meeting

Monday, March 10, 2025 7:00 PM

Blair Central Office
1326 Park Street
Blair, NE 68008

Agenda

1. Call to Order

Information concerning the Open Meeting Law, Chapter 84, Article 14 of Nebraska State Statutes, is posted in the meeting room at a location accessible to members of the public and attached to the online agenda.

Mrs. Kari Loseke, Board President, will call the Board of Education Regular meeting to order.

2. Roll Call

The Board Secretary will conduct roll call attendance.

2.1. Approval of Absent Board Members

3. Pledge of Allegiance

The Blair Sparx Dance Team will lead the Board in the Pledge of Allegiance.

4. Approval of Emergency Additions to the Agenda

5. Call for Removal of Consent Agenda Items

6. Approval of the Consent Agenda

6.1. Waiver of reading minutes from previous meeting

6.2. Acceptance of minutes of the previous meeting as published

• February 10, 2025 Blair Board of Education Regular Meeting Minutes

6.3. Receipt of Communications

6.4. Treasurer's Report

• General Fund

• Building Fund and Savings & Depreciation

6.5. Audit of Claims

- Activity Fund
- General Fund

7. Business

7.1. Items removed from Consent Agenda

7.2. Recognitions

7.2.1. TeamMates

Presentation on TeamMates Mentoring Program.

7.3. Acceptance of Gifts

7.4. Consideration of Communications

7.5. Comments From The Public

This is the portion of the meeting when members of the public may address the board about matters of public concern.

INSTRUCTIONS FOR MEMBERS OF THE PUBLIC WHO WISH TO SPEAK:

- Getting started: When you have been recognized, please stand and state your name.
- Time Limit: The board has the discretion to limit the amount of time set aside for public participation and unless stated otherwise, will employ a time limit of 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 you to follow the district's complaint procedure before addressing the board. Board members will generally not respond to any questions or comments you make about individual staff members or students. Please remember that slanderous comments will not be tolerated.
- General Rules: This is a public meeting for the conduct of business. Comments from within the audience while others are speaking will not be tolerated. Offensive language, personal attacks, and hostile conduct will not be tolerated.
- No action by the Board: The Board will not act on any matter unless it is on the published agenda.

7.6. Committee Reports

7.6.1. Policy/Curriculum Committee

The Policy Committee met on Monday, February 27, 2025. Meeting minutes are attached.

7.6.2. BG&T Committee

The Buildings, Grounds, and Transportation Committee met on Monday, February 24, 2025. Meeting minutes are attached.

7.6.3. Finance Committee

The Finance Committee met on Tuesday, March 4, 2025. Meeting minutes are attached.

7.7. Approval of New Certified Staff

- Leo Clark, Otte Middle School Science Teacher
- Bethany Ashby, Deerfield Elementary Special Education Teacher
- Dr. Dania Freudenburg, Principal of Deerfield Elementary
- Aaron Hemme, 9-12 Agriculture Teacher
- McKenna Sorensen, Blair High School Special Education Teacher
- Merrick Winters, 6-12 Agriculture Teacher

7.8. Acceptance of Resignations & Retirements

Retirement:

- Todd Wick, Arbor Park Elementary Grade 5 Teacher (34 Years)
- Laura Bloomfield, Deerfield Elementary Title I Reading Teacher (24 Years)

Resignations:

- Morgan Casper, High School Agriculture Teacher
- Barb Vitek, South Preschool Teacher
- Amy Tessendorf, Speech Language Pathologist, South Early Childhood Center

7.9. Superintendent Report

7.10. Informational Items

Monthly Board Reports

- Blair High School
 - Otte Middle School
 - Arbor Park Elementary
 - Deerfield Elementary
8. Adjournment

THE NEBRASKA OPEN MEETINGS ACT
NEB. REV. STAT. §§ 84-1407 through 84-1414

A. BASIC PROVISION. The basic statement of our state policy on public meetings is found at Neb. Rev. Stat. § 84-1408. That statute provides, “[i]t is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of the State of Nebraska, federal statutes, and the Open Meetings Act.”

1. **History.** Section 84-1408 was passed as a part of LB 325 in 1975. That bill repealed previously existing public meetings provisions and substituted new provisions which were intended to preserve the features of the previous law and strengthen and expand their authority. Government Committee Statement on LB 325, 84th Nebraska Legislature, First Session (1975). LB 325 was passed to ensure that all meetings of public bodies would be open to the public, except when protection of the public interest clearly called for a closed session concerning specific matters. *Id.* 2004 Neb. Laws LB 821, § 34 formally established the name of §§ 84-1407 through 84-1414 as the “Open Meetings Act.”

2. **Purpose.** The Nebraska open meetings laws are a statutory commitment to openness in government. *Wasikowski v. Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002); *Steenblock v. Elkhorn Township Board*, 245 Neb. 722, 515 N.W.2d 128 (1994); *Grein v. Board of Education of the School District of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984). Their purpose is to ensure that public policy is formulated at open meetings of the bodies to which the law is applicable. *Dossett v. First State Bank, Loomis, NE*, 261 Neb. 959, 627 N.W.2d 131 (2001); *Marks v. Judicial Nominating Commission for Judge of the County Court of the 20th Judicial District*, 236 Neb. 429, 461 N.W.2d 551 (1990); *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979). In Nebraska, the formation of public policy is public business, which may not be conducted in secret. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010); *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (Neb. Ct. App. 1993).

3. **Construction.** The open meetings laws should be broadly interpreted and liberally construed to obtain their objective of openness in favor of the public. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010); *State ex rel. Upper Republican Natural Resources District v. District Judges of the District Court for Chase County*, 273 Neb. 148, 728 N.W.2d 275 (2007); *State ex rel. Newman v. Columbus Township Board*, 15 Neb. App. 656, 735 N.W.2d 399 (Neb. Ct. App. 2007); *Alderman v. County of Antelope*, 11 Neb. App. 412, 653 N.W.2d 1 (Neb. Ct. App. 2002); *Rauert v. School District I-R of Hall County*, 251 Neb. 135, 555 N.W.2d 763 (1996); *Grein, supra*. The beneficiaries of the openness sought by the Open Meetings Act include citizens, members of the general public, and reporters or other representatives of the news media. *State ex rel. Newman v. Columbus Township Board*, 15 Neb. App. 656, 735 N.W.2d 399 (Neb. Ct. App. 2007).

4. **Exceptions.** Section 84-1408 requires open meetings except “as otherwise provided by the Constitution of the State of Nebraska, federal statutes, and the Open Meetings Act.” The Attorney General has concluded that the Nebraska Legislature is not covered under the open meetings statutes because the Nebraska Constitution separately provides for public access to that body. Op. Att’y Gen. No. 120 (July 25, 1985).

5. **Subsequent Legislative Limitations.** The Legislature holds the power to decide the scope of citizen access to governmental meetings. As a result, the Legislature has the right to limit access to public meetings and the effect of the Open Meetings Act through later statutory provisions which provide that certain information in the possession of government should remain confidential without exception or limitation. *Wasikowski v. Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002).

B. PUBLIC BODIES COVERED UNDER THE ACT. Under § 84-1409(1), public bodies covered by the Open Meetings Act include: (1) governing bodies of all political subdivisions of the State; (2) governing bodies of all agencies of the executive department of state government created by law; (3) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created pursuant to law; (4) all study or advisory committees of the executive department of the state whether of continuing or limited existence; (5) advisory committees of the governing bodies of political subdivisions, of the governing bodies of agencies of the executive branch of state

government, or of independent boards, commissions, etc.; and (6) “instrumentalities exercising essentially public functions.”

1. **History.** The initial portion of § 84-1409(1) defining public bodies was originally part of LB 325 passed in 1975. It has been amended several times to add additional entities to the list of bodies covered, and the Certificate of Need Review Committee was removed in 1997. See 1997 Neb. Laws LB 798; 1989 Neb. Laws LB 429 and LB 311; 1983 Neb. Laws LB 43. The language concerning “instrumentalities exercising essentially public functions” was added in 1989 to reach entities such as the Nebraska Investment Finance Authority. Floor Debate on LB 311, 91st Nebraska Legislature, First Session, May 9, 1989, at 6039, 6040.

2. **Cases and Opinions.** A number of cases and opinions of the Attorney General deal with various aspects of the definitions of public body found in § 84-1409(1).

a. “Political subdivision” is not defined within the public meetings statutes. However, the Attorney General has indicated that generally the term denotes any subdivision of a state which has as its purpose carrying out functions of the state which are inherent necessities of government and which have always been regarded as such by the public. 1979-80 Rep. Att’y Gen. 140 (Opinion No. 98, dated April 25, 1979). Presumably, this term includes cities, counties, villages, etc., and their governing boards are covered by the open meetings statutes.

b. In *Nixon v. Madison County Agricultural Society*, 217 Neb. 37, 348 N.W.2d 119 (1984), the Court held that a county agricultural society, organized under the Nebraska statutes, was subject to the provisions of the open meetings law. The Court noted that, although the society at issue resembled a private corporation in some respects, the fact that it had the right to receive support from the public revenue gave it a public character. The agricultural society apparently was an “independent board . . . created by constitution, statute, or otherwise pursuant to law.” Based upon the *Nixon* case, the Attorney General concluded that county extension services which have the right to receive support from public revenues are subject to the open meetings law. Op. Att’y Gen. No. 219 (July 24, 1984). Also based upon the *Nixon* case, the Attorney General has indicated that county agricultural societies are subject to the

open meetings statutes. Op. Att’y Gen. No. 91007 (January 28, 1991). In addition, Neb. Rev. Stat. § 2-238 requires that result.

c. In *Marks v. Judicial Nominating Commission for Judge of the County Court of the 20th Judicial District*, 236 Neb. 429, 461 N.W.2d 551 (1990), the Court held that the open meetings statutes do not apply to the activities of a judicial nominating commission which is meeting to select nominees for judicial vacancies. Such a nomination procedure does not involve the formulation of public policy subject to the Act.

d. The Nebraska Court of Appeals, in *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (Neb. Ct. App. 1993), held that the open meetings statutes apply to the governing bodies of all agencies of the executive branch of government, including the Nebraska Environmental Control Council.

e. In *State ex rel. Newman v. Columbus Township Board*, 15 Neb. App. 656, 735 N.W.2d 399 (Neb. Ct. App. 2007), the Nebraska Court of Appeals concluded that the electors of a Nebraska township, when assembled at the township’s annual meeting, constitute a governing body of the township which is subject to the Open Meetings Act and its provisions concerning notice and preparation of an agenda.

f. The Nebraska Court of Appeals indicated in *Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009), that a county board of equalization is a public body as defined in § 84-1409. The court also held in that case that when two boards are made up of the same members, the duties and functions of the two boards, rather than their membership, determine if they are the same or separate and distinct bodies.

g. Committees of faculty, administration and students created by the Board of Regents of the University of Nebraska to advise the Chancellor of the University in his administrative/management function with respect to budget cuts were part of the management structure of the University and not public bodies subject to the open meetings statutes. Op. Att’y Gen. No. 92020 (February 12, 1992).

h. In Op. Att’y Gen. No. 11 (January 20, 1983), the Attorney General indicated that the Environmental Control Council is a public body subject to the open

meetings law. On the other hand, the Department of Environmental Control is not. Section 84-1409 applies to governing bodies of state agencies, not the agencies themselves.

i. An employee grievance appeal hearing conducted by a hearing officer is not a meeting of a public body since the word “body” is commonly understood to refer to a group or number of persons, and thus does not include an individual conducting a hearing. Op. Att’y Gen. No. 210 (May 16, 1984).

j. In 1989, the Attorney General indicated that the Central Low-Level Radioactive Waste Compact Commission was not subject to the Nebraska open meetings law because it was a multi-state body which was not created by constitution or statute and which was not a governing body of a Nebraska state agency. Op. Att’y Gen. No. 89008 (February 14, 1989). However, Neb. Rev. Stat. § 71-3521 (the Waste Compact agreement itself) provided that meetings of the Compact Commission must be open to the public with reasonable advance publicized notice, and that the Compact Commission must adopt by-laws consistent in scope and principle with the open meetings law of the host state. Section 71-3521 was repealed by 1999 Neb. Laws LB 530, § 2, and Nebraska withdrew from the Central Low-Level Radioactive Waste Compact.

k. A county welfare board is subject to the open meetings law as an independent board created by statute. 1979-80 Rep. Att’y Gen. 351 (Opinion No. 244, dated March 4, 1980).

l. In Op. Att’y Gen. No. 95014 (February 22, 1995), the Attorney General indicated that the Mayor’s Citizen Review Board, appointed by the Mayor of Omaha to advise the Mayor with respect to alleged misconduct of police officers, was not subject to the open meetings statutes because it did not fall under the definition found in § 84-1409(1), and because the board was essentially an administrative body which was part of the management structure of the City.

m. In Op. Att’y Gen. No. 93065 (July 27, 1993), the Attorney General concluded that parole reviews under Neb. Rev. Stat. § 83-1,111 may be closed, and are not subject to open meetings requirements.

n. The Excellence in Education Council created to make recommendations to the Governor regarding selection of projects for Education Innovation grants is a public body which is subject to the open meetings statutes, and its decisions concerning specific recommendations must be done in open session. Op. Att’y Gen. No. 94092 (November 22, 1994).

o. The Quality Jobs Board created under the Quality Jobs Act, Neb. Rev. Stat. §§ 77-4901 through 77-4935 is a public body subject to the Open Meetings Act. Op. Att’y Gen. No. 96071 (October 28, 1996).

p. A County Hospital Authority formed under the Hospital Authorities Act, Neb. Rev. Stat. §§ 23-3579 through 23-35,120 is a public body which is subject to the Open Meetings Act. Op. Att’y Gen. No. 97012 (February 14, 1997).

q. The Nebraska State Board of Agriculture (the State Fair Board) is not a public body which is subject to the Open Meetings Act, primarily because it has no statutory right to public revenue and also because of case law which indicates that it is a private corporation. Op. Att’y Gen. No. 01038 (November 27, 2001).

r. A county clerk, county attorney and county treasurer acting as a group under § 32-567(3) to make an appointment to fill a vacancy on a county board constitute a public body which is subject to the Open Meetings Act. Op. Att’y Gen. No. 97050 (September 18, 1997).

s. The Attorney General has indicated informally that the Nebraska Board of Pardons and the Board of Inquiry and Review created under Neb. Rev. Stat. §§ 80-317 through 80-319 to receive and act upon applications submitted for membership in Nebraska Veterans Homes are subject to the state’s open meetings statutes.

t. In Op. Att’y Gen. No. 15016 (October 29, 2015), the Attorney General concluded that the Metropolitan Entertainment & Convention Authority (MECA) constituted a hybrid public/private entity subject to the Open Meetings Act. The Attorney General based his conclusion on the fact that MECA was a creation of city ordinance and was responsible for managing and controlling the City of Omaha’s public events facilities.

3. **Other Statutes.** Neb. Rev. Stat. § 2-238 requires county agricultural societies and county fair boards to comply with the open meetings statutes. Previously, under Neb. Rev. Stat. § 85-1502 all coordination activities conducted by the association of community college area boards were subject to the open meetings statutes. This provision was repealed in 2013 Neb. Laws LB 211, § 3.

4. **Exceptions.** Section § 84-1409(1)(b) exempts two types of entities and the Judicial Resources Commission from the provisions of the Open Meetings Act:

a. **Subcommittees.** Subcommittees of the various bodies described earlier in § 84-1409 are not public bodies under the Open Meetings Act unless a quorum of the public body attends a subcommittee meeting, or unless those subcommittees are holding hearings, making policy or taking formal action on behalf of the parent body. For example, in *Meyer v. Board of Regents of the University of Nebraska*, 1 Neb. App. 893, 510 N.W.2d 450 (Neb. Ct. App. 1993), the court indicated that meetings of an executive subcommittee of the University of Nebraska Board of Regents with the University President to discuss his tenure were not subject to the open meetings laws because of that portion of the statute. Section 84-1409(1) was also amended by 2011 Neb. Laws LB 366 to specifically provide that all meetings of subcommittees of the Nebraska Environmental Trust Board established to rate grant applications under Neb. Rev. Stat. § 81-15,175 are subject to the Open Meetings Act.

- i. In *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 880-881, 725 N.W.2d 792, 805-806 (2007), the court indicated that while “subcommittee” is not defined in the Open Meetings Act, a subcommittee is generally a “group within a committee to which the committee may refer business.” In addition, “making policy,” which subjects a subcommittee to the Open Meetings Act under § 84-1409, apparently includes “receiving background information about a policy issue to be decided.” *Id.* In contrast, “nonquorum gatherings” of members of a public body “intended to obtain information or voice opinions” do not seem to involve violations of the Act. *Id.* See also *Koch v. Lower Loup Natural Resources District*, 27 Neb. App. 301, 931 N.W.2d 160 (Neb. Ct. App. 2019) (Notwithstanding statements from staff and/or committee members that committee meetings were open to the public, the Nebraska Court of Appeals found that the committee was a

subcommittee of the NRD board and, therefore, not subject to the Open Meetings Act.).

ii. The language applying the open meetings statutes to certain subcommittee meetings when there is a quorum of the public body present was added to § 84-1409(1) as a result of LB 1019 passed by the Legislature during the 1992 regular session.

b. **Entities Conducting Judicial Proceedings.** Entities conducting judicial proceedings are not public bodies under the Open Meetings Act unless the court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders. LB 325, the original open meetings statute of 1975, was directed strictly at policy making bodies which were legislative or quasi-legislative. Floor Debate on LB 325, 84th Nebraska Legislature, First Session, May 14, 1975, at 4618.

- i. In *McQuinn v. Douglas County School District No. 66*, 259 Neb. 720, 612 N.W.2d 198 (2000), the Nebraska Supreme Court held that a hearing before a school board on the question of the nonrenewal of a probationary certificated teacher's contract where the matters before the board pertained solely to disputed adjudicative facts involved a judicial function, and on that basis, the hearing was not subject to the open meetings statutes. In that context, a school board exercises a judicial function if it decides a dispute of adjudicative fact or if a statute requires it to act in a judicial manner. Adjudicative facts are those ascertained from proof adduced at an evidentiary hearing which relate to a specific party. The *McQuinn* case is discussed further in *Bligh v. Douglas County School District No. 0017*, 2008 WL 2231063, 2008 Neb. App. LEXIS 106 (Neb. Ct. App. 2008) (Not approved for publication).

ii. The Attorney General has determined that hearings before various agencies are judicial and not subject to the open meetings law: 1975-76 Rep. Att'y Gen. 127 (Opinion No. 105, dated July 14, 1975) (hearing before a County Board of Mental Health); Op. Att'y Gen. No. 184 (January 31, 1984) (hearing before the Nebraska Equal Opportunity Commission); Op. Att'y Gen. No. 210 (May 16, 1984) (hearing before a hearing officer appointed by the State Personnel Board); Op. Att'y Gen. No. 02016 (May 21, 2002) (contested case hearing

before the Power Review Board on application of electricity suppliers for construction or acquisition of generation facilities); Op. Att’y Gen. No. 05014 (October 19, 2005) (appeal hearing regarding the Nebraska Veterans’ Aid Fund before the Nebraska Veterans’ Advisory Commission). But, the Attorney General has concluded that a hearing before the Certificate of Need Review Committee is covered by the open meetings statutes. Op. Att’y Gen. No. 87019 (February 13, 1987).

iii. Parole hearings conducted by the Board of Parole are judicial in nature and not subject to the open meetings statutes. However, other statutes specifically pertaining to operation of the Board of Parole require that such parole hearings be conducted with elements of notice and in a manner open to the public. Op. Att’y Gen. No. 93065 (July 27, 1993).

iv. When the State Board of Education holds hearings in contested cases under the state Administrative Procedure Act, such hearings are not subject to the Open Meetings Act. The Board is not required to give notice of such hearings to the public under those statutes, and it may conduct its deliberations and decision-making process for such hearings by a telephone conference call. Op. Att’y Gen. No. 99046 (November 15, 1999).

c. **Judicial Resources Commission**. During the 2022 legislative session, language was added to § 84-1409(1)(b) excluding “the Judicial Resources Commission or subcommittees or subgroups of the commission” from the list of public bodies subject to the Act. See 2022 Neb. Laws LB 922, § 12.

C. MEETING DEFINED. Under § 84-1409(2), meetings, for purposes of the open meetings statutes, are defined as "all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body." Section 84-1410(5) also provides that the open meetings statutes shall not apply to "chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power."

1. The legislative history of LB 325, from 1975, indicates that meetings of a public body do not include social meetings or meetings which were not called

by the body. Government Committee Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at 2-3.

2. However, § 84-1409 was amended by LB 43 in 1983 to include "formal or informal" meetings. The legislative history of that bill indicates that a meeting between a state senator and the members of a local school board to discuss legislation would constitute an "informal called meeting." Government, Military and Veterans' Affairs Committee Hearing on LB 43, 88th Nebraska Legislature, First Session (1983) at 5-8.

3. The provision of § 84-1410(5) pertaining to "chance" meetings, etc., was added by LB 43 in 1983.

4. The legislative history of LB 43 from 1983 indicates that a "meeting" does not occur absent a quorum. Government Military and Veterans' Affairs Committee Hearing on LB 43, 88th Nebraska Legislature, First Session (1983) at 19. In addition, the Attorney General has concluded that the presence of a majority of the members of a public body is necessary for a meeting to occur. 1975-76 Rep. Att'y Gen. 150 (Opinion No. 116, dated August 29, 1975). In *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (Neb. Ct. App. 1993), the Nebraska Court of Appeals indicated that "private quorum conferences" are an evasion of the law. The Nebraska Supreme Court also indicated that subgroups of the Omaha City Council constituting less than a quorum of that body were not public bodies on that ground. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).

5. Even when a quorum of public body is present in one location, there is no meeting under the Open Meetings Act if there is no interaction or discussion among members of the body regarding policymaking for the public body. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010). The secret formation of public policy forbidden by the Open Meetings Act is the formation of public policy as a group. *Id.* As a result, there is no meeting of a public body based upon the unspoken thoughts of its members who happen to be sitting in the same room. *Id.* The Open Meetings Act is not so broad and sweeping as to require public access to any gathering of any sort that is attended by a quorum of a public body. *Id.* See also *Salem Grain Company, Inc. v. City of Falls City*, 362 Neb. 548, 924 N.W.2d 678 (2019), in which the Nebraska Supreme Court found that a dinner attended by members of the Falls City Community Redevelopment Authority and emails exchanged

between authority members did not constitute a “meeting” as defined in § 84-1409(2) of the Act.

6. In *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (Neb. Ct. App. 1993), the Court of Appeals held that informational sessions where the Council heard reports from staff of the Department of Environmental Control were briefings which were subject to the requirements of the open meetings statutes. The Court stated that listening and exposing itself to facts, arguments and statements constitutes a crucial part of a governmental body’s decision making. As a result, receiving information triggers the requirements of the statutes, and the open meetings law applies to meetings at which briefing or the formation of tentative policy takes place, as well as to meetings where action is contemplated or taken.

7. *Rauert v. School District I-R of Hall County*, 251 Neb. 135, 555 N.W.2d 763 (1996), involved allegations by the plaintiff that a quorum of the defendant school board met in the office of the superintendent of schools on a regular basis for “clandestine” meetings before the beginning of most scheduled board meetings where business was discussed and decided and checks were signed to pay claims which had not been approved in public session. The board then allegedly moved and voted on business at its public meeting with little or no discussion in order to deprive the public of the right to be fully informed. The Supreme Court held that the District Court properly failed to find a violation of the Open Meetings Act with respect to those allegations in the absence of any evidence as to the specific dates and details of the alleged “clandestine” meetings.

8. In *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010), the Nebraska Supreme Court considered the propriety of a situation where two separate groups of a city council, neither of which constituted a quorum of that body, toured an ethanol facility for informational purposes. The court ultimately concluded that there was no meeting of the city council as a result of the tours—there was no quorum of the council present, the small groups were merely acquiring information, and there was no evidence that the council was, through the tour, attempting to reach a consensus and form public policy in secret.

9. In *Schauer*, the court also noted that the Open Meetings Act does not require policymakers to remain ignorant of the issues they must decide until

the moment the public is invited to comment on a proposed policy. Moreover, the public would be ill served by restricting policymakers from reflecting on and preparing to consider proposals, or from privately suggesting alternatives. As a result, the court indicated that the Legislature, by excluding nonquorum subgroups from the definition of a public body, balanced the public's need to be heard on matters of public policy with a practical accommodation for a public body's need for information to conduct business. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010) (citing *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007)); *Koch v. Lower Loup Natural Resources District*, 27 Neb. App. 301, 931 N.W.2d 160 (Neb. Ct. App. 2019).

10. The Attorney General has indicated that an "emergency meeting" may be conducted by electronic and telecommunications equipment including radio and telephone conferences. 1975-76 Rep. Att'y Gen. 150 (Opinion No. 116, dated August 29, 1975). On the other hand, the open meetings statutes do not generally authorize the use of telephone conference calls for non-emergency meetings of a public body, and absent members of a public body may not be counted to achieve a quorum through the use of a conference call. Op. Att'y Gen. No. 92019 (February 11, 1992). [Section 84-1411 has been amended a number of times to allow specified public bodies including the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act or the Municipal Cooperative Financing Act, the board of an educational service unit, the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, a community college board of governors, the governing body of public power district, the governing body of a public power and irrigation district, or the Educational Service Unit Coordinating Council to meet by telephone conference call in certain circumstances. See 1999 Neb. Laws LB 461; 2000 Neb. Laws LB 968; 2007 Neb. Laws LB 199; 2009 Neb. Laws LB 36, 2012 Neb. Laws LB 735, 2013 Neb. Laws LB 510 and Section D.2. below.]

11. An "informational and educational" meeting of a public body governing a political subdivision where members generally discuss matters pertaining to their subdivision, hear reports from various department heads of the subdivision as to their duties and learn the workings of the subdivision is a meeting of the public body for "briefing" purposes which is subject to the open meetings statutes. Op. Att'y Gen. No. 92043 (March 17, 1992). In

addition, the Attorney General has also indicated informally that a meeting of a public body “for the purpose of receiving training or doing planning (such as a retreat)” should probably be treated as subject to the Open Meetings Act.

12. In Op. Att’y Gen. No. 94035 (May 11, 1994), the Attorney General indicated that discussions and deliberations by the State Board of Education in connection with the selection of a Commissioner of Education were subject to the requirements of the open meetings statutes. In addition, that opinion indicated that interviews with individual candidates for the Commissioner position were also subject to the requirements of the open meetings statutes, if a quorum of the Board was present for those interviews. However, in the latter interview situation, a brief closed session (as discussed below) might be warranted for a candid discussion by the Board and the candidate which might potentially elicit responses injurious to the reputation of an individual.

13. A workshop held by the Board of Regents of the University of Nebraska with a professional facilitator to discuss communication practices and the roles of the Board and the University President was not subject to the Open Meetings Act on the basis of § 84-1410(5) which exempts chance meetings or attendance at or travel to conventions or workshops. The University also asserted that there would be no briefing, discussion of public business, formation of tentative policy, vote, or taking of other action at the workshop. Op. Att’y Gen. No. 04027 (October 20, 2004).

D. PUBLIC MEETINGS; NOTICE AND AGENDA REQUIRED. Section 84-1411(1)(a) and (2)(a) require that (1) each public body must give **reasonable advance publicized notice** of the time and place of each meeting; (2) the notice must be transmitted to all members of the body and to the public; and (3) the notice must contain an agenda of subjects known at the time of the publicized notice, or a statement that such an agenda, which must be kept continually current, is readily available for inspection at the principal office of the public body during normal business hours.

1. **Notice.** 2024 Neb. Laws LB 287, § 74 amended § 84-1411 to authorize public bodies to publish notice on newspaper websites and “a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers” (i.e., nepublicnotices.com) to satisfy publication requirements in instances when publication in a

newspaper is not feasible. These provisions became operative on April 17, 2024.

a. Until January 1, 2025:

- i. Governing bodies of political subdivisions and their advisory committees must publish notice in a newspaper of general circulation within the public body's jurisdiction and, if available, on the newspaper's website. Neb. Rev. Stat. § 84-1411(1)(b)(i).
- ii. Governing bodies of cities of the second class or villages and their advisory committees or governing bodies of rural or suburban fire protection districts must either publish notice in a newspaper of general circulation within the public body's jurisdiction and, if available, on the newspaper's website, or post written notice in three conspicuous public places in the city, village or district. The posting locations must remain the same for each meeting. Neb. Rev. Stat. § 84-1411(1)(b)(ii)(A)-(B).
- iii. For all other public bodies, notice shall be given by a method designated by the public body. Neb. Rev. Stat. § 84-1411(1)(b)(iii).
- iv. In case of the newspaper's refusal, neglect, or inability to timely publish the notice, the public body shall (1) post the notice on its website, if available, and (2) post the notice in a conspicuous public place within the body's jurisdiction. The public body shall keep a written record of such posting, which shall be evidence that posting occurred and fulfilled the publication requirement. Neb. Rev. Stat. § 84-1411(1)(b)(iv).
- v. Governing bodies of political subdivisions and their advisory committees may also provide notice of their meetings by any other

appropriate method designated by the public body. Section 84-1411(1)(c). Section 84-1411(1)(d) requires each public body to record the method(s) and date(s) of such notice in its minutes.

b. Beginning January 1, 2025:

- i. Governing bodies of political subdivisions and their advisory committees must give notice by (1) publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (2) posting on the newspaper's website, if available, and (3) posting on nepublicnotices.com. The newspaper shall place the notice in the newspaper and on the websites. Neb. Rev. Stat. § 84-1411(2)(b)(i)(A).

OR

Give notice by (1) posting on the newspaper's website, if available, and (2) posting on nepublicnotices.com if no edition of a newspaper will be finalized for printing prior to the time and date of the meeting. The newspaper shall place the notice in the newspaper and on the websites. Neb. Rev. Stat. § 84-1411(2)(b)(i)(B).

- ii. Governing bodies of cities of the second class and villages, and their advisory committees, or governing bodies of rural or suburban fire protection districts must give notice by (1) publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (2) posting on the newspaper's website, if available, and (3) posting on nepublicnotices.com. The newspaper shall place the notice in the newspaper and on the websites. Neb. Rev. Stat. § 84-1411(2)(b)(ii)(A).

OR

Give notice by (1) posting on the newspaper's website, if available, and (2) posting on nepublicnotices.com if no edition of the newspaper will be finalized for printing prior to the time and date of the meeting. The newspaper shall place the notice in the newspaper and on the websites. Neb. Rev. Stat. § 84-1411(2)(b)(ii)(B).

OR

Give notice by posting written notice in three conspicuous places in the city, village or district. Notice must be posted in the same three places for each meeting. Neb. Rev. Stat. § 84-1411(2)(b)(ii)(C).

- iii. For all other public bodies, notice shall be given by a method designated by the public body. Neb. Rev. Stat. § 84-1411(2)(b)(iii).

 - iv. In case of the newspaper's refusal, neglect, or inability to publish the notice, the public body shall (a) post the notice on its website, if available, (2) submit a post on nepublicnotices.com, and (3) post the notice in a conspicuous public place within the public body's jurisdiction. The public body shall keep a written record of such posting, which shall be evidence that posting occurred and fulfilled the publication requirement. Neb. Rev. Stat. § 84-1411(2)(b)(iv).
2. **Agenda.** Under § 84-1411(1)(e), an agenda maintained at the office of a public body for public inspection must be kept continually current and may not be altered later than 24 hours before the scheduled commencement of the public meeting (or 48 hours before commencement of a meeting of a city council or village board if that meeting is noticed outside the corporate limits of the municipality). A public body may modify an agenda to include items of an emergency nature only at such public meeting.

a. New language was added to § 84-1413 in 2021 requiring the governing body of a natural resources district, the city council of a metropolitan class, primary

class, or first class city, the county board of a county with a population greater than twenty-five thousand inhabitants, and school boards to make available on their websites the agenda [and minutes] of any meeting of the governing body. The agenda must be placed on the website at least twenty-four hours before the meeting. The public body shall make the agenda available on the website for at least six months. This requirement became effective July 31, 2022. 2021 Neb. Laws LB 83, § 14.

3. **Specificity of the Agenda.** LB 898 from 2006 added language to § 84-1411(1) which states that agenda items shall be “sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting.” That statutory change arose out of a sense that lack of specificity in meeting agendas was a major issue of concern around the state. Government, Military and Veterans Affairs Committee Hearing on LB 898, 99th Nebraska Legislature, Second Session (2006) at 19. The intent of the change was to require public bodies to include sufficient detail in their agendas regarding issues to be discussed or acted upon so as to provide information and notice to the public. Floor Debate on LB 898, 99th Nebraska Legislature, Second Session, March 28, 2006 at 11701 (Statement of Senator Preister). The change was also intended to require sufficient detail in an agenda so that members of the public are not forced to look at past agendas in order to understand the issue to be discussed and/or the action to be taken. *Id.*

4. **Circumvention of Open Meetings Act.** Under § 84-1411(3), virtual conferencing may not be used to circumvent any of the public government purposes established by the Open Meetings Act. Neither may emails, faxes, or other electronic communication be used for such purposes.

5. **News Media.** Section 84-1411(4) requires that the secretary or other designee of each public body shall maintain a list of news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to that list of media of the time and place of each meeting and the subjects to be discussed at that meeting.

6. **Virtual Appearance.** Under § 84-1411(7), a public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing. 2021 Neb. Laws LB 83, § 12.

7. **History.**

- a. The provision of § 84-1411 which prohibits altering an agenda within 24 hours of a meeting was added in 1983 to prevent addition of last-minute matters to an agenda which did not really represent emergencies. Floor Debate on LB 43, 88th Nebraska Legislature, First Session, March 22, 1983, at 1896.

- b. In *Rauert v. School District I-R of Hall County*, 251 Neb. 135, 555 N.W.2d 763 (1996), the court stated that the Open Meetings Act requires public bodies to give reasonable advance publicized notice of the time and place of their meetings, in part so that the public may attend and speak at those meetings.

- c. The Legislature has imposed only two conditions on public bodies regarding the method of notification for their meetings: 1. the public body must give reasonable advance publicized notice of the time and place of each meeting, and 2. the method of notification must be recorded in the public body's minutes. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007). There is no minimum time period for public notification of a special meeting, and an agenda for a public meeting can be created (not altered) later than 24 hours before the scheduled meeting. *Id.* In the *City of Elkhorn* case, the court held that notice of a meeting of the Omaha City Council posted and placed on the city's website at 10:15 a.m. for a meeting at 10:00 p.m. the same day was sufficient under the facts of the case where the local newspaper

printed an article about the meeting in its afternoon edition and four television broadcasters were present at the meeting. The court also indicated that any defect in notice intended for the benefit of council members would not invalidate a council meeting when all of the members of the council attended without objection.

- d. The purpose of the agenda requirement is to give some notice of the matters to be considered at the meeting so that persons who are interested will know which matters are under consideration. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010); *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979); *State ex rel. Newman v. Columbus Township Board*, 15 Neb. App. 656, 735 N.W.2d 399 (Neb. Ct. App. 2007). In *Pokorny*, the agenda at issue, considered with all the previous records of the city council involved, was sufficient to satisfy the open meetings statutes. *Pokorny* also indicates that posting notice at 10 p.m. on March 15 before a meeting at 10:30 a.m. on March 16 does not constitute reasonable notice. Posting notice one week ahead does.

- e. In *Hansmeyer v. Nebraska Public Power District*, 6 Neb. App. 889, 578 N.W.2d 476 (1998), *aff'd*, 256 Neb. 1, 588 N.W.2d 589 (1999), the Court of Appeals considered whether an agenda item which simply stated "Work Order Reports" was sufficient to give adequate public notice of a decision to approve a work order which involved expenditure of over \$47 million for the construction of a 96-mile power transmission line across privately held property to connect two power substations. The court held that the agenda item was insufficient under the Open Meetings Act. The court also seemed to suggest, based upon the *Pokorny* case, that the sufficiency of an agenda item might be measured, at least to some degree, in the context of the other meetings of the public body immediately prior to the public meeting in question.

- f. A member of the public should not be required to hunt up and read the documents underlying an agenda of a public body to determine what is actually on that agenda. *Hansmeyer v. Nebraska Public Power District*, 6

Neb. App. 889, 578 N.W.2d 476 (1998), *aff'd*, 256 Neb. 1, 588 N.W.2d 589 (1999).

- g. If a public body uses or publishes its agenda to give the required notice for a particular meeting, then the notice contained in the agenda must comport with the law for giving notice of what is to be considered at the meeting. *Hansmeyer v. Nebraska Public Power District*, 6 Neb. App. 889, 578 N.W.2d 476 (1998), *aff'd*, 256 Neb. 1, 588 N.W.2d 589 (1999).

- h. A notice of a hearing, given by a school board, which stated that a hearing would be held, and that an agenda would be available for inspection, once established, is not proper notice. An agenda must be available. *Allen v. Greeley County School District No 501*, 1994 WL 272223, 1994 Neb. App. LEXIS 186 (Neb. Ct. App. 1994) (Not approved for publication).

- i. When governmental subdivisions which hold annual meetings, such as townships, conduct their annual meetings, electors who participate in the annual meeting must place matters which they wish to discuss on the agenda for the annual meeting. *State ex rel. Newman v. Columbus Township Board*, 15 Neb. App. 656, 735 N.W.2d 399 (Neb. Ct. App. 2007). Electors under those circumstances may not simply appear at the annual meeting and bring up any subject falling within the broad powers of electors if that subject is not on the agenda. *Id.*

- j. Two separate public bodies may publish notice of their meetings on the same sheet of paper and need not use separate sheets when the notices contain only the time and place of their meetings, and when the notices direct interested citizens to the place where agendas for each body may be found. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009). In addition, two separate public bodies may combine their agendas when the combined agendas make it clear which

items are to be addressed by each body. *Id.* The same rule applies to combined minutes. *Id.* The *Wolf* case involved a situation where a county board met both as a county board and as a county board of equalization.

- k. Placing notice of future meetings in minutes of a prior meeting does not give sufficient notice under the Open Meetings Act. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009).
- Notice of recessed or reconvened meetings of a public body must be given in the same fashion as notice of the original meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009).
- m. In *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010), the Nebraska Supreme Court seemed to indicate that the requirement to formally record the method of notice in the meeting minutes may be met by a public body if it is possible, through the minutes of past meetings, to discern a customary and consistent method used by the public body to notify the public of its meetings. It does not appear that the choice of method for giving notice of meetings must be formally set forth in the minutes of the public body as such. *See also Robinson v. Morrill County School District #63*, 299 Neb. 740, 910 N.W.2d 752 (2018) (Failure to record the particular method of notice used by the school board in the meeting minutes does not nullify actual notice properly given. The record showed that Robinson and members of the public received reasonable advanced notice and attended the meeting. The record further showed that the method of notice for the meeting at issue was used by the school board and recorded in its minutes at least 21 times during the preceding two years.).
- The Attorney General has concluded that “advance publicized notice” means a separate, specific advance notice must be given for each

meeting. 1971-72 Rep. Att’y Gen. 314 (Opinion No. 137, dated August 8, 1972).

- o The Attorney General has also determined that (1) an agenda may not be used as the minutes of a meeting, (2) reasonable notice under the statute means notice reasonably calculated to give appropriate notice to citizens of the time and place of a meeting and notice which complies with the formal requirements of the statute. 1975-76 Rep. Att’y Gen. 150 (Opinion No. 116, dated August 29, 1975).

- p. In Op. Att’y Gen. No. 96071 (October 28, 1996), the Attorney General indicated that the Quality Jobs Board should give its normal 10-day published notice of meeting rather than an “informal’ notice where the Board had recessed a previous meeting on a tax credit application pending a renewed meeting call from the Governor after issuance of an opinion from the Attorney General.

E. PUBLIC MEETINGS BY VIRTUAL CONFERENCING. Section 84-1411(3) allows certain public bodies to meet by virtual conferencing. Virtual conferencing was added to the Open Meetings Act in 2021 with the enactment of LB 83. Virtual conferencing is defined as “conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.” Neb. Rev. Stat. § 84-1409(3), amended 2021 Neb. Laws LB 83, § 11. Provisions relating to videoconferencing and telephone conference calls were struck.

1. **Public Bodies Eligible.** In 1993, § 84-1411 was amended by LB 635 to allow certain public bodies to meet by means of videoconferencing. Under the current version of § 84-1411(2), the public bodies allowed to meet by virtual conferencing include: (1) various bodies of state government including state agencies, boards, commissions, councils and committees, together with their advisory committees; (2) organizations created under the Interlocal Cooperation Act, the Joint Public Agency Act or the Municipal Cooperative Financing Act; (3) the governing body of a public power district with a chartered territory of more than one county in this state; (4) the governing

body of a public power and irrigation district with a chartered territory of more than one county in this state; (5) boards of educational service units; (6) the Educational Service Unit Coordinating Council; (7) an organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act; (8) a community college board of governors; (9) the Nebraska Brand Committee; (10) a local public health department; (11) a metropolitan utilities district; (12) a regional metropolitan transit authority; and (13) a natural resources district.

a. The Judicial Resources Commission was removed from the list by 2022 Neb. Laws LB 922, § 13.

2. **Requirements.** The public bodies listed above may hold meetings by virtual conferencing if the following requirements are met:

a. Reasonable advance publicized notice is given pursuant to § 84-1411(1) and (2). The notice must include a dial-in number or link to the virtual conference.

b. There must be at least one physical site open to the public and identified in the notice.

c. The public body must make reasonable arrangements to accommodate the public's right to attend and participate as provided in § 84-1412, including reasonable seating.

d. The physical site must have at least one member of the public body or designee in attendance.

e. The virtual conference is recorded by audio or visual recording devices.

f. Members of the public are provided a reasonable opportunity to provide input, including public comment or questions, to the same extent if virtual conferencing was not used.

g. The physical site must have at least one copy of all documents being considered at the meeting.

h. The public body must provide links to the agenda, all documents being considered at the meeting, and the current version of the Act.

See Neb. Rev. Stat. § 84-1411(3)(b)(i)-(iii).

3. Limitation on Number of Virtual Meetings. Except as provided in Neb. Rev. Stat. §§ 70-1014(1), 70-1014.02(2) or 79-2204(4), public bodies authorized to conduct virtual conferencing can hold no more than one-half of their meetings by virtual conferencing in a calendar year. The following entities may hold more than one-half of their meetings by virtual conferencing if at least one meeting in a calendar year is not virtual: An organization created under the Interlocal Cooperation Act that sells electricity or natural gas, an organization created under the Municipal Cooperative Financing Act, the governing body of a risk management pool and any advisory committee of the governing body, and any advisory committee of any state entity created in response to the Opioid Prevention and Treatment Act. See § 84-1411(3)(b)(iv). Amended by 2024 Neb. Laws LB 287, § 74 and LB 399, § 4.

4. Neb. Rev. Stat. § 84-1411(9) (enacted 2022 Neb. Laws LB 908) authorizes public bodies not listed in § 84-1411(3)(a) to hold meetings by virtual conferencing if the following requirements are met: (a) the purpose of the virtual meeting is to discuss items that are scheduled to be discussed or acted on at a subsequent in-person meeting of the public body; (b) no action is taken by the public body at the virtual meeting; and (c) the public body complies with subdivisions § 84-1411(3)(b)(i) and (ii) (see E.2.a.-f. above).

5. Hybrid Meetings Not Allowed. Following the enactment of 2021 Neb. Laws LB 83, the Attorney General considered whether one or more members of a public body could attend and participate virtually at an in-person meeting. The Attorney General informally concluded that § 84-1411 authorizes virtual attendance by members of the public body only at meetings that satisfy the requirements pertaining to virtual conferencing.

6. Neb. Rev. Stat. § 84-1411 does not apply to meetings subject to Neb. Rev. Stat. § 70-1034 conducted by the Nebraska Power Review Board or a public power district, a public power and irrigation district, an electric membership association, an electric cooperative company, a municipality having a generation and distribution system, or a registered group of

municipalities. Neb. Rev. Stat. § 84-1411(10), added as a result of 2024 Neb. Laws LB 1370, § 8.

F. EMERGENCY MEETINGS. Section 84-1411 allows public bodies to hold emergency meetings without reasonable advance public notice under two statutory schemes.

1. **Emergency Meetings Under Neb. Rev. Stat. § 84-1411(6).** In order to hold an emergency meeting under § 84-1411(6), a public body must meet the following requirements: (1) the nature of the emergency shall be stated in the minutes, and any formal action taken shall pertain only to the emergency; (2) the provisions of § 84-1411(5) dealing with notice to the media shall be complied with in connection with an emergency meeting; and (3) complete minutes of the emergency meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public no later than the end of the next regular business day.

a. Emergency meetings may be held by virtual conferencing. 2021 Neb. Laws LB 83, § 12.

b. In *Steenblock v. Elkhorn Township Board*, 245 Neb. 722, 515 N.W.2d 128 (1994), the Court indicated, in a case involving allegations of a violation of the open meetings statutes, that an emergency is defined as “any event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition.” In that case, the Court held that a township board meeting to consider the job status of a township employee, convened as an emergency meeting because of a snowstorm, was not a proper emergency meeting because the employee was given two weeks’ notice of his resultant termination, and because the reasons given for the employee’s termination were based upon his past performance.

c. In *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009), the Court of Appeals considered whether a number of items taken up at meetings of a county board without any listing on the board’s agenda were “emergency” items. In making that determination in each case, the court

focused upon whether there was anything in the record which indicated that a particular item required immediate action or involved pressing necessity.

d. The Attorney General has also stated that an item of an emergency nature is one that requires immediate resolution by the public body, and one which has arisen in circumstances impossible to anticipate at a time sufficient to place on the agenda of a regular, called, or special meeting of the body. 1975-76 Rep. Att'y Gen. 150 (Opinion No. 116, dated August 29, 1975).

e. In Op. Att'y Gen. No. 95063 (August 9, 1995), the Attorney General indicated that action taken during a meeting of the Nebraska Equal Opportunity Commission by a telephone conference call which did not comply with the requirements of the open meetings statutes for emergency meetings was void.

2. **Emergency Meetings Under Neb. Rev. Stat. § 84-1411(8)**. Section 84-1411(8) allows any public body in the state to meet by virtual conferencing if an emergency is declared by the Governor under the Emergency Management Act, and the territorial jurisdiction of the public body falls within the declaration. Unlike emergency meetings authorized under § 84-1411(6), public bodies may do any of the things set out in the definition of public meeting in § 84-1409(2): "Briefing, discussion of public business, formation of tentative policy, or the taking of any action" This provision was added to § 84-1411 by 2021 Neb. Laws LB 83, § 12.

- a. **Requirements.** Public bodies must meet several requirements when holding meetings under § 84-1411(8): (i) reasonable advance publicized notice must be provided pursuant to § 84-1411(1) and (2); (ii) the notice must include information regarding meeting access for the public and news media; (iii) access to the meeting must be provided via a dial-in number or link to the virtual conference; (iv) the public body must provide links to the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; (v) reasonable arrangements must be made to accommodate the public's right to hear and speak at the meeting and record the meeting; (vi) notice to the media under § 84-1411(5) must be provided; (vii) the nature of the emergency shall be stated in the minutes; and (viii) complete minutes of the meeting specifying the nature of the

emergency and any formal action taken by the public body shall be made available in accordance with § 84-1413(5).

G. PUBLIC MEETINGS; RIGHTS OF THE PUBLIC ATTENDING. Section 84-1412 establishes the rights of members of the public attending a meeting of a public body.

1. Members of the public have the right to attend and the right to speak at meetings of public bodies, and all or any part of a public meeting except closed sessions under § 84-1410, may be videotaped, recorded, televised, broadcast, photographed, etc. by any person.

2. With the enactment of 2024 Neb. Laws LB 43, § 21, **public bodies must allow members of the public an opportunity to speak at each meeting, except for closed sessions.** This provision became operative on July 19, 2024.

3. Public bodies may make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, or recording their meetings, including meetings held by virtual conferencing.

4. Members of the public cannot be required to identify themselves as a condition for admission to a public meeting. In 2021, § 84-1412(3) was amended to require public bodies to have any member of the public desiring to address the body to identify himself or herself, including providing an address and the name of any organization represented by such person. The public body may waive the address requirement to protect the security of the individual. 2021 Neb. Laws LB 83, § 13.

4. No public body shall, to circumvent the open meetings laws, hold its meeting in a place known to be too small to accommodate the anticipated audience. However, a public body shall not be in violation of this prohibition if it meets in its traditional meeting place in this state.

5. LB 898 from 2006 added language to § 84-1412 which provides that public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the

public. At the beginning of any meeting, the public shall be informed about the location of the posted information. The legislative history of LB 898 indicates that “posting” a copy of the Open Meetings Act means putting it up in some fashion, including attaching it to a bulletin board, hanging it by a chain or fastening it to a wall. Floor Debate on LB 898, 99th Nebraska Legislature, Second Session, March 28, 2006, at 11697 (Statement of Senator Preister). “Posting” does not include placing the Act on a table as a loose document which can be removed and therefore might not be available throughout the meeting. *Id.* If a meeting of a public body is moved to another location to accommodate a larger audience, then the posted copy of the Act should be moved and posted in the new location. *Id.*

6. In 2008, LB 962 amended § 84-1412 to provide that public bodies may not require that “the name of any member of the public be placed on the agenda prior to . . . [a] meeting in order to speak about items on the agenda.” That change was made so that members of the public are not required to place themselves on the agenda of a public body prior to a meeting in order to speak on agenda items during the times at that meeting set aside for public comment. Floor Debate on LB 962, 100th Nebraska Legislature, Second Session, February 28, 2008 at 2 (Statement of Senator Preister). That change in statutory language was not intended to affect the right of a public body to make reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, or recording its meetings. *Id.*

7. A public body may hold a meeting outside the State of Nebraska only if all the following conditions are met: a. a member entity of the public body is located outside of the state and the meeting is in that member’s jurisdiction; b. all out-of-state locations identified in the notice of meeting are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience; c. reasonable arrangements are made to accommodate the public’s rights to attend, hear and speak at the meeting, including making virtual conferencing available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance; d. no more than 25% of the public body’s meetings in a calendar year are held out-of-state; e. out-of-state meetings are not used to circumvent any of the public government purposes established by the Open Meetings Act; and f. the public body publishes notice of the out-of-state meeting at least 21 days before the date of the meeting in a legal newspaper of statewide circulation. These requirements for out-of-state meetings were added to

§ 84-1412 by 2001 Neb. Laws LB 250, § 2, and amended to add meetings by virtual conferencing in 2021. 2021 Neb. Laws LB 83, § 13.

9. A public body shall, upon request, make a reasonable effort to accommodate the public's right to hear discussion and testimony at a public meeting.

10. Public bodies shall make at least one copy of reproducible written material discussed at an open meeting available at the meeting or at the in-state location for virtual conferencing provided in § 84-1412(6)(c) for examination and copying by members of the public. The materials may be provided in paper or electronic form. 2021 Neb. Laws LB 83, § 13.

11. **History.** Many of the initial provisions in § 84-1412 dealing with the rights of the public were added as a result of LB 43 in 1983.

a. The language requiring a reasonable effort to allow all parties to hear a public meeting does not involve an absolute requirement that all persons present shall be able to hear. Floor Debate on LB 43, 88th Nebraska Legislature, First Session, March 21, 1983, at 1794-1795.

H. PUBLIC MEETINGS; MINUTES AND VOTING PROCEDURES. Section 84-1413 contains several provisions regarding the minutes which are to be maintained by public bodies and the voting procedures for public bodies.

1. **Minutes.** Every public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed. The minutes of all meetings and evidence or documentation received or disclosed during open session shall be public records, open to public inspection during normal business hours. Minutes shall be written or kept as an electronic record and available for inspection within 10 working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional 10 working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

- a. 2015 Neb. Laws LB 365, § 2 amended § 84-1413 to provide that minutes of the meetings of school boards and educational service units may be kept as an electronic record. In 2022, the Legislature extended the ability to keep minutes electronically to all public bodies. 2022 Neb. Laws LB 742, § 2.

- b. As noted in D.2.a. above, beginning July 31, 2022, the governing body of a natural resources district, the city councils of metropolitan class, primary class, and first class cities, the county board of a county with a population greater than twenty-five thousand inhabitants, and school boards shall place their agenda and minutes on their websites. Minutes shall be posted once they are available for inspection as provided in § 84-1413(5). The information shall be available on the website for at least six months. 2021 Neb. Laws LB 83, § 14.

2. **Voting Procedures.** Any action taken on any question or motion duly made and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The vote to elect leadership within a public body may be by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

a. **Electronic Voting Devices.** The roll call or viva voce vote requirements of the Open Meetings Act may be satisfied by a public body which uses an electronic voting device which allows the vote of each member of the governing body to be readily seen. 2016 Neb. Laws LB 876, § 1. Prior to the enactment of LB 876, only certain public bodies, e.g., a municipality, a county, a learning community, a joint entity created pursuant to the Interlocal Cooperation Act, a joint public agency created pursuant to the Joint Public Agency Act or an agency formed under the Municipal Cooperative Financing Act, were authorized to use electronic voting devices under the Act.

3. In *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1984), the Supreme Court held that the requirement of § 84-1413(2) that the record shall state how each member of a body voted could not be satisfied by a nunc pro

tunc amendment to the body's minutes showing that the recording of the vote in the minutes was performed prior to the time the actual recording in the minutes took place. However, when the same case was before the court a second time, the court held that, as a general rule, a public body may, if no intervening rights of a third person have arisen, order the minutes of its own proceedings at a previous meeting to be corrected according to the facts to make them speak the truth. *State ex rel. Schuler v. Dunbar*, 214 Neb. 85, 333 N.W.2d 652 (1983).

4. Section 84-1413 is violated by a failure to make or take a vote in accordance with the statute rather than a failure to record a properly taken vote. *State ex rel. Schuler v. Dunbar* (1983), *supra*.

5. Section 84-1413(2) dealing with roll call votes does not require the record to state that the vote was by roll call but only requires that the record show if and how each member voted. Neither does that statute set a time limit for recording the results of a vote. *State ex rel. Schuler v. Dunbar* (1983), *supra*.

6. The statutory requirements here dealing with voting and minutes are mandatory since the Legislature provided that action taken in violation of this statute is void. *State ex rel. Schuler v. Dunbar* (1981), *supra*.

7. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009) seems to indicate that the Open Meetings Act does not require that minutes of meetings be "published," but only that they be written and available for inspection within 10 working days or prior to the next convened meeting of the public body.

8. The legislative history of the original open meetings statutes, LB 325 from 1975, indicates that the requirement of a roll call vote was directed at votes on questions that would bind the particular public body. Other procedural questions were not covered. Government Committee Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at 10.

9. The Attorney General has stated that nothing in the open meetings statutes requires approval of the minutes of a public body prior to their publication. Op. Att'y Gen. No. 162 (December 28, 1981).

10. In Op. Att’y Gen. No. 98045 (November 4, 1998), the Attorney General indicated that detailed minutes of all matters discussed need not be maintained when a public body is meeting in closed or executive session, so long as the requirements of § 84-1410 pertaining specifically to the minute entries necessary for a closed session are met.

I. CLOSED SESSIONS OF A PUBLIC BODY. Section 84-1410, pertaining to closed sessions of public body, has generated the most controversy of all the portions of the open meetings statutes. Section 84-1410(1) provides that any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary (1) for the protection of the public interest, or (2) for the prevention of needless injury to an individual, if such individual has not requested a public meeting. Closed meetings may not be held for discussion of the appointment or election of a new member to any public body. Nothing in § 84-1410 should be construed to require that any meeting be closed to the public.

1. Under § 84-1410(1), examples of reasons for a closed session include:

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

b. Discussion regarding deployment of security personnel or devices.

c. Investigative proceedings regarding allegations of criminal misconduct.

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

e. For a Community Trust created under Neb. Rev. Stat. § 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster. [Amended into § 84-1410(1) by 2011 Neb. Laws LB 390.]

f. For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional

negotiations with any referral source that is required by federal law to be conducted at arm's length. [Amended into § 84-1410(1) by 2012 Neb. Laws LB 995.]

These examples are not exclusive; they are merely examples, and other reasons may exist. Government Committee Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at page 3; 1975-76 Rep. Att'y Gen. 150 (Opinion No. 116, dated August 29, 1975); Op. Att'y Gen. No. 65 (April 17, 1985).

2. LB 898 from 2006 amended some of the provisions of § 84-1410 pertaining to the mechanics of holding a closed session. The subject matter of the closed session and reason necessitating the closed session shall be identified in the motion to hold a closed session. The vote to hold a closed session must be taken in open session, and the entire closed session motion, the vote of each member on the question of holding a closed session, and the time when the closed session commences and ends must be recorded in the minutes. If the motion to close passes, then the presiding officer shall restate on the record immediately prior to the closed session the limitation of the subject matter of the closed session. The public body holding a closed session shall restrict its consideration of matters during the closed session to only those purposes set forth in the motion to close as the reason for the closed session. The meeting must be reconvened in open session before any formal action may be taken, and "formal action" in that context is defined in § 84-1410(2) to mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy. Under an amendment to § 84-1410(2) effected by LB 621 in 1994, formal action by the body in that context does **not** include, "negotiating guidance given by members of the public body to legal counsel or other negotiators in a closed [strategy] session authorized [for collective bargaining, real estate purchases, etc.] under subdivision 1(a) of [Section 84-1410]."

3. Any member of the public body can challenge the continuation of a closed session if he or she determines that the session has exceeded the original reason for the closed session, or if he or she contends that the closed session is neither clearly necessary for the protection of the public interest or the prevention of needless injury to the reputation of an individual. Such a challenge can only be overruled by a majority vote of the members of the

public body. The challenge and its disposition shall be recorded in the minutes.

4. **History.** One of the purposes for the initial open meetings statute, LB 325 from 1975, was to tighten restrictions on closed or executive sessions of public bodies. Introducer's Statement of Purpose for LB 325, 84th Nebraska Legislature, First Session (1975). The fourth example of reasons for closed meetings was added by LB 43 in 1983. The provisions dealing with pending or imminent litigation and defining formal action in a closed session were added as a part of LB 1019 in 1992.

5. It is not entirely clear what vote of the public body is necessary to go into closed session. The statute states that "an affirmative vote of a majority of [the body's] voting members" is necessary for a closed session. On its face, the normal meaning of this language would presumably be a majority of those members present and voting. This is particularly true since the later subsection (3) of § 84-1410 requires a "majority vote of the members of the public body" to overrule a challenge to the continuation of the closed session. However, the legislative history of LB 325 makes it quite clear that the legislators intended to make the requirement for a closed session a vote of the majority of the body rather than a vote of the majority of those present and voting. Floor Debate on LB 325, 84th Nebraska Legislature, First Session, May 14 and May 20, 1975, at 4616, 5015. Moreover, there is some indication that "voting" members in § 84-1410(1) refers to particular members of bodies such as the Board of Regents which has both voting and non-voting members. Government Committee Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at 27-28. The safer approach is to authorize a closed session of the public body by a majority vote of the members of the body rather than by a majority vote of just those members present.

6. The landmark case for what is permissible in a closed session is *Grein v. Board of Education of the School District of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984). *Grein* involved a closed session by a school board for discussion of the low bid on a construction project. The Nebraska Supreme Court held that the closed session was improper. That case indicates:

a. Provisions of the statute permitting closed sessions must be narrowly and strictly construed. *See also State ex rel. Upper Republican Natural Resources*

District v. District Judges of the District Court for Chase County, 273 Neb. 148, 728 N.W.2d 275 (2007).

b. The public interest which is protected in § 84-1410(1) is “that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities.” 216 Neb. at 165, 343 N.W.2d at 723. *See also Wasikowski v. Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002).

c. Good faith motivation for a closed session is not a cure for non-compliance with the public meetings laws.

d. The prohibition against decisions or formal actions in a closed session proscribes crystallization of a secret decision and then ceremonial acceptance in open session.

e. There is a guiding principle with respect to closed sessions: “If a public body is uncertain about the type of session to be conducted, open or closed, bear in mind the policy of openness promoted by the Public Meetings Laws and opt for a meeting in the presence of the public.” 216 Neb. at 168, 343 N.W.2d at 724.

7. *Pokorny v. City of Schuyler, supra*, indicates that there is nothing in the open meetings statutes which requires that negotiations for the purchase of land be conducted in open meeting, but deliberations of a public body as to whether an offer to purchase should be made must be done in an open meeting.

8. In a case involving the revocation of a land surveyor’s license, the supreme court held that a closed session was improper since there was no showing of either necessity or of the reasons set out in § 84-1410(1). *Simonds v. Board of Examiners of Land Surveyors*, 213 Neb. 259, 329 N.W.2d 92 (1983).

9. Neb. Rev. Stat. § 79-832 (1996), dealing with hearings involving cancellation, amendment or termination of a teacher’s contract mandates a closed hearing upon an affirmative vote of a majority of the school board’s members present and voting and upon specific request of the certificated employee or the certificated employee’s representative. However, under that section, formal action by the school board requires that the school board reconvene in open

session. *Stephens v. Board of Education of School District No. 5, Pierce County*, 230 Neb. 38, 429 N.W.2d 722 (1988).

10. The provisions of the open meetings statutes dealing with closed sessions, in part, reflect the Legislature's judgment of the appropriate balance between the public's interest in open discussion of governmental issues and the rights of individuals, such as state employees, to have their performance as employees considered in private if they so choose. *Meyer v. Board of Regents of the University of Nebraska*, 1 Neb. App. 893, 510 N.W.2d 450 (Neb. Ct. App. 1993).

11. If the primary purpose for a closed session of a public body is authorized under the open meetings statutes, then any necessary discussion of incidental matters is also authorized. *Meyer v. Board of Regents of the University of Nebraska*, 1 Neb. App. 893, 510 N.W.2d 450 (Neb. Ct. App. 1993). In the *Meyer* case, the Nebraska Court of Appeals indicated that the University Board of Regents could properly discuss the appointment of an interim president for the University during a closed session called to evaluate and consider the employment status of the president.

12. In *Wasikowski v. Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002), the court held that if a person who is present at a meeting of a public body observes an alleged violation of the Open Meetings Act in the form of an improper closed session and fails to object, then that person waives his or her right to object to the closed session at a later date. However, that case appears to be legislatively overruled by LB 898 from 2006 which provides that it shall not be a defense to a citizen lawsuit under § 84-1414(3) that the citizen attended the meeting and failed to object at that time.

13. There is no absolute evidentiary privilege which applies to all communications made during a closed session of a public body, and communications made during such closed sessions are discoverable. *State ex rel. Upper Republican Natural Resources District v. District Judges of the District Court for Chase County*, 273 Neb. 148, 728 N.W.2d 275 (2007). However, to the extent that communications made during a closed session implicate other recognized privileges such as the attorney-client privilege, those communications are protected. *Id.*

14. The statutory provision allowing public bodies to hold closed sessions for strategy sessions regarding litigation or threatened litigation by necessity encompasses discussions and decisions regarding whether to make or reject a settlement offer. Such decisions regarding litigation strategy should not have to be discussed publicly, during an open session, in front of the body's opponent. *Becker v. Allen*, 1996 WL 106217, 1996 Neb. App. LEXIS 73 (Neb. Ct. App. 1996) (Not approved for publication). In addition, the strategic meetings which a public body has with its attorney when threatened with or engaged in litigation, in which the public body may give direction to its attorney, are protected by the attorney-client privilege. *Id.*

15. **Opinions of the Attorney General:**

a. A closed session is not proper simply because matters permitting a closed session might arise. Such a closed session is permitted only when such matters do arise and must be dealt with. Op. Att'y Gen. No. 94035 (May 11, 1994); Op. Att'y Gen. No. 11 (January 20, 1983).

b. Discussions of legal matters between a county board and a county attorney involving pending litigation or legal consequences of specific action are suitable for a closed session. 1975-76 Rep. Att'y Gen. 150 (Opinion No. 116, dated August 29, 1975).

c. A public body can go into a proper closed session for discussion of personnel matters and then reconvene for a public vote with no lengthy explanation of the rationale underlying the decision. Op. Att'y Gen. No. 89063 (October 12, 1989).

d. The closed session exception for prevention of needless injury to reputation is for the protection of individual employees and not for the protection of governmental officers on the public body. *Id.*

e. In Op. Att'y Gen. No. 98045 (November 4, 1998), the Attorney General indicated that detailed minutes of all matters discussed need not be maintained when a public body is meeting in closed or executive session, so long as the requirements of § 84-1410 pertaining specifically to the minute entries necessary for a closed session are met.

f. A county clerk, county attorney and county treasurer acting as a group under § 32-567(3) to make an appointment to fill a vacancy on a county board may not go into closed session for evaluation of the merits of the candidates based upon the express language of § 84-1410(1). Op. Att’y Gen. No. 97050 (September 18, 1997).

g. In Op. Att’y Gen. No. 17-004 (June 5, 2017), the Attorney General indicated that the Public Service Commission may not discuss management and operational issues outside of a duly convened meeting which satisfies all requirements of the Open Meetings Act, except when conducting judicial proceedings. Alternatively, the commission could discuss these issues in closed sessions under limited circumstances or form subcommittees of less than a quorum, which are generally excluded from the act.

h. The Attorney General has indicated informally that developing testimony for an upcoming Legislative hearing is not a proper reason for a state agency to go into closed session. On the other hand, the Attorney General has also indicated informally that discussion of “sensitive medical and financial information” pertaining to specific individuals who applied for admission to a state home could be conducted in a closed session so long as the actual vote on admission was done in an open meeting.

J. CIRCUMVENTION OF THE OPEN MEETINGS ACT. Section 84-1410(4) prohibits a person or a public body from circumventing the purpose of the open meetings statutes by failing to invite a portion of its members to a meeting or by designating itself as a subcommittee of the whole body. That section also prohibits the use of any closed session, informal meeting, chance meeting, social gathering, email, fax or other electronic communication for the purpose of circumventing the requirements of the open meetings statutes.

1. This provision was added to the open meetings statutes by LB 43 in 1983. This section was directed at the intentional circumvention of the open meetings statutes rather than inadvertent acts. Government, Military and Veterans’ Affairs Committee Hearing on LB 43, 88th Nebraska Legislature, First Session (1983) at 5.

2. 2004 Neb. Laws LB 1179 added emails, faxes and other electronic communications to the list of mediums which could not be used to circumvent the requirements of the Open Meetings Act.

3. Similar language prohibiting the use of virtual conferencing, emails, faxes, or other electronic communications to circumvent any of the public government purposes of the Open Meetings Act is contained in § 84-1411(3).

4. The Attorney General has indicated that intent is a necessary element of the conduct prohibited by § 84-1410(4), and that members of a public body can communicate with other members of that body by electronic means, even if that communication is directed to a quorum of the body, so long as there is no course of communication which becomes sufficiently involved so as to evidence an intent or purpose to circumvent the Open Meetings Act. Op. Att'y Gen. No. 04007 (March 8, 2004).

K. ACTIONS FOR ENFORCEMENT. Section 84-1414 sets out various enforcement options available to individuals who believe that the open meetings statutes have been violated.

1. Any motion, resolution, rule, ordinance, or formal action of a public body made or taken in violation of the public meetings statutes shall be declared void by the district court if the suit is commenced within 120 days of the meeting of the public body at which the alleged violation occurred. Any such motion or other action taken in substantial violation of the public meeting statutes shall be voidable by the district court if the suit is commenced after more than 120 days but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

2. Under § 84-1414(3), any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the open meetings statutes, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the open meetings statutes to discussions or decisions of the public body. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007). The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under

§ 84-1414(3). Under LB 898 from 2006, it shall not be a defense to such a suit that the citizen attended the meeting and failed to object to violations at such time.

3. The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the provisions of the open meetings statutes.

4. **History.** The original version of § 84-1414(1), which was a part of LB 325 passed in 1975, simply provided that actions taken in violation of the public meetings statutes should be void. The void/voidable distinction was added by LB 43 in 1983. The apparent intent of that later language was to allow a court to void an action by a public body taken when there was any violation of the open meetings statutes if the action was filed within four months of the meeting in question. After four months, the violation of the open meetings statutes would have to be substantial to allow a court to void the action of the public body. In any event, no action could be brought after one year of the public meeting in question. Floor Debate on LB 43, 88th Nebraska Legislature, First Session, March 22, 1983, at 1892.

5. The legislative history of LB 325 from 1975 indicates that the initial intent of that statute was to have the county attorney responsible for enforcement proceedings involving public bodies at a local level. The Attorney General would be responsible for enforcement against state entities. Floor Debate on LB 325, 84th Nebraska Legislature, First Session, May 14, 1975, at 4620.

6. The Nebraska Supreme Court has indicated that action by a public body which is proper under the open meetings statutes may cure defects in actions previously taken by the same public body. In such an instance, an action by a public body which previously might have been declared void will be declared proper. *Pokorny v. City of Schuyler, supra*. On the other hand, under those circumstances, the original improper meeting itself is still void. *Steenblock v. Elkhorn Township Board*, 245 Neb. 722, 515 N.W.2d 128 (1994). *Pokorny* also indicates that the effect of an invalid public meeting under the open meetings laws is the same as if the meeting had never occurred.

7. A county lacks capacity to maintain an action to declare its official conduct void for noncompliance with the open meetings statutes. *County of York v. Johnson*, 230 Neb. 403, 432 N.W.2d 215 (1988).

8. Reading of a city ordinance in accordance with a city charter constitutes “formal action” of a city council which may be voided in a lawsuit under § 84-1414(1). *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).

9. A number of Nebraska cases deal with waiver of rights under the Open Meetings Act by a failure to make a timely objection to violations of the Act. *Stoetzel & Sons, Inc. v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003) (if a person who attends a meeting of a public body believes that copies of documents discussed by the body should be made available to the public at the meeting, a timely objection should be made, or that person waives his or her right to object); *Wasikowski v. Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002); *Otey v. State*, 240 Neb. 813, 485 N.W.2d 153 (1992); *Witt v. School District No. 70, Frontier County*, 202 Neb. 63, 273 N.W. 2d 669 (1979) (any person who has notice of a meeting and attends the meeting is required to object specifically to a lack of public notice at the meeting or waive his rights to object on that ground under the open meetings statutes); *Hauser v. Nebraska Police Standards Advisory Council*, 264 Neb. 944, 653 N.W.2d 240 (2002) (if a person present at a meeting observes and fails to object to an alleged open meetings violation in the form of a failure to conduct roll call votes before taking action on questions or motions pending, that person waives his or her right to object at a later date); *Alexander v. School District No. 17 of Thurston County*, 197 Neb. 251, 248 N.W.2d 335 (1976) (where teachers had notice of a termination hearing, appeared, and no objection was made to a failure of the school board to give proper notice under the open meetings statutes, those teachers waived any objection they might have had to violations of the open meetings law). Those cases appear to be legislatively overruled by LB 898 from 2006 which provides that it shall not be a defense to a citizen lawsuit under § 84-1414(3) that the citizen attended the meeting and failed to object at that time.

10. In *Robinson v. Morrill County School District #63*, 299 Neb. 740, 910 N.W.2d 752 (2018), the Nebraska Supreme Court declined to consider the propriety of the school board's closed session to deliberate on the cancellation of Robinson's teaching contract following an evidentiary hearing since Robinson failed to object to the closed session or the process followed by the school board in closing the meeting.

11. Actions for relief under the open meetings statutes are tried as equitable cases, given the fact that the relief sought is in the nature of a declaration that particular action taken in violation of the laws is void or voidable. Such cases are also considered as equitable cases on appeal. *Stoetzel & Sons, Inc. v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003); *Hauser v. Nebraska Police Standards Advisory Council*, 264 Neb. 944, 653 N.W.2d 240 (2002); *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009); *Hansmeyer v. Nebraska Public Power District*, 6 Neb. App. 889, 578 N.W.2d 476 (1998), *aff'd*, 256 Neb. 1, 588 N.W.2d 589 (1999).

12. The *Hansmeyer* case also discusses the distinction between "void" and "voidable" under § 84-1414. "Void" means ineffectual and having no legal force or binding effect, while "voidable" means that which may be avoided or declared void, not absolutely void. In *Hansmeyer*, the court considered factors such as whether any purpose would be served or whether decisions were made in secret without public discussion in determining whether a voidable vote by the Nebraska Public Power District should, in fact, be voided.

13. Once a meeting has been declared void pursuant to the Open Meetings Act, the members of the public body involved are prohibited from considering any information which they obtained at the illegal meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009); *Alderman v. County of Antelope*, 11 Neb. App. 412, 653 N.W.2d 1 (2002).

14. The decision to award attorney's fees to a "successful plaintiff" in an action under § 84-1414 is discretionary with the trial court. *Hansmeyer v. Nebraska Public Power District*, 6 Neb. App. 889, 578 N.W.2d 476 (1998), *aff'd*, 256 Neb. 1, 588 N.W.2d 589 (1999). The court in *Hansmeyer* also held that the plaintiffs in that case were "successful plaintiffs" who could recover attorney's fees under

§ 84-1414 because there was a finding that a substantial violation of the open meetings statutes had occurred, and because the public body involved amended its practices to prepare proper agendas after the plaintiffs filed their action. The court reached that conclusion even though it ultimately determined that the improper action of the public body at issue should not be voided. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009) also contains a discussion regarding the basis for an award of attorney's fees in that case, including the court's analysis of why it reduced a fee award on appeal.

15. Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009). The court in the *Wolf* case also specifically considered whether violations of the Open Meetings Act were "substantial" violations in determining whether it was appropriate to void actions of a county board when the enforcement lawsuit was filed more than 120 days after the meetings in question.

16. In *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009) there was no evidence in the record which established that a county board had published notice of its meetings anywhere. The Court of Appeals held that in the absence of contrary evidence, it may be presumed that public officers faithfully performed their official duties. *Id.* In addition, absent evidence showing misconduct or disregard for the law, the regularity of official acts is also presumed. *Id.* In *Wolf*, the court also indicated that the plaintiffs had the burden at all times to show that it was more probable that notices of meetings were not posted than probable that they were.

17. The United States District Court for the District of Nebraska has indicated that it has supplemental jurisdiction over claims under § 84-1414 based upon 28 U.S.C. § 1367(a). *Buzek v. Pawnee County Nebraska*, 207 F. Supp. 2d 961 (D. Neb. 2002).

18. "Citizens," as well as members of the general public and reporters or other representatives of the news media, are the intended beneficiaries of the Open Meetings Act, and have standing to bring an action under that Act. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010). This is true even though individual citizens may not be able to allege a particularized injury as a result of action by a public body or the pecuniary interest in the public body's action

which might be necessary for common law standing. *Id.* An action under § 84-1414 is permissible when the ultimate result of the questionable meetings of the public body is annexation. *Id.*

19. The plaintiffs in *Pierce v. Drobny*, 279 Neb. 251, 777 N.W.2d 322 (2010), contended that a local school board held a number of secret meetings without notice or public participation to plan for a special election for the issuance of bonds for a new school. A resolution authorizing the special election was subsequently passed by the board at a public meeting, and at the special election, voters approved the school bond issue. The plaintiffs sought to void the board's resolution for the special election under the Open Meetings Act rather than filing an election contest. The Nebraska Supreme Court held that an election contest was the exclusive remedy under such circumstances, and that a separate challenge under the Open Meetings Act did not exist once the bond issue was voted upon by the public.

L. CRIMINAL SANCTIONS. Section 84-1414(4) provides that any member of a public body who knowingly violates or conspires to violate the Open Meetings Act, or who attends or remains at a meeting knowing that the public body is in violation of any provision of that Act, shall be guilty of a Class IV misdemeanor for a first offense, and a Class III misdemeanor for a second or subsequent offense.

1. The legislative history of LB 325 from 1975 indicates that the criminal sanctions included in this section were originally directed at intentional behavior rather than at inadvertence. Government Committee Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at 16.

2. The criminal sanctions for violation of the open meetings statutes were first increased as a result of LB 1019 passed in 1992. Also, that same bill in 1992 added language which made knowingly remaining at or attending a meeting in violation of the open meetings statutes a crime. The present language which applies criminal sanctions to those members of a public body who remain at a meeting knowing that the public body is in violation of the open meetings statutes was added by LB 621 in 1994.

3. Under Neb. Rev. Stat. § 28-106 (2016), a Class IV misdemeanor is punishable by a fine of \$100 to \$500 and no imprisonment. In addition, a

Class III misdemeanor is punishable by up to 3 months imprisonment or up to a \$500 fine, or both. A Class III misdemeanor has no minimum penalty.

Rev. 7/2024

Board of Education Work Session

February 10, 2025

Blair Central Office

1326 Park Street, Blair NE 68008

Information concerning the Open Meeting Law, Chapter 84, Article 14 of Nebraska State Statutes, is posted in the room at a location accessible to members of the public and attached to the online agenda. The meeting notice was published in the Washington County Pilot-Tribune & Enterprise on Tuesday, February 4, 2025.

1. Call to Order

Mrs. Kari Loseke, President, called the Board of Education Regular meeting to order at 7:00pm.

2. Roll Call

Present Board Members: Denise Cada, Steve Callaghan, Ginger Fredericksen, Nate Larsen, Kari Loseke, Bob Schoby, Melaini Sturm, and Courtney Tabor

2.1 Approval of Absent Board Member(s)

3. Pledge of Allegiance

Dr. Gilson led the Board in the Pledge of Allegiance.

4. Approval of Emergency Additions to the Agenda – None

5. Call for Removal of Consent Agenda Items - None

6. Consent Agenda

Motion Passed: I move to approve the Consent Agenda as presented passed with a motion by Ginger Fredericksen and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Yes
Nate Larsen	Yes
Kari Loseke	Yes
Bob Schoby	Yes
Melaini Sturm	Yes
Courtney Tabor	Yes

6.1. Waiver of reading minutes from previous meeting

6.2. Acceptance of minutes of the previous meeting as published

6.3. Receipt of Communications

6.4. Treasurer's Report

6.5. Audit of Claims

7. Business

7.1. Items removed from Consent Agenda - None

7.2. Recognitions

7.3. Acceptance of Gifts

7.3.1. CF Industries Minigrants

A check was received from CF Industries for Minigrant awards totaling \$2,313.00 for the following teachers:

1. Morgan Casper
2. Adam Dreger
3. Todd Wick, Justine Weisbrod, Heather Dreibus
4. Mandy Grabbe, Chelsea Kwapnioski, Makenzie Scollard, Peggy Rutcosky
5. Callie Ward, Hollie Booth, Anne Chrans, Sheryl Krueger
6. Julia Vogel, Kristen Wullschleger, Briana Reinig
7. Rachel Aten, Rachel Hambidge

The goal of the CF Industries Classroom Minigrant Program is to support local education and improve agricultural and environmental literacy. We thank them for their continued support for the students at Blair Community Schools.

Motion Passed: I move to accept CF Industries Minigrant awards totaling \$2,289.00 passed with a motion by Ginger Fredericksen and a second by Steve Callaghan.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Yes
Nate Larsen	Yes
Kari Loseke	Yes
Bob Schoby	Yes
Melaini Sturm	Yes
Courtney Tabor	Yes

7.4. Consideration of Communications

7.5. Comments from The Public – Public comment was heard from two (2) patrons.

7.6. Committee Reports

7.6.1. Policy/Curriculum Committee

The Policy/Curriculum Committee met on Monday, January 20, 2025. A report from the committee was given by Denise Cada.

Motion Passed: I move to approve the recommended revisions to the current Social Studies requirements as presented passed with a motion by Denise Cada and a second by Ginger Fredericksen.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Yes
Nate Larsen	Yes
Kari Loseke	Yes
Bob Schoby	Yes
Melaini Sturm	Yes
Courtney Tabor	Yes

Motion Passed: I move to approve first reading on revisions to the Curriculum Design and Program Evaluation Model as presented passed with a motion by Denise Cada and a second by Ginger Fredericksen.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Yes
Nate Larsen	Yes
Kari Loseke	Yes
Bob Schoby	Yes
Melaini Sturm	Yes
Courtney Tabor	Yes

7.6.2. BG&T Committee

The Buildings, Grounds, and Transportation Committee met on Monday, January 27, 2025. A report from the committee was given by Steve Callaghan.

Motion Passed: I move to approve the purchase of a new 2026 Freightliner 71-passenger bus from Thomas Built Buses in the amount of \$149,650.00 passed with a motion by Steve Callaghan and a second by Ginger Fredericksen.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Yes
Nate Larsen	Yes
Kari Loseke	Yes
Bob Schoby	Yes
Melaini Sturm	Yes
Courtney Tabor	Yes

7.6.3. Finance Committee

The Finance Committee met on Tuesday, February 4, 2025 at 12:00pm. A report from the committee was given by Courtney Tabor.

Motion Passed: I move to approve the quote from 95 Percent Group, in the amount of \$198,216.69, for the purchase of reading materials and professional development for grades K-5 passed with a motion by Courtney Tabor and a second by Ginger Fredericksen.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Yes
Nate Larsen	Yes
Kari Loseke	Yes
Bob Schoby	Yes
Melaini Sturm	Yes
Courtney Tabor	Yes

Motion Passed: I move to approve the quote from Kidwell, in the amount of \$72,985.00, to replace cabling for access points and organizing technology closets passed with a motion by Courtney Tabor

and a second by Ginger Fredericksen.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Yes
Nate Larsen	Yes
Kari Loseke	Yes
Bob Schoby	Yes
Melaini Sturm	Yes
Courtney Tabor	Yes

7.7. Approval of New Teacher(s)

- Emily Cade - Kindergarten Teacher, Deerfield Elementary
- Jordyn Smith - Computer Science, Blair High School
- Shelby Kaup - Grade 1 Teacher, Arbor Park Elementary

Motion Passed: I move to approve new certified staff members Emily Cade, Jordyn Smith, and Shelby Kaup, as presented passed with a motion by Courtney Tabor and a second by Steve Callaghan.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Yes
Nate Larsen	Yes
Kari Loseke	Yes
Bob Schoby	Yes
Melaini Sturm	Yes
Courtney Tabor	Yes

7.8. Acceptance of Resignation & Retirements

- Briana Reinig - Kindergarten Teacher, Deerfield Elementary
- Tracey Wieser - Speech-Language Pathologist, Arbor Park Elementary
- Ryan Wieczorek - Otte Middle School Principal
- Kersten Schissel - Skills Academy Teacher
- Claire Everitt - Grade 8 Science, Otte Middle School
- Miranda Stade - Preschool Teacher, South Early Childhood Center
- Adam Dreger - 7-12 Agriculture Teacher, Otte Middle School/Blair High School

Motion Passed: I move to accept the resignation of certified staff members Briana Reinig, Tracey Wieser, Ryan Wieczorek, Kersten Schissel, Claire Everitt, Miranda Stade, and Adam Dreger upon the conclusion of the 2024-25 school year passed with a motion by Ginger Fredericksen and a second by Courtney Tabor.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Yes
Nate Larsen	Yes
Kari Loseke	Yes

Bob Schoby	Yes
Melaini Sturm	Yes
Courtney Tabor	Yes

7.9. Superintendent Report

7.10. Informational Item

8. Adjournment

Motion Passed: I move to adjourn the meeting at 8:10pm passed with a motion by Steve Callaghan and a second by Ginger Fredericksen.

Denise Cada	Yes
Steve Callaghan	Yes
Ginger Fredericksen	Yes
Nate Larsen	Yes
Kari Loseke	Yes
Bob Schoby	Yes
Melaini Sturm	Yes
Courtney Tabor	Yes

Angie Conety
Secretary Board of Education

Randall Gilson, Ed.D.
Superintendent

Blair Community Schools
 Financial Report to the Board of Education
 Cash-Bank Reconciliation
 February 28, 2025

2/01/2025 through 2/28/25

Book Balance

Beginning Balance		\$6,253,252.24
Total Receipts		\$2,149,834.81
Total Disbursements		-\$2,219,897.04
Reconciled Book Balance-Ending Balance		\$6,183,190.01

Bank Balance

Beginning Balance		\$1,497,701.96
Deposits	\$1,779,285.98	
Interest	\$252.39	
Total Receipts		\$1,779,538.37
Total Disbursements		-\$1,968,839.25
Bank Balance Ending Balance		\$1,308,401.08
Add Deposit in Transit		\$359,127.00
Less Outstanding Checks/Wires		-\$291,687.13

Reconciled Bank Balance-Ending Balance

\$1,375,840.95

Reconciled Balance		\$1,375,840.95
Total Investments		\$4,807,349.06
Total General Fund Balance		\$6,183,190.01

Leslie Watts

 Leslie Watts, Board of Education Treasurer

3/3/25

 Date

Blair Community Schools
 Financial Report to the Board of Education
 Building Fund
 February 28, 2025

2/01/2025 through 2/28/25

Beginning Balance	\$3,340,977.38
Total Receipts	\$63,103.26
Total Disbursements	-\$12,417.00
Building Fund Balance	\$3,391,663.64

Bank Balance

Bank Balance Ending Balance	\$934,529.41
Less Outstanding Checks/Wires	\$0.00
Reconciled Bank Balance	\$934,529.41
Total Investments	\$2,457,134.23
Total Building Fund Balance	\$3,391,663.64

Blair Community Schools
 Financial Report to the Board of Education
 Savings Depreciation
 February 28, 2025

2/01/2025 through 2/28/25

Beginning Balance	\$1,945,530.33
Total Receipts	\$4,707.44
Total Disbursements	-\$895.00
Savings Depreciation Fund Balance	\$1,949,342.77

Bank Balance

Bank Balance Ending Balance	\$1,949,342.77
Less Outstanding Checks/Wires	\$0.00
Total Savings Depreciation Fund Balance	\$1,949,342.77

ACTIVITY FUND & STUDENT FEE FUND-CHECKS ISSUED IN FEBRUARY 2025 TO BE RATIFIED 3/10/2025

VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
ISABELLA JETENSKY	\$31.51	DF/W ADV COUNCIL	MUSICAL SUPPLIES
AMAZON CAPITAL SERVICES	\$38.98	DF/W ADV COUNCIL	SHOW CHOIR SUPPLIES
DANIA FREUDENBURG	\$113.95	DF/W ADV COUNCIL	DONUTS
AMAZON CAPITAL SERVICES	\$92.25	DF/W ADV COUNCIL	BOOKS
AMAZON CAPITAL SERVICES	\$769.38	DF/W ADV COUNCIL	BOOKS
VISA	\$155.75	OBMS STUDENT SENATE	BAKERS
TAYLOR OIL COMPANY INC	\$155.89	OBMS STUDENT SENATE	PIZZAS
4 SEASON AWARDS	\$370.40	JR HIGH GIRLS WRESTLING	WRESTLING AWARDS
VISA	\$200.00	OMS-NSAA DISTRICT MUSIC	NEBR STATE BANDMASTER
AMAZON CAPITAL SERVICES	\$26.00	OBMS STUDENT SENATE	CONCESSION SUPPLIES
VISA	\$641.45	OBMS STUDENT SENATE	SAMS CLUB
TYLER SIECKE	\$32.90	BOYS BASKETBALL	EMPLOYEE MILEAGE
TAMMY HOLCOMB	\$67.20	BOYS BASKETBALL	EMPLOYEE MILEAGE
JEFF STEINBECK	\$128.64	BOYS BASKETBALL	EMPLOYEE MILEAGE
ALFRED MONACA III	\$70.00	BOYS BASKETBALL	OFFICIAL
JAIMEY HOLDORF	\$70.00	BOYS BASKETBALL	OFFICIAL
MATTHEW HUNT	\$100.00	BOYS BASKETBALL	OFFICIAL
TRAVIS MAXSON	\$100.00	BOYS BASKETBALL	OFFICIAL
MIKE WALKER	\$100.00	BOYS BASKETBALL	OFFICIAL
KEVIN KENNEDY	\$100.00	BOYS BASKETBALL	OFFICIAL
PAUL SORGEN	\$100.00	BOYS BASKETBALL	OFFICIAL
DAVID KUMM	\$100.00	BOYS BASKETBALL	OFFICIAL
PREMIER SPORTS OFFICIALS	\$140.00	BOYS BASKETBALL	ASSIGNOR FEES
JAIMEY HOLDORF	\$210.00	BOYS BASKETBALL	OFFICIAL
CLARK TONER	\$210.00	BOYS BASKETBALL	OFFICIAL
TYLER SIECKE	\$32.90	GIRLS BASKETBALL	EMPLOYEE MILEAGE
TAMMY HOLCOMB	\$67.20	GIRLS BASKETBALL	EMPLOYEE MILEAGE
JEFF STEINBECK	\$128.64	GIRLS BASKETBALL	EMPLOYEE MILEAGE
ALFRED MONACA III	\$70.00	GIRLS BASKETBALL	OFFICIAL
JAIMEY HOLDORF	\$70.00	GIRLS BASKETBALL	OFFICIAL
MATTHEW HUNT	\$100.00	GIRLS BASKETBALL	OFFICIAL
TRAVIS MAXSON	\$100.00	GIRLS BASKETBALL	OFFICIAL
MIKE WALKER	\$100.00	GIRLS BASKETBALL	OFFICIAL
KEVIN KENNEDY	\$100.00	GIRLS BASKETBALL	OFFICIAL
PAUL SORGEN	\$100.00	GIRLS BASKETBALL	OFFICIAL
DAVID KUMM	\$100.00	GIRLS BASKETBALL	OFFICIAL
PREMIER SPORTS OFFICIALS	\$140.00	GIRLS BASKETBALL	ASSIGNOR FEES
VISA	\$712.00	SKILLS USA	E GROUP INC
SKILLS USA NEBRASKA	\$1,540.00	SKILLS USA	SLC REGISTRATION
SCALES SALES & SERIVCE LLC	\$231.00	WRESTLING	WRESTLING SCALE
ENTERPRISE PUBLISHING CO INC	\$22.47	WRESTLING	WRESTLING BRACKETS
THE SIGN DEPOT	\$112.12	WRESTLING	WRESTLING DECALS
VISA	\$50.82	WRESTLING	WALMART
VISA	\$96.02	WRESTLING	WALMART
VISA	\$109.90	WRESTLING	SAMS CLUB
VISA	\$515.00	WRESTLING	LIGHTHOUSE
SPARTAN STORES LLC	\$36.00	WRESTLING	BHS FOOD
BRETT LEGRAND	\$57.73	CLASS OF 2026	PROM NECKLACES
BRETT LEGRAND	\$306.34	CLASS OF 2026	PROM DECORATIONS
MADYSON RAY	\$75.00	SPEECH CLUB	SPEECH JUDGE
VISA	\$38.96	F. B. L. A.	WALMART
VISA	\$107.00	F. B. L. A.	ALTITUDE
VISA	\$323.10	F. B. L. A.	ALTITUDE OMAHA
MARCH OF DIMES	\$100.00	F. B. L. A.	FBLA DONATION

VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
NEBR FBLA FOUNDATION TRUST	\$100.00	F. B. L. A.	DONATION
VISA	\$29.28	HS FACULTY CONCESSIONS	WALMART
VISA	\$84.28	HS FACULTY CONCESSIONS	WALMART
TRU BY HILTON	\$218.54	NSAA DISTRICT MUSIC	DISTRICT MUSIC ROOMS
AMAZON CAPITAL SERVICES	\$757.35	DUAL ENROLLMENT	TEXTBOOKS
CASHELL SHONKA	\$360.00	DANCE TEAM	BAGGAGE FEES
AMAZON CAPITAL SERVICES	\$440.61	DANCE TEAM	CHEER EQUIPMENT
VISA	\$27.96	DANCE TEAM	SAMS CLUB
VISA	\$251.82	SHOW CHOIR	CASEYS
AMAZON CAPITAL SERVICES	\$509.70	SHOW CHOIR	SHOW CHOIR DRESSES
VISA	\$12.76	SHOW CHOIR	WALMART
VISA	\$87.36	SHOW CHOIR	WALMART
WALSWORTH PUBL CO INC	\$3,184.15	TATTLER	BHS YEARBOOK
HAUFF SPORTS	\$748.00	UNIFIED SPORTS	QUOTE 4412
HAUFF SPORTS	\$15.80	UNIFIED SPORTS	PC54 2X
VISA	\$175.00	UNIFIED SPORTS	MUSIC THEATER INT'L
AMAZON CAPITAL SERVICES	\$51.98	ALL SPORTS	SUPPLIES
WASHINGTON COUNTY BANK	\$251.89	ALL SPORTS	ACTIVITY FUND DEPOSIT SLIPS
VISA	\$10.07	ALL SPORTS	WALMART
VISA	\$11.64	ALL SPORTS	WALMART
VISA	\$14.42	ALL SPORTS	WALMART
VISA	\$15.92	ALL SPORTS	WALMART
VISA	\$41.91	ALL SPORTS	WALMART
VISA	\$145.98	ALL SPORTS	CASEYS
VISA	\$23.99	ALL SPORTS	OMAHA WORLD HERALD
VISA	\$950.00	ALL SPORTS	BOX OUT SPORTS
CASH	\$288.00	WRESTLING - GIRLS	MEAL \$
HAUFF SPORTS	\$599.75	SUMMER CAMP-TENNIS	TENNIS SUPPLIES
JESS LANSMAN	\$260.96	CAMP-VOLLEYBALL	VB COACHING SHOES
VISA	\$80.32	CAMP-VOLLEYBALL	WALMART.COM
BRETT LEGRAND	\$197.97	CLASS OF 2026	PROM SUPPLIES
VISA	\$72.52	BHS CONCESSIONS	SAMS CLUB
VISA	\$168.00	BHS CONCESSIONS	CASEYS
VISA	\$170.07	BHS CONCESSIONS	SAMS CLUB
VISA	\$191.28	BHS CONCESSIONS	SAMS CLUB
VISA	\$269.16	BHS CONCESSIONS	SAMS CLUB
VISA	\$384.79	BHS CONCESSIONS	PRIMA DISTRIBUTION
PEPSI CO	\$1,219.15	BHS CONCESSIONS	CONCESSIONS
BLAIR RADIO	\$8,400.00	ALL SPORTS - ADVERTISING	SPORTS BROADCASTING
WEST MUSIC	\$379.00	BAND INSTRUMENT USEAGE	ITEM #401978 HARMONY R SE
JEFF SWEENEY	\$110.00	JR. HIGH GIRLS BASKETBALL	OFFICIAL
CRAIG HEUTON	\$110.00	JR. HIGH GIRLS BASKETBALL	OFFICIAL
CHRISTOPHER JANDA	\$110.00	JR. HIGH GIRLS BASKETBALL	OFFICIAL
TROY LANHAM	\$110.00	JR. HIGH GIRLS BASKETBALL	OFFICIAL
WYATT MORSE	\$110.00	JR. HIGH GIRLS BASKETBALL	OFFICIAL
CRAIG HEUTON	\$110.00	JR. HIGH GIRLS BASKETBALL	OFFICIAL
AMAZON CAPITAL SERVICES	\$55.94	8TH GRADE SHOW CHOIR	SHOW CHOIR COSTUMES
VISA	\$24.59	HOME EC LAB FEES	JOANN STORES
VISA	\$41.69	HOME EC LAB FEES	WALMART
VISA	\$52.71	HOME EC LAB FEES	WALMART.COM
VISA	\$86.35	HOME EC LAB FEES	WALMART.COM
VISA	\$91.64	HOME EC LAB FEES	WALMART.COM
VISA	\$93.24	HOME EC LAB FEES	WALMART.COM
VISA	\$245.16	HOME EC LAB FEES	COSTCO
VISA	\$631.00	VOCATIONAL EDUCATION	SE SMITH LUMBER

VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
MATHESON TRI-GAS INC	\$79.17	VOCATIONAL EDUCATION	WELDING GAS
RIDDELL ALL AMERICAN	\$3,723.20	FOOTBALL	BHS FOOTBALL HELMETS
BSN SPORTS	\$492.22	GIRLS SOCCER	GIRLS SOCCER UNIFORMS
SKILLS USA INC	\$48.00	SKILLS USA	SKILLS MEMBERSHIP
BENNINGTON PUBLIC SCHOOLS	\$100.00	WRESTLING	WR ENTRY FEE
WESTVIEW LEGION BB	\$388.00	BASEBALL	DEPOSIT
MIDLAND UNIVERSITY	\$125.00	F. B. L. A.	REGISTRATION
NEBR FBLA	\$1,353.00	F. B. L. A.	SLC REGISTRATION
VARSITY SPIRIT	(\$144.00)	CHEERLEADERS	REFUND: VARSITY SPIRIT DUPLICATE PAYMENT
VARSITY SPIRIT	(\$29,560.31)	CHEERLEADERS	REFUND: VARSITY SPIRIT DUPLICATE PAYMENT
AMAZON CAPITAL SERVICES	\$489.79	SHOW CHOIR	SHOW CHOIR COSTUMES
RALSTON HIGH SCHOOL	\$250.00	SHOW CHOIR	BHS SHOW CHOIR
SCHUYLER CENTRAL HIGH SCHOOL	\$110.00	WRESTLING - GIRLS	ENTRY FEE

GENERAL FUND CLAIMS - 3/10/2025

VENDOR	AMOUNT	DESCRIPTION
ABE'S TRASH SERVICE INC	\$3,556.15	TRASH SERVICES
ADAMS PIANO SERVICE	\$175.00	PIANO TUNING
AJ'S SERVICE AND REPAIR INC	\$544.90	BUS REPAIRS
AMAZON CAPITAL SERVICES	\$3,599.55	CLASSROOM SUPPLIES, TECHNOLOGY SUPPLIES, LIBRARY BOOKS & SUPPLIES, CUSTODIAL & SAFETY SUPPLIES, SPED SUPPLIES, OFFICE SUPPLIES, GRANT SUPPLIES
AMERICAN CHORAL DIRECTORS ASSN	\$125.00	ACDA MEMBERSHIP DUES
AMI ENVIRONMENTAL INC	\$600.00	ASBESTOS INSPECTIONS
AMY TESSENDORF	\$129.57	EMPLOYEE MILEAGE
ARBOR FAMILY COUNSELING	\$650.00	ADDITIONAL COUNSELING SERVICES - JAN25
BETH CLARKE	\$43.40	EMPLOYEE MILEAGE
BLAIR ACE HARDWARE	\$152.68	MAINTENANCE SUPPLIES
BOMGAARS	\$21.84	MAINTENANCE SUPPLIES
BOYS TOWN	\$5,400.00	SPED DAY SCHOOL TUITION- FEB25
BREAKOUT EDU	\$99.00	LIBRARY BOOKS
BRIDGETTE OLSON	\$14.84	EMPLOYEE MILEAGE
CAPITAL BUSINESS SYSTEMS INC	\$2,463.50	COPIER SERVICES
CISSY JENNINGS	\$853.93	PARENT MILEAGE
CITY OF BLAIR	\$3,602.04	SRO - MAR25
CITY OF BLAIR	\$4,012.68	UTILITY - WATER/SEWER
CONTROL SERVICES INC	\$690.00	DF HVAC REPAIRS
CORNHUSKER INTERNATIONAL TRUCKS	\$19.67	BUS REPAIRS
DEMCO INC	\$386.18	LIBRARY SUPPLIES (OMS)
DICK'S ELECTRIC	\$420.00	ELECTRICAL REPAIRS (DF)
DIETZE MUSIC HOUSE	\$647.86	BAND SUPPLIES & MUSIC
DR VINYL	\$2,217.00	REUPHOLSTER PADS (BHS)
EAKES OFFICE PLUS	\$117.13	FAX SERVICES - FEB25
EDUCATIONAL SERVICE UNIT #3	\$36,181.39	SPED-SLP,VISION,BROOKE VALLEY, PREK COORDINATOR; TECHNOLOGY NEEDS (EXCESS PERSONALIZED SERVICE FUNDS)
ENTERPRISE PUBLISHING CO INC	\$64.00	NEWSPAPER SUBSCRIPTION
F-M FORKLIFT SALES	\$303.31	FORKLIFT REPAIRS
FAIRWAY OIL CO	\$6,327.25	BUS & VEHICLE FUEL- GAS & PROPANE
GOODWILL INDUSTRIES INC	\$19,012.50	SPED WORK EXPERIENCE (DEC24 & JAN25)
GRAINGER	\$72.35	MAINTENANCE SUPPLIES
GRUNWALD MECHANICAL	\$1,417.25	OMS HVAC REPAIRS
IDEAL PURE WATER	\$273.14	PURIFIED WATER
INGERSOLL-RAND INDUSTRIAL US INC	\$2,512.88	AIR COMPRESSOR MAINTENANCE
INSPIRA FINANCIAL	\$187.50	FLEX PLAN FEE- FEB25
ISABELLA JETENSKY	\$23.02	EMPLOYEE REIMBURSE- DF ART CLASSROOM SUPPLIES
J W PEPPER & SON INC.	\$270.98	BAND MUSIC & SUPPLIES (AP & OMS)
JACOB DUNN	\$650.00	CPR TRAINING CONTRACTED SERVICES FOR COACHES
KELLEY RYDEN	\$1,615.38	PARENT MILEAGE
MACGILL & CO	\$459.52	PRESCHOOL SUPPLIES
MCKINNIS ROOFING INC	\$350.44	AP ROOF REPAIRS
MECHANICAL SYSTEMS INC	\$5,043.17	HVAC REPAIRS (DF, OMS, BHS, ADMIN)
MEMORIAL COMMUNITY HOSPITAL	\$599.00	BUS DRIVER PHYSICALS
MIDWEST ALARM SERVICES	\$2,355.84	FIRE ALARM SERVICES (DF, BHS)
NANNEN PHYSICAL THERAPY	\$20,833.34	OCCUPATIONAL & PHYSICAL THERAPY CONTRACTED SERVICES
NASB	\$120.00	NAEP CONFERENCE REGISTRATION
NEBR DEPT OF EDUCATION	\$80.00	PRESCHOOL TRAINING WEBINAR
OFFICE DEPOT	\$3,959.43	CLASSROOM, PRESCHOOL, OFFICE, NURSE, PAPER SUPPLIES
OMAHA DOOR & WINDOW INC	\$4,009.41	BHS DOOR REPAIRS
OMAHA PUBLIC POWER DISTRICT	\$31,046.05	UTILITY - ELECTRICITY
ONESOURCE THE BACKGROUND CK CO	\$10.00	BACKGROUND CHECK
PEST SOLUTIONS 365	\$1,545.00	PEST CONTROL (DF,AP,OMS,BHS,N)
PROFESSIONAL FORMS INC	\$157.25	POSTER WITH NEW BOARD MEMBERS
PURPLE COMMUNICATIONS INC.	\$268.50	SPED HEARING IMPAIRED TRANSLATOR SERVICES
QUADIENT FINANCE USA INC	\$1,000.00	POSTAGE
REALLY GREAT READING COMPANY	\$99.00	SPED SKILLS ACADEMY SOFTWARE
S E SMITH & SONS	\$161.11	SPED & MAINTENANCE SUPPLIES
SCHMIDT SPEECH LANG PATHOLOGY LLC	\$6,388.92	SPEECH THERAPIST CONTRACTED SERVICES

SMITTY'S AUTO SERVICE	\$727.24	SUBURBAN REPAIRS
SPARTAN STORES LLC	\$327.34	OMS FCS SUPPLIES, BHS SPED SUPPLIES
STAPLES BUSINESS ADVANTAGE	\$423.30	DISTRICT COPIER SUPPLIES, ADMIN SUPPLIES
STERICYCLE INC	\$201.13	SHREDDING & SHARPS DISPOSALS
STRATUS BUILDING SOLUTIONS	\$20,236.00	CUSTODIAL CONTRACTED SERVICES - MARCH25
SUPERIOR LIGHTING INC	\$892.37	BHS LIGHTING REPAIRS
TAHER INC	\$2,235.50	COMMITTEE & AD HOC MEETINGS, BOARD MEMBER MEETINGS
TAMMY HOLCOMB	\$65.99	EMPLOYEE REIMBURSE- OUT OF TOWN MEALS SPED TRAINING
THE HOME DEPOT PRO	\$7,403.68	CUSTODIAL SUPPLIES
THE OMNI GROUP	\$15.00	403B FEE - JAN25
THE SIGN DEPOT	\$232.25	BCAT BUILDING VINYL STICKERS
TY'S OUTDOOR POWER & SERVICE	\$119.20	GROUNDS EQUIPMENT REPAIRS
UNITE PRIVATE NETWORKS LLC	\$838.57	NETWORK SERVICES- MARCH25
UNIVERSITY OF NEBRASKA LINCOLN	\$264.00	HAL MATH BOWL REGISTRATION
VERIZON	\$20.04	WIRELESS & WIFI SERVICES
WOODRIVER ENERGY LLC	\$21,335.77	UTILITY - GAS
Summary	\$233,276.23	

GENERAL FUND-CHECKS ISSUED TO BE RATIFIED 3/10/2025

VENDOR	TOTAL	DESCRIPTION
VISA	3,011.14	TRAVEL, DUES, TRAINING & INSERVICE, SUPPLIES, MISC, REPAIRS, MEETINGS, EQUIPMENT, TECHNOLOGY NEEDS, PRESCHOOL SNACKS, SIXPENCE SUPPLIES
ENTERPRISE PUBLISHING CO INC	678.39	LEGAL NOTICES & BOARD OF ED ADVERTISING
FASTWYRE BROADBAND CABLE	1,037.59	TELEPHONE, INTERNET SERVICES
Summary	\$4,727.12	

GENERAL FUND-FEBRUARY 2025 PAYROLL & BENEFITS TO BE RATIFIED 3/10/2025

GROSS PAYROLL	\$1,408,105.25	GROSS SALARY & WAGES
NET PAYROLL - DIRECT DEPOSITS	\$982,761.86	NET PAY CHECKS- DIRECT DEPOSIT TOTALS
NET PAYROLL - MANUAL CHECKS	\$0.00	NET PAY CHECKS - MANUAL CHECK TOTALS
NEBRASKA REVENUE NEB EPAY.	\$48,843.31	NE STATE W/H
OMNI FINANCIAL1 CORP COLL	\$6,808.66	P/R DEDUCTION - 403(B) INVESTMENTS
OUTGOING WIRE TO US TREASURY	\$328,693.08	FEDERAL W/H, FICA W/H & FICA TAXES
RETIREMENT	\$260,388.76	RETIREMENT DEDUCTION & BENEFIT
VISION SERVICE PLAN INSURANCE CO	\$1,539.83	P/R DEDUCTION - VISION INSURANCE
NATIONAL INSURANCE SERVICES OF WI	\$5,830.82	EMPLOYEE LTD & LIFE INSURANCE BENEFITS
SECTION 125	\$8,341.51	P/R DEDUCTION - FLEX PLAN CONTRIBUTIONS
BLUE CROSS BLUE SHIELD	\$275,890.45	EMPLOYEE HEALTH & DENTAL INSURANCE
REVCO SOLUTIONS	\$643.01	P/R DEDUCTION - GARNISHMENT
NE DEPT OF REVENUE	\$150.00	P/R DEDUCTION - GARNISHMENT
ERIN MCCARTNEY	\$185.00	P/R DEDUCTION - GARNISHMENT
DISTRICT COURT OF LANCASTER COUNTY	\$584.02	P/R DEDUCTION - GARNISHMENT

LUNCH FUND-CHECKS ISSUED TO BE RATIFIED 3/10/2025

VENDOR	TOTAL	DESCRIPTION
TAHER INC	96,236.88	FOOD SERVICES MANAGEMENT- JANUARY 2025
Summary	\$978,483.36	

LUNCH FUND CLAIMS 3/10/2025

VENDOR	TOTAL	DESCRIPTION
TAHER	\$74,792.20	FOOD SERVICE MANAGEMENT - FEB25
S & S PUMPING	\$300.00	PUMP GREASE TRAP (BHS)
O'FLAHERTY SERVICES	\$754.50	WALK IN COOLER REPAIRS (OMS)
HOME TOWN REPAIR SERVICES	\$1,600.56	DISH MACHINE AND OVEN REPAIRS (OMS)
Summary	\$77,447.26	

BUILDING FUND CLAIMS 3/10/2025

VENDOR	TOTAL	DESCRIPTION
FLOORS INC	\$7,198.00	STAGE CARPET (AP)
ALBIRO ENERGY	\$30,400.00	BOILER SYSTEM AND HVAC HEAT PUMP REPLACEMENTS (DF)
AMERICAN FENCE COMPANY LLC	\$6,200.00	FENCE IMPROVEMENTS (DF)
MECHANICAL SYSTEMS INC	\$68,800.00	ADDING BOILER TO HEAT PUMP LOOP (DF)
Summary	\$112,598.00	

Policy Committee Meeting Minutes

Thursday, February 27, 2025

Call to Order at 12:00pm

Central Office

Committee Members Present: Denise Cada (Chair), Ginger Fredericksen (Zoom), and Melaini Sturm
Also Present: Dr. Randy Gilson, Dr. Violet Glasshoff, Brett Schwartz, Denise Cada and Angie Conety

1. Old Business

A. Curriculum Calendar

At the February 10, 2025 Board of Education meeting, a first reading of revisions to the Curriculum Design and Program Evaluation Model was approved, emphasizing the alignment of the adoption cycle for K-12 Education. The change is intended to ensure the consistency and coherence across all grade levels in the district's curriculum adoption process.

A motion may be brought at the March 10, 2025 Board of Education meeting **to approve the second and final reading on revisions to the Curriculum Design and Program Evaluation Model as presented.**

B. Review of Policy 203.01-Annual Organizational Meeting

At the January Board Meeting, a proposal was made to elect two vice-presidents to the Board of Education. The approval of this recommendation would require revisions to policy 203.01-Annual Organization Meeting. However, the committee has since chosen not to pursue this recommendation. It is important for the Board to collaborate but concluded that the addition is not necessary.

C. Behavior Policy on Behavior Intervention, Behavior Management, Classroom Management and Behavior of Students

The Nebraska Department of Education (NDE) is required to develop and adopt a model policy regarding behavioral intervention, behavior management, classroom management, and student removal from classrooms, in accordance with §79-262.01. This legislation stipulates that by August 1st, 2025, all school districts in Nebraska are required to create and adopt policies that are consistent with or comparable to the NDE's established model policy.

In response to these requirements, Dr. Gilson formed an Ad Hoc Task Force to align the revised policies of Blair Community Schools with the NDE's model policy. The committee would also review existing protocols and procedures related to bullying, harassment, and Title IX complaints, and to recommend necessary policy revisions to the Board of Education.

The first Ad Hoc Task Force meeting was held yesterday, Wednesday, February 26, 2025 led by Principal Tammy Holcomb. The next meeting is tentatively scheduled for Thursday, April 17, 2025.

2. New Business

D. Weather

Dr. Gilson held discussion regarding snow day procedures and snow removal plans. Weather-related school cancellations and extremely low temperatures, dropping below -27 degrees, have

raised concerns about the safety of students traveling to school, whether by bus, on foot, or through parent transportation.

This school year, there have been six snow days for students and seven for teachers, with five snow days already accounted for in the academic calendar. Dr. Gilson provided information regarding the Nebraska Department of Education (NDE) required hours, indicating that the current hours are sufficient to keep the scheduled last day for students on May 22nd.

E. Graduation Date 2025-26

Ms. Tammy Holcomb, Principal of Blair High School, has requested to reschedule the 2025-26 graduation date from Sunday, May 3, 2026, to Sunday, May 10, 2026, stating that the original date is too early for seniors to fulfill their requirements. The Calendar Committee had previously decided to avoid scheduling graduation on Mother's Day 2026, which led to the initial date being set for May 3rd.

A motion may be brought at the March 10, 2025 Board of Education meeting **to approve the new 2026 graduation date from Sunday, May 3, 2026 to Sunday, May 10, 2026.**

F. Preschool Early Childhood Expansion Grant

Mr. Shane Keeling, the Director of Student Services, has applied for an Early Childhood Expansion Grant through the Nebraska Department of Education (NDE). This grant aims to enhance and expand preschool opportunities for families, starting with the 2025-26 school year. The proposal includes offering two full-day transitional preschool classrooms, which would increase preschool options and help students prepare to transition into kindergarten. If the grant is approved, the school will need to commit to hiring one full-time Early Childhood Preschool teacher. This grant highlights the importance of early childhood education and its role in providing students with a solid foundation as they enter elementary school. Further updates regarding the grant application will be shared with all board committees.

G. Next Scheduled Policy Committee Meeting

Monday, March 17, 2025 at 12:00pm

3. Adjournment

H. Adjournment:

The committee adjourned at 1:15pm.

Internal Board Policies - Organization

Annual Organizational Meeting

A. An organizational meeting of the Blair Community Schools Board of Education shall be held on or before the third Monday of January of each year for the purposes of seating any new members and electing officers.

The following are procedures for election of officers and other business to take place at the annual organizational meeting of the Board:

1. After new Board members are sworn in, the Board will elect from its members a President, Vice President, Secretary and Treasurer, and if it is determined by the Board of Education to be needed an ex officio secretary and treasurer and those elected will assume office at the organizational meeting.

2. Upon call for nominations for each office by the Chair, nominations shall be made by written or oral ballot. Voting will be by oral or written ballot on all members nominated and repeated until a majority is achieved for a nominee. If a tie is not broken after five ballots, the Chair will determine the winner by the flip of a coin, followed by a vote ratifying such selection. The vote may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes of the meeting.

3. The President shall assume the chair immediately upon the President's election.

4. The motions for the officer elections should read: Move that _____ be elected as _____ (name of office) to serve a term of one year, or until the person's successor is elected and qualified.

B. The order of business for meeting shall be as follows:

1. Call to Order and Roll Call
2. Oath of office for most recently elected
3. Elections
 - a. President

- b. Vice President
 - c. Treasurer
 - d. Secretary
-
- 4. Approval of committees, positions, and designations
 - a. Consider, discuss and take action to elect Recording Secretary of the BOE
 - b. Consider, discuss and take action to select legal counsel
 - c. Consider, discuss and take action to elect Committees as determined by the BOE
 - d. Consider, discuss and take action to select Depository bank(s)
 - e. Consider, discuss and take action to select District newspaper(s) of record
 - 5. Approval of current Board policies and regulations
 - 6. Designate date for the annual review of BOE policies
 - 7. Dissemination to each Board member of conflict of interest statutes
 - 8. Adjournment

Date of Adoption: June 2021

RESOLUTION

RESOLVED, that the official depository of school funds for this School District is hereby designated to be _____, and that the designation of any other institution as the depository of school funds is hereby withdrawn.

The above Resolution, having been read in its entirety, member _____ moved for its passage and adoption, and member _____ seconded the same. After discussion and roll call vote, the following members voted in favor of passage and adoption of the above Resolution: _____

_____.
The following members voted against the same: _____

_____.
The following members were absent or not voting: _____

_____.
The above Resolution, having been consented to and approved by a majority of the members of the School Board of this School District, was declared as passed and adopted by the President at a duly held and lawfully convened meeting in full compliance with the Nebraska open meetings law.

DATED this ____ day of _____, 20__.

Blair Community Schools

BY: _____

President

Attest:

Secretary

Legal Reference: Neb. Rev. Stat. Sections 77-2350 and 77-2350.01

Approved: 12-11-2006

Reviewed: 03-10-2025

Revised: 07-12-2021

([NDE's doc](#))

CURRICULUM DESIGN AND PROGRAM EVALUATION MODEL

The curriculum design model is a three-year cycle. The cycle includes researching best practices while reviewing existing data; assessing, planning, refining, and developing the curriculum; and implementing and monitoring the curriculum. The model recognizes the interplay between curriculum and instruction and accounts for the best professional practices as recommended by staff, professional consultants, professional organizations, and research.

Research Best Practices and Review Existing Program Data (Year 1)

- Select core leadership team
- Examine state and national curriculum movements
- Review the literature, research, and reports from professional organizations
- Review present student levels of performance based on existing district data
- Prepare for Year 2 and expand the team

Assessing, Planning, Refining, and Developing (Year 2)

- Review district philosophy and goals
- Update goals for the program
- Identify essential curriculum
- Evaluate curriculum materials for multicultural education
- Write appropriate curriculum materials
- Align with state or national standards, develop common assessments
- Select instructional materials
- Determine professional learning for implementation at the onset of Year 3

Implementation and Monitoring (Year 3)

- Professional learning for initial implementation
- Begin use of assessments
- Monitor the progress of the new program; revise, as needed, at the end of Year 3
- Determine future staff development needs

	Year 1 Research Best Practices and Review Existing Program Data (Year 1)	Year 2 Assessing, Planning, Refining, and Developing (Year 2)	Year 3 Implementation and Monitoring (Year 3)
2022-23	-	-	K-12 ELA
2023-24	-	K-5 ELA	Math
2024-25	-	Science K-5 ELA	-
2025-26	F-Lang/Art/Music Guide/SEL/Health/PE Social Studies	-	Science K-5 ELA
2026-27	-	F-Lang/Art/Music Guide/SEL/Health/PE Social Studies	-
2027-28	K-12 ELA	-	F-Lang/Art/Music Guide/SEL/Health/PE Social Studies
2028-29	Math	K-12 ELA	-
2029-30	HAL/Library/CTE*	Math	K-12 ELA
2030-31	Science	HAL/Library/CTE*	Math
2031-32	HAL/Library/CTE K-5 ELA	Science	HAL/Library/CTE*
2032-33	F-Lang/Art/Music Guide/SEL/Health/PE	HAL/Library/CTE K-5 ELA	Science
2033-34	Social Studies	F-Lang/Art/Music Guide/SEL/Health/PE	K-5 ELA
2034-35	K-12 ELA	Social Studies	F-Lang/Art/Music Guide/SEL/Health/PE
2035-36	Math	K-12 ELA	Social Studies
2036-37	-	Math	K-12 ELA
2037-38	Science	-	Math

ELA*= Reading, English, Speech, Drama, and Journalism

CTE* = AG, Business, Computer Sci., FCS, Health Sci., Robotics, STS

Archived Cycle (2023-2024)

Phase/Timing	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Phase 1 Evaluation of current curriculum 1 year	Math	Fine Arts/ Foreign Lang.		Science		Social Studies (moved)	Language Arts (possible 2 year split) Language Arts (possible 2 year split)	Career and Technical	Math
Phase 2 Research and Development 1 year	Math		Fine Arts/ Foreign Lang.		Science				
Phase 3 Implementation of the revised curriculum 1 year		Math		Fine Arts/ Foreign Lang.					
Phase 4 Monitoring the curriculum 3 years			Math						

State Standards revision adoption cycle:

- Language arts 2009 + 5 years = 2014
- Math 2010 + 5 years = 2015
- Science 2010 + 5 years = 2015 - moved to 2018
- Social Studies 2012 + 5 years = 2017 (looks like 2020?)

79-262.01. Behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in school; model policy; school district policy; training.

(1) On or before July 1, 2025, the State Department of Education shall develop and adopt a model policy relating to behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in school. The model policy shall include appropriate training for school employees on behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in schools and how frequently such training shall be required. The length of such training shall be a reasonable amount as determined by each school board.

(2) On or before August 1, 2025, each school district shall develop and adopt a policy consistent with or comparable to the model policy developed by the State Department of Education pursuant to subsection (1) of this section, which shall be a requirement for accreditation in accordance with section 79-703. Such policy shall be filed with the Commissioner of Education. The policy developed and adopted by a school district pursuant to this subsection shall be included with any notifications required under the Student Discipline Act.

(3)(a) Beginning in school year 2026-27, each school district shall ensure that any school employee who has behavioral management responsibilities participates in behavioral awareness and intervention training consistent with the school district policy developed and adopted in accordance with subsection (2) of this section. Such training shall be provided by the school district or such school district's educational service unit. The length of such training shall be a reasonable amount as determined by the school board.

(b) Each school district shall, either independently, or through the educational service unit of which such school district is a member, develop and provide behavioral awareness and intervention training to employees from such school who have behavioral management responsibilities. If such training is provided by the educational service unit, such training shall be available to any educational service unit employee and any member school district employee that works in a school and has behavioral management responsibilities. Such training shall be consistent with the model policy developed by the State Department of Education pursuant to subsection (1) of this section.

(4) The State Board of Education may adopt and promulgate rules and regulations to carry out this section.

Source: Laws 2023, LB705, § 59; Laws 2024, LB1329, § 21.

Effective Date: July 19, 2024

SCHOOL CLOSINGS AND CANCELLATIONS

The superintendent shall have the authority to close the schools when local conditions such as severe weather, prolonged power outages, natural disasters or any other condition which endangers the safety of children and school personnel requires the same.

Such closings shall be announced as soon as possible via local and regional media outlets, as determined by the Superintendent of Schools

Since many parents may not be at home, it shall be the policy to retain children and faculty at the school building in case of extreme emergency where less than one hour of warning time is known. Parents may come to the school premises to pick up their children if they so desire, providing the school authorities are contacted first. Students will not be released without parent permission.

Approved: 12-11-2006

Reviewed: 12-12-2022

Revised: 00-00-0000

2024 – Blair Community Schools – 2025 (Parents)

AUGUST 2024						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER 2024						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27*	28
29	30					

OCTOBER 2024						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOVEMBER 2024						
S	M	T	W	Th	F	S
					1*	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

DECEMBER 2024						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Graduation is scheduled for 1:00 P.M. Sunday, May 11, 2025

August 2024
 August 14.....Beginning of 1st Semester for 9-12
 August 21..... Beginning of 1st Semester for K-8

September 2024
 September 2..... **No School**
 September 27..... **No School - Teacher PLC***
 September 30.....**No School** – District Inservice

October 2024
 October 9-10.. Parent/Teacher Conferences/**Early Out**
 October 11..... **No School**
 October 11..... End of 1st Quarter

November 2024
 November 1..... **No School - Teacher PLC***
 November 27-29..... **No School**

December 2024
 December 20.....End of 1st Semester
 December 23-31**No School**

January 2025
 January 1-3..... **No School**
 January 6..... **No School** – Teacher PLC*
 January 7.....Beginning of 2nd Semester
 January 20.....**No School***

February 2025
 February 12-13..Parent/Teacher Conferences/**Early Out**
 February 14..... **No School**
 February 17..... **No School** – Teacher PLC*

March 2025
 March 7 End of 3rd Quarter
 March 10-14.....**No School** – Spring Break

April 2025
 April 18**No School**
 April 21.....**No School** – Teacher PLC*

May 2025
 May 11..... Graduation
 May 22.....End of 2nd Semester



First/Last Day School

- Early Dismissal
- No School - Inservice
- Parent/Teacher Conferences
- No School
- Start/End Semester
- PLC – Late Start High School Only

----- SNOW DAYS -----
 School will end no later than May 22nd for students.
 Five (5) snow days have been built into the calendar
 and will be subtracted at the end of the school year
 if not used.

Teachers will have one contract day
 after the last student day.

Approved by Board of Education on [12/13/2021](#)
 Amended by the Board of Education on [4/15/2024](#)

JANUARY 2025						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20*	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY 2025						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17*	18	19	20	21	22
23	24	25	26	27	28	

MARCH 2025						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

APRIL 2025						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21*	22	23	24	25	26
27	28	29	30			

MAY 2025						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

	Student Days	Teacher Days
1 st Semester	85 – 9-12	94
1 st Semester	80 – K-8	
2 nd Semester	88	94
TOTAL	173/168	188

Buildings, Grounds, and Transportation Committee Meeting Minutes

Monday, February 24, 2025

Call to Order at 12:00pm

Central Office

Committee Members Present: Steve Callaghan (Chair) and Nate Larsen

Absent Committee Member: Denise Cada

Also Present: Dr. Randall Gilson, Jeffrey Steinbeck, Ginger Fredericksen (Zoom), and Angie Conety

1. Old Business

A. Updates:

1. Carpet installation is scheduled to take place over spring break in the Blair High School math rooms.
2. The new bottle filler in the gymnasium at Otte Middle School was installed last week during the recent snow and cold temperature days.
3. The new boiler at Deerfield Elementary has been installed and is operational. The project was completed just in time for the extreme temperatures that we experienced last week. Alberio has installed the controls for the boiler and the loop waster is running at a steady 55 degrees. This has allowed the heat pumps to keep running and the building temperature has been great.

B. Otte Middle School Amber Flashing Lights

Mr. Steinbeck investigated the Amber flashing lights installed by Electronic Sound of Omaha in 2021 at Otte Middle School, in the gymnasium, chorus room, and band room. He requested documentation regarding the lights, but Electronic Sound was unable to obtain any from the engineering department, as the lights have not caused problems in other locations. The flashing lights continue to be installed in other schools, particularly in noisy areas where the intercom or bell system may not be audible.

2. New Business

C. Director of Operations Monthly Report – February 2025

Mr. Steinbeck shared a Director of Operations report. The report is attached to the agenda for viewing.

D. BCAT Building

McKinnis completed the installation of the exterior sheeting on the BCAT building on February 11th, which involved removing old windows and a door, repairing insulation, and ensuring weather resistance through recalked areas. Mr. Steinbeck spoke with teacher Chris Schuler, who informed it has made a significant difference in the building's temperature and the heat is not having to run as much. The next phase involves exploring options for a fire panel, sprinkler system, and fire alarm system. This project will need to be bid out and completed over the summer.

E. Blair High School Kitchen Floor

The high school kitchen floor is in poor condition. Mr. Steinbeck has started discussions with Floors, Inc. on replacement options. Floors, Inc did raise concern with possible asbestos under the old kitchen floor but after speaking with Rick Brant, there is no asbestos present. Currently, repairs are being made to the quarry tiles as they crack or break. The poor condition of the floor has been brought to Mr. Steinbeck by Becca Stambaugh, Food Service Director, as it gets mentioned by the kitchen inspector. Mr. Steinbeck plans to obtain cost estimates for the replacement project.

F. Deerfield Elementary Fence

Last month, Mr. Steinbeck announced that the playground fence repair at Deerfield Elementary (DF) would begin on February 18th. While inspecting the fence prior to repairs, he discovered new damage to the fence caused by snow being pushed against it from the nearby apartment complex. After discussions with the apartment management, they agreed to ensure that their snow removal service would direct snow away from the fence once repairs were completed.

On February 18th, after a recent snow storm, Mr. Steinbeck visited DF to check if the apartments snow removal service pushed the snow away from the fence. Unfortunately, they were still pushing the snow against it. After returning to the apartment office, Mr. Steinbeck spoke with the manager, and she was already aware of the ongoing issue and had addressed it with her grounds manager and the snow removal service. Mr. Steinbeck informed her that this situation had been discussed at both the Building and Grounds meeting and the School Board meeting, informing that any future damage from their snow removal could lead to them being held financially responsible.

G. Weather

Dr. Gilson discussed the protocol followed for handling weather-related school cancellations, particularly in light of the recent extreme wind chill temperatures that have fallen below -27 degrees. The extreme cold temperatures raise concerns for the safety of students commuting to school, whether by bus, on foot, or through parent and teacher transportation. The district has struggled with a bus driver shortage in recent years, leading to cuts in certain routes and the establishment of designated student pickup points to enhance safety. Typically, with a 2-hour delay, buses are set to begin routes by 8:00 am, while the wind chill remains a factor.

H. Next Scheduled BG&T Committee Meeting

Monday, March 24, 2025 at 12:00pm.

3. Adjournment

I. The meeting adjourned at 1:25pm.

Finance Committee Meeting Minutes

Tuesday, March 4, 2025

Call to Order at 12:00pm

Central Office

Committee Members Present: Courtney Tabor (Chair), Kari Loseke, and Bob Schoby

Also Present: Dr. Randy Gilson, Tom Shearer, Steve Callaghan, Scott Macholan, Shane Keeling, and Angie Conety

1. Old Business

A. 2025-26 Budget Update: Budget Goals

Mr. Shearer outlined the expenditure goals for the 2025-26 Budget and the expected adjustments needed for next year's budget.

B. Labor Negotiations – Array Settlement Updates

Mr. Shearer provided a school array update of known settlements for the 2025-26 school year.

C. District Staffing

Dr. Gilson provided an update on the progress on open positions Director of Curriculum & Assessments and Otte Middle School Principal.

- The position of Principal at Otte Middle School is currently open for public applications, with a deadline set for Friday, March 7, 2025.
- The Director of Curriculum & Assessments position will be available for internal applicants starting Wednesday, March 5, 2025, with the application deadline set for Wednesday, March 12, 2025.

2. New Business

D. Technology Needs

Apple iPads. Mr. Scott Macholan, the Director of Technology, advocated for a shift from Chromebooks to Apple iPads for the district's 1:1 student technology program. He began meeting with teachers and principals in November 2024 to assess their interest prior to presenting it to the Board as a recommendation. He informed several nearby school districts are also making this switch while highlighting the advantages of moving to iPads. The financial side of the proposal involves a 4-year lease costing approximately \$300,000.00 per year.

Some advantages of using iPads over Chromebooks include greater functionality, as iPads offer multiple built-in applications and the ability to easily download additional ones. iPads are recognized for their durability, easy navigation, and portability. Additionally, iPads tend to have a longer resale value compared to Chromebooks, offering us a better return on investment.

A motion may be brought at the March 10, 2025 Board of Education meeting **to enter into a 4-year lease agreement with Apple, Inc. with an annual cost of approximately \$300,000.**

Mr. Macholan also recommends approving the quote from Sterling for ethernet switches for the district, totaling \$122,603.78. The switches are important as they enable devices to communicate more efficiently, can accommodate a large number of devices, they connect computers, printers, servers, and wireless access points allowing them to share resources. These switches would replace the current Meraki switches

with Fortinet switches. This change is beneficial as the district's firewall and access points are already Fortinet devices, allowing for centralized access to the dashboards.

A motion may be brought at the March 10, 2025 Board of Education meeting **to approve the quote from Sterling for ethernet switches for the district in the amount of \$122,603.78.**

E. Preschool Early Childhood Expansion Grant

Mr. Shane Keeling, the Director of Student Services, has applied for an Early Childhood Expansion Grant through the Nebraska Department of Education (NDE). This grant aims to enhance and expand preschool opportunities for families, starting with the 2025-26 school year. The proposal includes offering two full-day transitional preschool classrooms, which would increase preschool options and help students prepare to transition into kindergarten. If the grant is approved, the school will need to commit to hiring one full-time Early Childhood Preschool teacher. This grant highlights the importance of early childhood education and its role in providing students with a solid foundation as they enter elementary school. Further updates regarding the grant application will be shared with all board committees.

F. Avenue Scholars Contract

Dr. Gilson shared Ms. Tammy Holcomb, Principal of Blair High School, recommends the termination of the Avenue Scholars agreement, which was established in September 2022 and was to be through May 2027. Currently, the agreement costs the district \$80,000 annually for a teacher, with Metro Community College (MCC) covering the first year (2022-23), while the district was responsible for the remaining agreement costs. Mr. Shearer informed the district could break the agreement with a 30-day written notice to both Avenue Scholars and MCC.

G. Monthly Financials – February 2025

Mr. Shearer provided the financial recap of the monthly financials to the committee.

H. Proposed Legislation

Mr. Shearer shared proposed legislation and the potential financial impacts:

Retirement Legislation. LB 645 has been introduced and would reduce the state's contribution to the School Employee Retirement Plan.

Motor Vehicle Tax Proceeds. LB 714 proposes increases in motor vehicle taxes, but it also proposes to shift motor vehicle tax revenue away from schools and toward counties and municipalities to bolster funding for road construction and repair. The bill could have a significant impact on school funding.

Impact on School Funding. LB 303 – LB 303 would make some modifications to the state aid formula including an increase in Foundation Aid from \$1,500 per student to \$1,590 per student.

I. Next Scheduled Finance Committee Meeting

Tuesday, April 8, 2025 at 12:00pm.

3. Adjournment

The meeting was adjourned at 2:38pm.

February-25

Blair Community Schools Budget Comparison Receipts

Description	Code	2024-2025				2023-2024			
		Mon Rec	YTD Rec	Budget	%	Mon Rec	YTD Rec	Budget	%
Local Receipts									
Local Property Taxes	11100	\$325,191	\$6,797,027	\$15,926,345	42.7%	\$307,754	\$8,792,877	\$16,450,818	53.4%
Property Tax Interest & Penalties	11140	\$8,825	\$27,152	\$32,000	84.8%	\$4,614	\$21,247	\$38,000	55.9%
Carline Tax	11115	\$0	\$526	\$5,600	9.4%	\$0	\$1,307	\$1,200	108.9%
OPPD In Lieu	11120	\$0	\$0	\$225,000	0.0%	\$0	\$0	\$232,000	0.0%
Motor Vehicle Tax	11125	\$165,955	\$985,324	\$1,775,000	55.5%	\$153,112	\$893,359	\$1,750,000	51.0%
Tuition ESU#3 (PT Contract)	11315	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Tuition Other Districts (SPED)	11323	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Tuition for Summer School	11312	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Tuition for Preschool	11370	\$4,125	\$37,825	\$50,900	74.3%	\$5,875	\$33,775	\$45,000	75.1%
Transportation School Districts	11423	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Transportation Private Sources	11440	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Interest	11510	\$252	\$94,003	\$80,000	117.5%	\$4,417	\$32,680	\$26,000	125.7%
Local License Fee	11911	\$0	\$3,555	\$6,500	54.7%	\$0	\$3,240	\$6,500	49.8%
Police Court Fines	11921	\$350	\$875	\$900	97.2%	\$50	\$625	\$900	69.4%
Community Service Fees	11800	\$0	\$2,100	\$2,000	105.0%	\$0	\$2,039	\$2,000	102.0%
Rentals - Facilities and Equip	11910	\$0	\$0	\$5,000	0.0%	\$0	\$6,060	\$5,000	121.2%
Contributions/Donations	11920	\$0	\$3,678	\$3,000	122.6%	\$30	\$1,845	\$4,000	46.1%
Grant - Corporate/Private Interest	11925	\$3,046	\$18,072	\$0	100.0%	\$1,055	\$25,571	\$0	100.0%
Misc Revenue-Other School Districts	11951	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Misc Revenue-Local Government	11960	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Other Local Receipts	11990	\$0	\$20	\$0	100.0%	\$0	\$0	\$0	100.0%
Total		\$507,744	\$7,970,157	\$18,112,245	44.0%	\$476,907	\$9,814,625	\$18,561,418	52.9%
Intermediate Source									
County Fines & Licenses	12110	\$0	\$161,987	\$110,000	147.3%	\$0	\$154,519	\$110,000	140.5%
ESU #3 Receipts	12210	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Total		\$0	\$161,987	\$110,000	147.3%	\$0	\$154,519	\$110,000	140.5%
State Source									
State Aid	13110	\$359,127	\$2,154,762	\$3,591,273	60.0%	\$375,225	\$2,251,350	\$3,752,253	60.0%
Special Education	13120	\$386,447	\$1,113,661	\$2,670,000	41.7%	\$366,825	\$1,096,801	\$2,499,504	43.9%
SPED Sch Age Transportation	13125	\$0	\$0	\$116,000	0.0%	\$0	\$0	\$101,000	0.0%
Homestead Exemption	13130	\$0	\$0	\$400,000	0.0%	\$0	\$0	\$375,000	0.0%
Payments for Hi Ability	13535	\$0	\$15,771	\$12,000	131.4%	\$0	\$11,734	\$11,410	102.8%
Flex Funding: Before Age 5	13165	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Flex Funding: School Age	13166	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Pro-Rate Motor Vehicles	13180	\$7,711	\$12,402	\$42,000	29.5%	\$9,732	\$15,730	\$45,000	35.0%
State Apportionment	13400	\$852,152	\$852,152	\$400,000	213.0%	\$0	\$421,971	\$370,000	114.0%
Property Tax Credit	13131	\$0	\$0	\$1,100,000	0.0%	\$0	\$0	\$850,000	0.0%
Personal Property Tax Credit	13132	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%

February-25

Blair Community Schools Budget Comparison Receipts

Description	Code	2024-2025				2023-2024			
		Mon Rec	YTD Rec	Budget	%	Mon Rec	YTD Rec	Budget	%
Education Innovation Grant	13575	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
CTE Grants	13551	\$0	\$0	\$8,147	0.0%	\$8,147	\$8,147	\$0	100.0%
State Field Trip Grant (NAC)	13590	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
NDEQ Transportation Grant	13500	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Early Childhood Grant	13540	\$0	\$0	\$69,466	0.0%	\$0	\$15,738	\$72,405	21.7%
SixPence Early Childhood Grant	13541	\$0	\$36,241	\$85,000	42.6%	\$0	\$14,919	\$85,000	17.6%
NDEQ Transportation Grant	13599	\$0	\$36,046	\$0	100.0%	\$0	\$0	\$0	100.0%
Other	13990	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Total		\$1,605,437	\$4,221,035	\$8,493,886	49.7%	\$759,929	\$3,836,390	\$8,161,572	47.0%
Federal Sources									
IDEA Part B, Peak Grant	14418	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Title I Current	14505	\$0	\$185,092	\$194,722	95.1%	\$22,800	\$22,800	\$185,092	12.3%
Title I - Accountability	14506	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Title II Part A	14509	\$0	\$44,263	\$51,787	85.5%	\$0	\$0	\$44,146	0.0%
Title IV	14969	\$0	\$15,795	\$12,967	121.8%	\$0	\$0	\$15,795	0.0%
IDEA PART B (611) ARP	14421	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
IDEA PRESCHOOL (619) ARP	14422	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
IDEA BASE AGE 0-3/3-5	14512	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
IDEA 619 Ages 3-4	14516	\$0	\$12,503	\$12,470	100.3%	\$0	\$12,290	\$12,503	98.3%
IDEA Part B (611) Base Allocation	14518	\$0	\$470,581	\$470,415	100.0%	\$0	\$450,230	\$470,581	95.7%
IDEA Part B Proportionate Share	14521	\$0	\$8,160	\$8,001	102.0%	\$0	\$4,350	\$8,160	53.3%
IDEA Special Projects	14523	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
MIPS	14708	\$0	\$20,995	\$55,000	38.2%	\$0	\$36,292	\$45,000	80.6%
MEDICAID ADMIN	14709	\$0	\$5,724	\$14,000	40.9%	\$2,887	\$9,830	\$22,000	44.7%
Forest Reserve: De Soto	14707	\$0	\$0	\$13,800	0.0%	\$0	\$0	\$14,000	0.0%
Perkins Grant	14525	\$0	\$18,451	\$20,643	89.4%	\$0	\$20,216	\$18,961	106.6%
Title III NCLB-LEP	14527	\$0	\$0	\$3,000	0.0%	\$0	\$0	\$3,000	0.0%
Head Start	14309	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Disaster Aid (FEMA-Covid19)	14995	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
ESSER Grant (Covid19)	14996	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
ESSER II Grant (Covid19)	14997	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
ESSER III Grant (Covid19)	14998	\$0	\$749,580	\$749,580	100.0%	\$0	\$0	\$215,670	0.0%
Other Fed Categorical	14530	\$0	\$0	\$0	100.0%	\$0	\$75,199	\$0	100.0%
Total		\$0	\$1,531,144	\$1,606,385	95.3%	\$25,687	\$631,207	\$1,054,908	59.8%
Non Revenue Receipts									
Insurance Adjustment	15301	\$23,765	\$23,765	\$0	100.0%	\$0	\$0	\$0	100.0%
Transfer of Funds In	15200	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Refunds from Prior Years Expenses	11980	\$0	\$7,369	\$0	100.0%	\$44	\$5,176	\$0	100.0%
Other Non-Revenue Rec	15690	\$0	\$8	\$0	100.0%	\$0	\$1,354	\$0	100.0%

February-25

Blair Community Schools Budget Comparison Receipts

Description	Code	2024-2025				2023-2024			
		Mon Rec	YTD Rec	Budget	%	Mon Rec	YTD Rec	Budget	%
Total		\$23,765	\$31,142	\$0	100.0%	\$44	\$6,530	\$0	0.0%
Non Program Receipts									
Sale of Property	15300	\$0	\$3,176	\$0	100.0%	\$0	\$7,220	\$0	100.0%
Total		\$0	\$3,176	\$0	100.0%	\$0	\$7,220	\$0	100.0%
GRAND TOTAL		\$2,136,946	\$13,918,640	\$28,322,516	49.1%	\$1,262,567	\$14,450,491	\$27,887,898	51.8%

Period: 6
 Month: FEBRUARY
 Year: 2024-2025

Receipts to be Collected	\$28,322,516	\$27,887,898
Local Property Taxes-State Budget 11101	\$421,119	-\$1,319,641
Cash Balance Estimated on Budget	\$7,197,362	\$5,518,862
County Treasurer Balance Estimated on Budget	<u>\$4,836,483</u>	<u>\$6,192,422</u>
Total Receipts	<u><u>\$40,777,480</u></u>	<u><u>\$38,279,541</u></u>

Blair Community Schools Budget Comparison Expenditures

		2024-2025				2023-2024			
Program Name	Month Exp	YTD Exp	Budget	%	Month Exp	YTD Exp	Budget	%	
201100	Regular Instruction	\$1,072,409	\$6,760,229	\$14,209,594	47.6%	\$978,348	\$6,189,242	\$12,952,745	47.8%
201125	Regular Instruction - FLEX	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
201150	Instruction - Limited English Programs	\$8,742	\$49,280	\$56,038	87.9%	\$4,217	\$29,489	\$69,556	42.4%
201160	Instruction - Poverty Programs	\$45,627	\$319,326	\$736,949	43.3%	\$54,183	\$336,737	\$541,833	62.1%
	Subtotal REGULAR INSTRUCTION	\$1,126,778	\$7,128,835	\$15,002,581	47.5%	\$1,036,748	\$6,555,468	\$13,564,135	48.3%
201200	Special Education	\$260,030	\$1,741,647	\$3,216,914	54.1%	\$229,933	\$1,471,834	\$2,808,063	52.4%
202141	Special Education (Psychology)	\$15,826	\$100,845	\$246,443	40.9%	\$14,922	\$108,679	\$413,219	26.3%
202151	Special Education (Speech Path)	\$22,202	\$149,492	\$281,789	53.1%	\$21,933	\$110,555	\$217,909	50.7%
202161	Special Education (Occup Therapy)	\$5,238	\$36,311	\$65,123	55.8%	\$5,290	\$40,675	\$158,389	25.7%
202171	Special Education (Physical Therapy)	\$5,409	\$31,661	\$62,925	50.3%	\$5,208	\$32,097	\$1,183	2712.1%
202181	Special Education (Vision Services)	\$14,053	\$54,564	\$110,000	49.6%	\$12,485	\$49,940	\$85,000	58.8%
	Subtotal SPED - SCHOOL AGE	\$322,758	\$2,114,521	\$3,983,195	53.1%	\$289,772	\$1,813,780	\$3,683,763	49.2%
201190	Early Childhood Education	\$322	\$8,824	\$2,206	400.0%	\$248	\$7,528	\$27,086	27.8%
201291	Preschool - SPED - Ages 3-5	\$5,196	\$104,015	\$99,911	104.1%	\$4,543	\$38,926	\$98,887	39.4%
201292	Preschool - SPED - Ages 0-2	\$0	\$0	\$200	0.0%	\$0	\$43	\$1,078	4.0%
202142	Preschool - Psych - Ages 3-5	\$4,061	\$24,171	\$0	100.0%	\$3,861	\$13,098	\$0	100.0%
202143	Preschool - Psych - Ages 0-2	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
202152	Preschool - Speech Path - Ages 3-5	\$0	\$590	\$845	69.8%	\$30	\$1,027	\$3,983	25.8%
202153	Preschool - Speech Path - Ages 0-2	\$4,575	\$20,689	\$51,330	40.3%	\$13,226	\$27,196	\$39,470	68.9%
202162	Preschool - Occup Therapy - Ages 3-5	\$2,612	\$15,942	\$31,270	51.0%	\$2,604	\$16,823	\$20	84113.0%
202163	Preschool - Occup Therapy - Ages 0-2	\$2,715	\$15,757	\$31,450	50.1%	\$2,619	\$15,718	\$299	5257.7%
202172	Preschool - Physical Therapy - Ages 3-5	\$2,654	\$13,071	\$31,325	41.7%	\$2,604	\$18,229	\$60,075	30.3%
202173	Preschool - Physical Therapy - Ages 0-2	\$2,712	\$15,733	\$31,450	50.0%	\$2,669	\$13,150	\$35,200	37.4%
202182	Preschool - Vision Services - Ages 3-5	\$0	\$1,757	\$14,000	12.5%	\$1,561	\$6,243	\$20,000	31.2%
202183	Preschool - Vision Services - Ages 0-2	\$1,757	\$7,026	\$14,000	50.2%	\$1,561	\$6,243	\$14,000	44.6%
	Subtotal PRESCHOOL (non-reimbursed)	\$26,603	\$227,575	\$307,987	73.9%	\$35,527	\$164,223	\$300,098	54.7%
202610	Operation of Plant	\$125,081	\$841,529	\$1,598,697	52.6%	\$103,779	\$812,925	\$1,486,522	54.7%
202620	Maintenance of Plant	\$76,059	\$385,457	\$572,035	67.4%	\$44,855	\$293,901	\$410,956	71.5%
202630	Grounds Maintenance	\$7,511	\$65,252	\$124,205	52.5%	\$11,879	\$87,993	\$176,787	49.8%
202640	Equipment Maintenance	\$2,922	\$9,583	\$95,150	10.1%	\$4,049	\$21,356	\$19,400	110.1%
202650	Non-Student Vehicle Maint & Purch	\$468	\$5,101	\$68,483	7.4%	\$803	\$6,202	\$68,696	9.0%
202660	Security	\$805	\$64,801	\$89,200	72.6%	\$8,405	\$60,828	\$89,200	68.2%
202670	Safety	\$9,007	\$42,144	\$93,209	45.2%	\$1,188	\$27,172	\$57,893	46.9%
202680	Operation/Maintenance of Plant-Other	\$0	\$770	\$4,250	18.1%	\$0	\$0	\$4,000	0.0%
	Subtotal MAINTENANCE COSTS	\$221,854	\$1,414,636	\$2,645,229	53.5%	\$174,958	\$1,310,376	\$2,313,454	56.6%
202710	Reg Pupil Transportation-Operating	\$29,600	\$219,124	\$598,272	36.6%	\$29,965	\$208,671	\$676,862	30.8%
202712	SPED Transportation-Operating	\$5,368	\$53,553	\$114,604	46.7%	\$5,137	\$37,338	\$64,376	58.0%
202713	SPED Transport-Preschool-Operating	\$0	\$0	\$0	100.0%	\$0	\$2,133	\$0	100.0%
202720	Reg Pupil Transportation-Monitoring	\$5,392	\$34,933	\$70,957	49.2%	\$5,207	\$33,721	\$65,256	51.7%
202722	SPED Transportation-Monitoring	\$4,702	\$35,244	\$62,332	56.5%	\$4,029	\$33,206	\$72,976	45.5%
202730	Reg Pupil Transportation-Maintenance	\$10,465	\$61,937	\$90,889	68.1%	\$7,070	\$77,421	\$84,473	91.7%
202732	SPED Transportation-Maintenance	\$95	\$20,743	\$31,993	64.8%	\$0	\$17,459	\$31,390	55.6%
202790	Reg Pupil Transportation-Other	\$32	\$192	\$500	38.4%	\$32	\$209	\$1,168	17.9%
202792	SPED Transportation-Other	\$0	\$0	\$0	100.0%	\$0	\$0	\$3,435	0.0%

Blair Community Schools Budget Comparison Expenditures

Program Name	2024-2025				2023-2024			
	Month Exp	YTD Exp	Budget	%	Month Exp	YTD Exp	Budget	%
202793 SPED Transportation-Other Preschool	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Subtotal STUDENT TRANSPORTATION	\$55,655	\$425,726	\$969,548	43.9%	\$51,440	\$410,158	\$999,937	41.0%
202110 Attendance & Social Work Services	\$3,957	\$23,736	\$47,488	50.0%	\$3,815	\$22,885	\$0	100.0%
202120 Guidance Services	\$40,386	\$249,015	\$491,571	50.7%	\$39,211	\$243,612	\$371,762	65.5%
202130 Health Services	\$20,483	\$143,008	\$264,946	54.0%	\$20,171	\$128,055	\$238,902	53.6%
202140 Psych Services	\$2,520	\$25,269	\$28,000	90.2%	\$5,040	\$8,743	\$32,850	26.6%
202190 Other Pupil Supp Services	\$9,703	\$67,100	\$171,712	39.1%	\$6,699	\$59,204	\$136,244	43.5%
202210 Improvement of Instruction	\$9,169	\$61,176	\$142,329	43.0%	\$14,045	\$57,198	\$46,172	123.9%
202212 Curriculum & Assessment	\$0	\$854	\$22,037	3.9%	\$0	\$3,365	\$15,073	22.3%
202213 Instructional Staff Training/Development	\$294	\$8,644	\$43,749	19.8%	\$6,577	\$14,627	\$61,698	23.7%
202211 School Improvement	\$0	\$92	\$0	100.0%	\$0	\$0	\$0	100.0%
202214 Implementation of Standards	\$0	\$50	\$5,249	0.9%	\$296	\$296	\$276	107.3%
202220 Library Services	\$44,228	\$270,723	\$546,750	49.5%	\$40,077	\$278,529	\$603,596	46.1%
202230 Instruction-Related Technology	\$21,285	\$111,148	\$316,644	35.1%	\$30,211	\$105,011	\$199,054	52.8%
202223 Audio-Visual Services	\$126	\$7,813	\$5,800	134.7%	\$387	\$4,662	\$7,300	63.9%
202240 Academic Student Assessment	\$0	\$54,945	\$76,654	71.7%	\$0	\$15,000	\$35,125	42.7%
202290 Support Services - Other	\$0	\$8,000	\$0	100.0%	\$0	\$0	\$0	100.0%
202310 Board of Education	\$8,127	\$20,525	\$59,608	34.4%	\$8,377	\$22,330	\$41,649	53.6%
202320 Executive Admin Services	\$58,236	\$358,070	\$673,141	53.2%	\$56,727	\$303,324	\$698,977	43.4%
202330 Legal Services	\$5,058	\$34,356	\$18,000	190.9%	\$480	\$8,373	\$14,850	56.4%
202410 Office of Principal	\$114,106	\$732,536	\$1,426,894	51.3%	\$111,006	\$721,761	\$1,351,186	53.4%
202490 School Administration - Other	\$0	\$2,730	\$10,880	25.1%	\$0	\$5,771	\$9,200	62.7%
202510 Gen Business Support	\$31,347	\$248,375	\$437,507	56.8%	\$29,857	\$246,099	\$426,437	57.7%
202520 Warehousing & Distribution	\$0	\$0	\$300	0.0%	\$297	\$297	\$301	98.8%
202530 Printing, Publishing, Duplicating Services	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
202540 Planning, R&D, & Evaluation Services	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
202560 Public Information Services	\$4,168	\$10,541	\$0	100.0%	\$0	\$488	\$0	100.0%
202570 Personnel Services	\$0	\$5,246	\$2,500	209.9%	\$0	\$2,798	\$2,500	111.9%
202580 Technology-Administration Services	\$0	\$3,618	\$15,000	24.1%	\$0	\$3,083	\$7,300	42.2%
202900 Other Support Services	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
203300 Community Services	\$0	\$40	\$0	100.0%	\$0	\$89	\$1,542	5.8%
203400 Corporate/Private Interest Grants	\$0	\$5,833	\$0	100.0%	\$416	\$25,116	\$0	100.0%
203535 High Ability Learners Grant	\$0	\$15,771	\$11,734	134.4%	\$76	\$2,637	\$11,410	23.1%
203540 State Early Childhood Grant	\$5,363	\$33,485	\$69,466	48.2%	\$8,027	\$48,157	\$72,405	66.5%
203541 Sixpence Early Childhood Grant	\$7,946	\$59,037	\$84,985	69.5%	\$6,547	\$36,209	\$85,000	42.6%
203551 Extended Learning Opportunity Grant	\$0	\$2,058	\$8,147	25.3%	\$150	\$150	\$0	100.0%
203590 Career Education Grant	\$0	\$0	\$0	100.0%	\$544	\$544	\$0	100.0%
203599 State Categorical Grants-NDEQ Grant	\$0	\$33,886	\$0	100.0%	\$0	\$0	\$0	100.0%
201300 Summer School	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
208000 Activity Fund Transfers	\$0	\$0	\$80,000	0.0%	\$0	\$0	\$60,000	0.0%
209000 NON-PROGRAM EXPEND	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
FEDERAL PROGRAMS			\$0					
206200 Title I	\$29,177	\$164,199	\$207,689	79.1%	\$18,389	\$110,327	\$245,033	45.0%
206210 Title I Accountability	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206310 Title IIA	\$0	\$0	\$51,787	0.0%	\$0	\$44,263	\$0	100.0%
206404 IDEA 611 BIRTH TO	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%

Blair Community Schools Budget Comparison Expenditures

Program Name	2024-2025				2023-2024			
	Month Exp	YTD Exp	Budget	%	Month Exp	YTD Exp	Budget	%
206406 IDEA 619 AGES 3-4	\$0	\$0	\$12,470	0.0%	\$0	\$12,503	\$12,503	100.0%
206408 IDEA - SPED BASE-EP	\$49,785	\$263,179	\$470,415	55.9%	\$42,705	\$233,968	\$470,581	49.7%
206410 IDEA - SPED Preschool	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206412 IDEA - Part B Proportionate Share	\$0	\$0	\$8,001	0.0%	\$0	\$8,160	\$8,160	100.0%
206415 IDEA SPECIAL PROJECTS	\$0	\$0	\$0	100.0%	\$20,000	\$20,000	\$0	100.0%
206418 IDEA PART B PEAK PROJECTS	\$0	\$0	\$0	100.0%	\$0	\$985	\$0	100.0%
206421 IDEA PART-B (611) ARP BASE & ENROLL	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206422 IDEA PRESCHOOL (619) ARP	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206700 PERKINS GRANT	\$787	\$4,799	\$20,643	23.2%	\$0	\$17,386	\$18,961	91.7%
206925 Title III	\$0	\$0	\$3,000	0.0%	\$0	\$0	\$3,000	0.0%
206940 HEAD START	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206990 FEDERAL CATEGORICAL GRANTS	\$0	\$0	\$0	100.0%	\$8,450	\$8,450	\$0	100.0%
206998 ARP - ESSER III GRANT	\$0	\$0	\$0	100.0%	\$0	\$13,157	\$215,669	6.1%
TOTAL	\$2,219,897	\$14,341,150	\$28,743,635	49.9%	\$2,067,024	\$13,091,619	\$26,366,105	49.7%

Period: 6 (FEBRUARY)
Year: 2024-2025

Total Budget of Disbursements	\$28,743,635	\$26,366,105
Debt Service (Spending Authority Adjustment)	\$9,329,805	\$10,316,750
Necessary Cash Reserve	\$2,704,040	\$1,596,686
Total Requirements	\$40,777,480	\$38,279,541