

Board of Education Regular Meeting

Monday, April 14, 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

Members of the Otte Middle School's Student Senate 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

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

7.3. Acceptance of Gifts

7.3.1. Future Farmers of America (FFA)

The Washington County Cattlemen's Association has donated \$5,000 to the Blair FFA Chapter to help cover expenses for the upcoming State FFA Convention, which will take place in Lincoln from April 2-4, 2025. The Chapter appreciates their continued support.

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, March 17, 2025. Meeting minutes are attached.

7.6.2. BG&T Committee

The Buildings, Grounds, and Transportation Committee met on Monday, March 31, 2025. Meeting minutes are attached.

7.6.3. Finance Committee

The Finance Committee met on Tuesday, April 8, 2025. Meeting minutes are attached.

7.7. Approval of New Certified Staff

- Katrina Yale - Otte Blair Middle School Principal
- Erin Field - Director of Curriculum and Assessment
- Avery Michalski - Grade 7 Science Teacher, Otte Blair Middle School
- Kerrie Riley - Preschool Teacher, South Early Childhood Center
- Lisa Leinen - Grade 4 Classroom Teacher, Deerfield Elementary
- Briana Reinig - Kindergarten Teacher, Deerfield Elementary
- Patrick Mallette - Grade 2 Classroom Teacher, Arbor Park Elementary
- Nickolas Konen - Special Education Teacher, Deerfield Elementary
- Neenah Lindner - Grade 4 Classroom Teacher, Deerfield Elementary
- Brett LeGrand - Assistant Principal, Otte Middle School

7.8. Acceptance of Resignations

Resignations

- Taylor Santos - Business/Computer Science Teacher, Blair High School
- Layne Lueders - School Counselor, Otte Blair Middle School
- Mariah Henry - Special Education Teacher, Deerfield Elementary

- Kaitlyn Filer - Music Teacher, Arbor Park Elementary
- Dr. Cindy Page - School Pshycologist

7.9. Superintendent Report

7.10. Informational Items

Monthly Board Reports

- Blair High School
 - Otte Middle School
 - Arbor Park Elementary
 - Deerfield Elementary
 - Director of Student Services
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

Blair Community Schools
 Financial Report to the Board of Education
 Cash-Bank Reconciliation
 March 31, 2025

3/01/2025 through 3/31/25

Book Balance

Beginning Balance		\$6,183,190.01
Total Receipts		\$4,721,953.00
Total Disbursements		-\$2,158,963.48
Reconciled Book Balance-Ending Balance		\$8,746,179.53

Bank Balance

Beginning Balance		\$1,308,401.08
Deposits	\$5,066,533.95	
Interest	\$235.34	
Total Receipts		\$5,066,769.29
Total Disbursements		-\$2,434,417.74
Bank Balance Ending Balance		\$3,940,752.63
Less Outstanding Checks/Wires		-\$16,232.87
Reconciled Bank Balance-Ending Balance		\$3,924,519.76

Reconciled Balance		\$3,924,519.76
Total Investments		\$4,821,659.77
Total General Fund Balance		\$8,746,179.53

Leslie Watts

 Leslie Watts, Board of Education Treasurer

4/1/25

 Date

Blair Community Schools
 Financial Report to the Board of Education
 Building Fund
 March 31, 2025

3/01/2025 through 3/31/25

Beginning Balance	\$3,391,663.64
Total Receipts	\$394,429.28
Total Disbursements	-\$112,598.00
Building Fund Balance	<u><u>\$3,673,494.92</u></u>

Bank Balance

Bank Balance Ending Balance	\$1,209,046.23
Less Outstanding Checks/Wires	\$0.00
Reconciled Bank Balance	<u>\$1,209,046.23</u>
Total Investments	<u>\$2,464,448.69</u>
Total Building Fund Balance	<u><u>\$3,673,494.92</u></u>

Blair Community Schools
 Financial Report to the Board of Education
 Savings Depreciation
 March 31, 2025

3/01/2025 through 3/31/25

Beginning Balance	\$1,949,342.77
Total Receipts	\$5,221.78
Total Disbursements	-\$32,963.00
Savings Depreciation Fund Balance	<u><u>\$1,921,601.55</u></u>

Bank Balance

Bank Balance Ending Balance	\$1,954,564.55
Less Outstanding Checks/Wires	-\$32,963.00
Total Savings Depreciation Fund Balance	<u><u>\$1,921,601.55</u></u>

ACTIVITY FUND & STUDENT FEE FUND-CHECKS ISSUED IN MARCH 2025 TO BE RATIFIED 4/14/2025

VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
AMAZON CAPITAL SERVICES	\$84.99	DF/W ADV COUNCIL	LOUNGE MICROWAVE
ISABELLA JETENSKY	\$22.36	DF/W ADV COUNCIL	MUSICAL SUPPLIES
ISABELLA JETENSKY	\$28.79	DF/W ADV COUNCIL	MUSICAL SUPPLIES
ISABELLA JETENSKY	\$48.12	DF/W ADV COUNCIL	BEE WINGS
ISABELLA JETENSKY	\$65.23	DF/W ADV COUNCIL	BEE WINGS
VISA	\$735.34	DF/W ADV COUNCIL	OTC BRANDS
AMAZON CAPITAL SERVICES	\$242.60	DF/W ADV COUNCIL	DF MUSICAL COSTUMES
VISA	\$71.67	DF/W ADV COUNCIL	HALLOWEEN COSTUMES
VISA	\$31.97	DF/W ADV COUNCIL	FAMILY FARE
SCHOLASTIC BOOK FAIRS-8	\$3,690.45	DF/W ADV COUNCIL	DF BOOK FAIR
SPARTAN STORES LLC	\$104.26	8TH GRADE DANCE	OMS SUPPLIES
VISA	\$44.63	OBMS STUDENT SENATE	WALMART
PEPSI CO	\$308.54	OBMS STUDENT SENATE	OMS CONCESSIONS
JEFF STEINBECK	\$29.40	BOYS BASKETBALL	BBALL SUPERVISION
TYLER SIECKE	\$78.26	BOYS BASKETBALL	EMPLOYEE MILEAGE
ARTHUR DANIELS	\$70.00	BOYS BASKETBALL	OFFICIAL
TROY LANHAM	\$100.00	BOYS BASKETBALL	OFFICIAL
DOUG HENELY	\$200.00	BOYS BASKETBALL	OFFICIAL
ELLIOTT CARRAHER	\$210.00	BOYS BASKETBALL	OFFICIAL
EASTERN MIDLANDS CONFERENCE	\$3,784.00	BOYS BASKETBALL	FINANCIAL REPORT
HAUFF SPORTS	\$2,105.05	BOYS SOCCER	BOYS SOCCER SUPPLIES
VISA	\$319.00	FOOTBALL	GLAZIER DRIVE
RIDDELL ALL AMERICAN	\$4,117.45	FOOTBALL	BHS FOOTBALL HELMETS
BLAIR YOUTH SOFTBALL ASSN.	\$15,291.71	GIRLS SOFTBALL	2024 BHS SOFTBALL
ADSCREEN GROUP	\$2,610.00	GIRLS SOFTBALL	PITCHER/CATCHER MATS
TAMMY HOLCOMB	\$54.60	GIRLS BASKETBALL	EMPLOYEE MILEAGE
TYLER SIECKE	\$56.98	GIRLS BASKETBALL	EMPLOYEE MILEAGE
JAIMEY HOLDORF	\$70.00	GIRLS BASKETBALL	OFFICIAL
TROY LANHAM	\$100.00	GIRLS BASKETBALL	OFFICIAL
TRAVIS UNZICKER	\$200.00	GIRLS BASKETBALL	OFFICIAL
JOSHUA WHITE	\$210.00	GIRLS BASKETBALL	OFFICIAL
TYLER SIECKE	\$181.02	WRESTLING	EMPLOYEE MILEAGE
DOUG HAMPTON	\$319.00	WRESTLING	OFFICIAL
JASON HANSEN	\$319.00	WRESTLING	OFFICIAL
WAYLON WHITE	\$324.00	WRESTLING	OFFICIAL
JOEL HOSPODKA	\$328.00	WRESTLING	OFFICIAL
DOUGLAS NIEMIEC	\$1,135.00	WRESTLING	WRESTLING MEET SET UP
EMBASSY SUITES	\$1,387.50	WRESTLING	STATE WR LODGING
HAUFF SPORTS	\$702.50	WRESTLING	WRESTLING SUPPLIES
VISA	\$78.00	WRESTLING	CASEYS
VISA	\$120.00	WRESTLING	MOON HOLLOW COFFEE
VISA	\$208.54	WRESTLING	SAMS CLUB
VISA	\$187.20	WRESTLING	NEBR SCHOOL ACTIVITY
AMAZON CAPITAL SERVICES	\$23.99	WRESTLING	WRESTLING SUPPLIES
AMAZON CAPITAL SERVICES	\$119.94	BASEBALL	HAND WARMERS
ADSCREEN GROUP	\$3,350.00	BASEBALL	PITCHING MOUND
VISA	\$11.99	BASEBALL	CHARTITAPP.COM

VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
AMAZON CAPITAL SERVICES	\$45.99	CLASS OF 2026	PROM SUPPLIES
AMAZON CAPITAL SERVICES	\$50.44	CLASS OF 2026	PROM SUPPLIES
AMAZON CAPITAL SERVICES	\$135.70	CLASS OF 2026	PROM SUPPLIES
AMAZON CAPITAL SERVICES	\$2,698.58	CLASS OF 2026	PROM SUPPLIES
POUNDS PRINTING INC	\$26.00	DRAMATICS	DRAMA POSTERS
LOGAN VIEW HIGH SCHOOL	\$102.00	SPEECH CLUB	SPEECH ENTRY FEE
VISA	\$198.30	F. B. L. A.	WALMART
VISA	\$40.00	F. B. L. A.	WALGREENS
SPARTAN STORES LLC	\$29.98	HS FACULTY CONCESSIONS	BHS SUPPLIES
TAHER INC	\$225.00	HS FACULTY CONCESSIONS	PTC SNACKS
VISA	\$143.92	HS FACULTY CONCESSIONS	CASEYS
TRU BY HILTON	\$655.62	NSAA DISTRICT MUSIC	DISTRICT MUSIC ROOMS
AMAZON CAPITAL SERVICES	\$155.77	DUAL ENROLLMENT	BHS SUPPLIES
EMILY SCHULTZ	\$50.34	CHEERLEADERS	CHEER AWARDS
EMILY SCHULTZ	\$236.60	CHEERLEADERS	CHEER SIGNS
CRAFTY NINJA	\$450.00	CHEERLEADERS	STATE CHEER SHIRTS
VARSITY SPIRIT FASHIONS	\$508.05	CHEERLEADERS	CHEER UNIFORM REPLACE
VISA	\$152.00	DANCE TEAM	GRAND ISLAND SUBS
TYLER SIECKE	\$31.78	UNIFIED SPORTS	EMPLOYEE MILEAGE
VISA	\$23.99	ALL SPORTS	OMAHA WORLD HERALD
RSCHOOL TODAY	\$1,095.00	ALL SPORTS	ACTIVITY TRIP REQUEST
TYLER SIECKE	\$207.90	WRESTLING - GIRLS	EMPLOYEE MILEAGE
EMBASSY SUITES	\$1,387.50	WRESTLING - GIRLS	STATE WR LODGING
VISA	\$114.45	WRESTLING - GIRLS	FAIRFIELD INN
VISA	\$114.45	WRESTLING - GIRLS	FAIRFIELD INN
VISA	\$114.45	WRESTLING - GIRLS	FAIRFIELD INN
VISA	\$114.45	WRESTLING - GIRLS	FAIRFIELD INN
VISA	\$119.00	WRESTLING - GIRLS	FAIRFIELD INN
VISA	\$119.00	WRESTLING - GIRLS	FAIRFIELD INN
VISA	\$119.00	WRESTLING - GIRLS	FAIRFIELD INN
VISA	\$119.00	WRESTLING - GIRLS	FAIRFIELD INN
VISA	\$119.00	WRESTLING - GIRLS	FAIRFIELD INN
VISA	\$119.00	WRESTLING - GIRLS	FAIRFIELD INN
VISA	\$93.60	WRESTLING - GIRLS	NEBR SCHOOL ACTIVITY
HAUFF SPORTS	\$250.75	SUMMER CAMP-TENNIS	TENNIS SUPPLIES
HAUFF SPORTS	\$835.00	SUMMER CAMP-TENNIS	TENNIS SUPPLIES
HAUFF SPORTS	\$1,141.49	CAMP-GIRLS BASKETBALL	COACHES GEAR
MATT ASCHOFF	\$170.62	CAMP-GIRLS BASKETBALL	SENIOR GBB GIFTS
BSN SPORTS	\$465.00	CAMP-GIRLS SOCCER	SOCCER SHIRTS
HAUFF SPORTS	\$605.35	CAMP-BASEBALL	BASEBALL SUPPLIES
HAUFF SPORTS	\$344.61	CAMP-BASEBALL	BASEBALL SUPPLIES
AMAZON CAPITAL SERVICES	\$13.99	HS STUDENT SENATE	STUDENT SEN SUPPLIES
POST PROM COMMITTEE	\$2,200.00	BHS CONCESSIONS	CONCESSIONS
BLAIR TRACK/FIELD MOMS AND DADS	\$2,300.00	BHS CONCESSIONS	CONCESSIONS
VISA	\$361.97	BHS CONCESSIONS	SAMS CLUB
VISA	\$400.93	BHS CONCESSIONS	PRIMA DISTRIBUTION
VISA	\$21.44	BHS CONCESSIONS	WALMART
VISA	\$512.58	BHS CONCESSIONS	PRIMA DISTRIBUTION
VISA	\$619.14	BHS CONCESSIONS	SAMS CLUB

VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
DIETZE MUSIC HOUSE	\$40.00	BAND INSTRUMENT USEAGE	OMS BAND SUPPLIES
AMAZON CAPITAL SERVICES	\$269.40	TECHNOLOGY FEE	CHROMEBOOK SCREENS
JEFF SWEENEY	\$110.00	JR. HIGH GIRLS BASKETBALL	OFFICIAL
CHRISTOPHER JANDA	\$110.00	JR. HIGH GIRLS BASKETBALL	OFFICIAL
CRAIG HEUTON	\$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
JOE PANE	\$110.00	JR. HIGH GIRLS BASKETBALL	OFFICIAL
WYNN FANGMEIER	\$150.00	JR. HIGH WRESTLING	OFFICIAL
CHRIS SIDZYK	\$150.00	JR. HIGH WRESTLING	OFFICIAL
FORT CALHOUN HIGH SCHOOL	\$130.00	JR. HIGH WRESTLING	ENTRY FEE
SPARTAN STORES LLC	\$23.88	HOME EC LAB FEES	BHS SUPPLIES
VISA	\$45.71	HOME EC LAB FEES	WALMART.COM
VISA	\$71.82	HOME EC LAB FEES	WALMART.COM
VISA	\$117.79	HOME EC LAB FEES	WALMART.COM
VISA	\$150.56	HOME EC LAB FEES	WALMART.COM
VISA	\$182.29	HOME EC LAB FEES	WALMART.COM
VISA	\$37.62	HOME EC LAB FEES	WALMART.COM
VISA	\$134.25	HOME EC LAB FEES	WALMART.COM
MATHESON TRI-GAS INC	\$72.75	VOCATIONAL EDUCATION	WELDING SUPPLIES
S E SMITH & SONS	\$139.96	VOCATIONAL EDUCATION	SUPPLIES
MATHESON TRI-GAS INC	\$1,155.37	VOCATIONAL EDUCATION	WELDING SUPPLIES
RIDDELL ALL AMERICAN	\$3,495.00	FOOTBALL	BHS FB HELMETS
HAUFF SPORTS	\$270.85	GIRLS BASKETBALL	GBB SUPPLIES
BSN SPORTS	\$3,937.78	GIRLS SOCCER	GSOCCER UNIFORMS

GENERAL FUND CLAIMS - 4/14/2025

VENDOR	AMOUNT	DESCRIPTION
2 COOL PERCUSSION	\$865.22	BHS BAND- CHIMES STAND
4 SEASON AWARDS	\$8.00	PE CLASS- PICKLEBALL AWARD
AAA RENTS	\$1,198.75	GRADUATION STAGE RENTAL
ABE'S TRASH SERVICE INC	\$3,566.15	TRASH SERVICES
ADAMS PIANO SERVICE	\$200.00	BHS PIANO TUNING
AJ'S SERVICE AND REPAIR INC	\$3,168.57	BUS & FOOD TRUCK REPAIRS
ALBIREO ENERGY	\$1,964.28	HVAC REPAIRS (N)
AMAZON CAPITAL SERVICES	\$3,520.67	CLASSROOM SUPPLIES, TECHNOLOGY SUPPLIES, LIBRARY BOOKS & SUPPLIES, CUSTODIAL & SAFETY SUPPLIES, SPED SUPPLIES, OFFICE SUPPLIES
AMY LUEDERS	\$31.02	EMPLOYEE REIMB- LANGUAGE ARTS BOOK
AMY TESSENDORF	\$154.56	EMPLOYEE MILEAGE
ANDREW MORGAN	\$60.00	PARENT REIMB- FOOD TRUCK FUEL FOR SHOW CHOIR
ARBOR FAMILY COUNSELING	\$7,794.70	COUNSELING SERVICES FOR STAFF & STUDENTS (QTRLY), ONSITE SERVICES-FEB/MAR25
AVENUE SCHOLARS	\$40,000.00	2ND SEMESTER 2024-25 AVENUE SCHOLARS PROGRAM
BLAIR ACE HARDWARE	\$407.42	GROUND & MAINTENANCE/CUSTODIAL SUPPLIES
BLICK ART MATERIALS	\$39.95	BHS ART CLASSROOM SUPPLIES
BOYS TOWN	\$5,700.00	SPED TUITION- MAR25
CAPITAL BUSINESS SYSTEMS INC	\$5,153.88	COPIER SERVICES
CARQUEST AUTO PARTS	\$57.83	BUS PARTS
CENGAGE LEARNING	\$231.00	BHS BUSINESS EDUCATION WORKBOOKS
CINDY PAGE	\$14.00	EMPLOYEE MILEAGE
CISSY JENNINGS	\$1,154.65	PARENT MILEAGE
CITY OF BLAIR	\$3,001.70	SRO - MAR25
CITY OF BLAIR	\$3,818.90	UTILITY - WATER/SEWER
CJ'S TREE SERVICE	\$800.00	TREE CLEAN UP (AP, N)
CLASS INTERCOM	\$320.83	COMMUNICATION SYSTEM (S)
CODY PETERSEN	\$193.05	EMPLOYEE REIMB- SPED SUPPLIES
CORY GREENWOOD SPEAKS	\$2,750.00	STUDENT ASSEMBLY SPEAKER (K-5)
CRISIS PREVENTION INSTITUTE	\$211.00	ANNUAL MEMBERSHIP FEE FOR SAFETY TRAINING
CROWNE PLAZA KEARNEY	\$289.90	SPED CONFERENCE LODGING
DAIKIN APPLIED	\$2,638.25	AP CHILLER & BOILER REPAIRS
DICK'S ELECTRIC	\$829.43	ELECTRICAL REPAIRS (DF,OMS,BHS)
DIETZE MUSIC HOUSE	\$309.23	BAND SUPPLIES, EQUIPMENT, MUSIC (BHS)
DYNAMIC LEARNING EXPERIENCES	\$7,242.00	CTE GRANT SUPPLIES (OMS)
EAKES OFFICE PLUS	\$117.13	FAX SERVICES - MARCH25
ECHO GROUP INC.	\$240.14	ELECTRICAL SUPPLIES (BHS)
ED MILLS	\$337.50	EMPLOYEE REIMB- TUITION ASSISTANCE
EDUCATIONAL SERVICE UNIT #3	\$29,091.42	SPED- BROOKE VALLEY, SLP, VISION, EC COORD/TRAINING/HAL FEES
EDUCATIONAL SERVICE UNIT #6	\$75.00	SPED CONFERENCE
EMILY JACKSON	\$125.00	EMPLOYEE REIMB- ACDA MEMBERSHIP
ENTERPRISE PUBLISHING CO INC	\$1,471.60	LEGAL NOTICES, SUBSCRIPTION
FAIRWAY OIL CO	\$5,366.33	BUS & VEHICLE FUEL
FASTWYRE BROADBAND CABLE	\$4,446.99	TELEPHONE & INTERNET SERVICES (FEB/MAR25)
FLOORS INC	\$1,171.51	SAFE ROOM REPAIRS (DF)
FOLLETT SCHOOL SOLUTIONS LLC	\$1,003.03	LIBRARY BOOKS (AP)
GOODWILL INDUSTRIES INC	\$7,975.00	SPED WORK EXPERIENCE- FEB25
GRAINGER	\$52.00	MAINTENANCE SUPPLIES (BHS)
GRUNWALD MECHANICAL	\$8,695.36	PLUMBING REPAIRS/ REPLACE WATER HEATER (BHS,AP,OMS,BUS BARN)
HANEN CENTRE	\$74.95	BHS HEALTH CLASS SUPPLIES/BOOKS
HEARTLAND FOUNDATION	\$15,844.00	SPED TUITION- FEB/MAR25
HEARTLAND TIRES & TREADS INC	\$3,568.30	BUS REPAIRS
HERTZ FURNITURE SYSTEMS	\$3,007.20	AP OFFICE- WOOD STORAGE CABINET FOR BAND INSTRUMENTS
IDEAL PURE WATER	\$567.99	PURIFIED WATER
INGERSOLL-RAND INDUSTRIAL US INC	\$396.55	AIR COMPRESSOR- FILTERS
INSPIRA FINANCIAL	\$187.05	FLEX PLAN FEE - MAR25
J F AHERN CO	\$1,511.00	FIRE SPRINKLER INSPECTIONS (OMS)
J W PEPPER & SON INC.	\$94.99	OMS BAND MUSIC
JENNY MEYER	\$169.25	EMPLOYEE REIMB- NURSE OFFICE SUPPLIES
JOHN DEERE FINANCIAL	\$502.42	GROUND MOWER REPAIRS
JOSTENS	\$3,690.04	GRADUATION SUPPLIES
KATHY ROHLOFF	\$1,131.24	PARENT MILEAGE
LINCOLN MARRIOTT	\$220.00	SPED CONFERENCE LODGING
MARCIE REED	\$2,352.00	PARENT MILEAGE
MATT SHEPPARD	\$100.00	BAND CLINIC SERVICES (BHS)

MCKINNIS ROOFING INC	\$1,961.46	ROOF REPAIRS (DF & AP)
MECHANICAL SYSTEMS INC	\$8,653.28	HVAC REPAIRS (S,DF,OMS,BHS,N)
MIDWEST ALARM SERVICES	\$3,746.92	FIRE ALARM SERVICES (S,AP,OMS,N)
MIDWEST WINDOW FILMS LLC	\$150.11	WINDOW FROST FILM FOR SAFETY (OMS)
NAEA	\$450.00	NE AGRICULTURAL EDUCATORS ASSOC FEES 25-26
NANNEN PHYSICAL THERAPY	\$21,168.64	OCCUPATIONAL & PHYSICAL THERAPY CONTRACTED SERVICES
NCSA	\$165.00	SPED CONFERENCE
NE STATE FIRE MARSHAL/BOILER DIV	\$396.00	BOILER INSPECTIONS (S,AP,DF,N)
NEBR DEPT OF EDUCATION	\$40.00	PRESCHOOL WEBINAR TRAINING
NEBR SAFETY CENTER	\$270.00	BUS DRIVER TRAINING
O'REILLY AUTOMOTIVE STORES INC	\$27.27	GROUNDS SUPPLIES
OFFICE DEPOT	\$6,090.78	SUPPLIES- CLASSROOM, CUSTODIAL, DISTRICT PAPER & COPIER
OMAHA DOOR & WINDOW INC	\$308.36	DOOR REPAIRS
OMAHA PUBLIC POWER DISTRICT	\$27,095.43	UTILITY - ELECTRICITY
ONESOURCE THE BACKGROUND CK CO	\$24.00	BACKGROUND CHECKS
PEST SOLUTIONS 365	\$125.00	OMS PEST CONTROL
PLANK ROAD PUBLISHING INC	\$147.45	K-5 MUSIC SUBSCRIPTION
PLATTEVIEW BAND	\$80.00	OMS BAND CONTEST ENTRY FEE
PURPLE COMMUNICATIONS INC.	\$472.70	HEARING IMPAIRED TRANSLATOR SERVICES
ROGER THADEN	\$200.00	BAND CLINIC SERVICES (BHS)
S E SMITH & SONS	\$229.03	SPED SAFETY ROOM REPAIR SUPPLIES, MAINTENANCE SUPPLIES
SCHMIDT SPEECH LANG PATHOLOGY LLC	\$6,157.08	SLP CONTRACTED SERVICES (OMS, BHS)
SHOTWELL GLASS	\$576.27	SUBURBAN 2 REPAIRS
SMITTY'S AUTO SERVICE	\$960.58	VEHICLE REPAIRS
STERICYCLE INC	\$499.17	SHREDDING SERVICES
STEVE WEISS MUSIC	\$144.95	BAND EQUIPMENT (BHS)
STRATUS BUILDING SOLUTIONS	\$20,236.00	CUSTODIAL CONTRACTED SERVICES (AP, BHS)
TAMMY HOLCOMB	\$117.60	EMPLOYEE MILEAGE
THE HOME DEPOT PRO	\$10,533.26	CUSTODIAL & GROUNDS SUPPLIES
THE MASTER TEACHER INC	\$275.00	SPED WEBINAR TRAINING
THE OMNI GROUP	\$30.00	403B FEES - FEB/MAR25
THERMO KING CHRISTENSEN	\$335.98	DIESEL EXHAUST FLUID SUPPLIES- TRANSPORTATION
ULTIMATE DRILL BOOK INC	\$800.00	BAND WEBSITE SOFTWARE LICENSE
UNITE PRIVATE NETWORKS LLC	\$838.57	DISTRICT NETWORK SERVICES
US CELLULAR	\$437.90	STUDENT & DISTRICT MIFIS - PORTABLE WIFI
VERIZON	\$240.06	PORTABLE WIFI SERVICES
VIVI LLC	\$954.00	TECHNOLOGY SUPPLIES- PRO LICENSES
WOODRIVER ENERGY LLC	\$17,770.31	UTILITY - GAS
Summary	\$323,988.09	

GENERAL FUND-CHECKS ISSUED TO BE RATIFIED 4/14/2025

VENDOR	TOTAL	DESCRIPTION
CITY OF BLAIR	\$4,802.72	SRO - FEB25
VISA	\$4,432.27	TRAVEL, DUES, TRAINING & INSERVICE, SUPPLIES, MISC, REPAIRS, MEETINGS, EQUIPMENT, TECHNOLOGY NEEDS, PRESCHOOL SNACKS, SIXPENCE GRANT
NSAA DISTRICT II	\$520.00	BHS DISTRICT VOCAL MUSIC ENTRY FEES
Summary	\$9,754.99	

GENERAL FUND-MARCH 2025 PAYROLL & BENEFITS TO BE RATIFIED 4/14/2025

GROSS PAYROLL	\$1,404,005.71	GROSS SALARY & WAGES
NET PAYROLL - DIRECT DEPOSITS	\$978,209.60	NET PAY CHECKS- DIRECT DEPOSIT TOTALS
NET PAYROLL - MANUAL CHECKS	\$0.00	NET PAY CHECKS - MANUAL CHECK TOTALS
NEBRASKA REVENUE NEB EPAY.	\$48,801.88	NE STATE W/H
OMNI FINANCIAL1 CORP COLL	\$6,808.66	P/R DEDUCTION - 403(B) INVESTMENTS
OUTGOING WIRE TO US TREASURY	\$328,772.44	FEDERAL W/H, FICA W/H & FICA TAXES
RETIREMENT	\$260,290.65	RETIREMENT DEDUCTION & BENEFIT
VISION SERVICE PLAN INSURANCE CO	\$1,539.83	P/R DEDUCTION - VISION INSURANCE
NATIONAL INSURANCE SERVICES OF WI	\$5,837.51	EMPLOYEE LTD & LIFE INSURANCE BENEFITS
SECTION 125	\$8,341.51	P/R DEDUCTION - FLEX PLAN CONTRIBUTIONS
BLUE CROSS BLUE SHIELD	\$275,743.15	EMPLOYEE HEALTH & DENTAL INSURANCE
REVCO SOLUTIONS	\$643.01	P/R DEDUCTION - GARNISHMENT
NE DEPT OF REVENUE	\$300.00	P/R DEDUCTION - GARNISHMENT
ERIN MCCARTNEY	\$185.00	P/R DEDUCTION - GARNISHMENT
DISTRICT COURT OF LANCASTER COUNTY	\$584.02	P/R DEDUCTION - GARNISHMENT

SAVINGS DEPRECIATION FUND-CHECKS ISSUED TO BE RATIFIED 4/14/2025

VENDOR	TOTAL	DESCRIPTION
WOODHOUSE FORD	\$32,963.00	USED GROUNDS TRUCK- 2019 F250 WITH SNOW BLADE
Summary	\$32,963.00	

LUNCH FUND CLAIMS 4/14/2025

VENDOR	TOTAL	DESCRIPTION
HOME TOWN REPAIR SERVICES	\$1,904.15	TILT SKILET, OVEN, ICE MACHINE REPAIRS (DF, AP, OMS, BHS)
MECHANICAL SYSTEMS	\$1,762.23	DISHWASHER HOOD, KITCHEN HOOD REPAIRS (DF, OMS)
AMAZON CAPITAL SERVICES	\$57.00	FOOD SERVICE SCANNER (BHS)
TAHER INC	\$76,336.42	FOOD SERVICE MANAGEMENT - MARCH 2025
JEFF STEINBECK	\$190.85	STUDENT LUNCH ACCOUNT REFUND
S & S PUMPING SERVICE	\$200.00	PUMP GREASE TRAP (BHS)
Summary	\$80,450.65	

BUILDING FUND CLAIMS 4/14/2025

VENDOR	TOTAL	DESCRIPTION
MCKINNIS ROOFING	\$47,873.00	BCAT BUILDING EXTERIOR WALLS
FLOORS INC	\$48,227.00	CARPET REPLACEMENT (BHS, OMS)
AE SUPPLY	\$8,250.00	REBUILD DRINKING FOUNTAINS (OMS)
Summary	\$104,350.00	

SAVINGS/DEPRECIATION FUND CLAIMS 4/14/2025

VENDOR	TOTAL	DESCRIPTION
ELECTRONIC SOUND INC	\$27,920.00	PAGING/BELL SYSTEM UPGRADES (DF, AP, OMS)
95 PERCENT GROUP	\$171,390.61	PHONICS CORE PROGRAM CURRICULUM (DF, AP)
Summary	\$199,310.61	

Policy Committee Meeting Minutes

Monday, March 17, 2025

Call to Order at 12:00pm

Central Office

Committee Members Present: Denise Cada (Chair) and Ginger Fredericksen (Zoom),

Committee Member Absent: Melaini Sturm

Also Present: Dr. Randy Gilson, Dr. Violet Glasshoff, Brett Schwartz, Kari Loseke, Bob Schoby and Angie Conety

1. Old Business

A. Review of Policy 1102-Community Use of School Facilities - Procedures

Community stakeholders have asked the school board to reconsider access to Krantz Field track and turf, which has been closed since the turf installation due to fears of vandalism and damage costs. The committee noted that the community can currently use Dana's track, available daily from 6:00 am to 9:00 pm. They recommend maintaining the existing policy while continuing discussions on possibly adjusting the facility fees charged by the district.

At the December Board meeting, the policy revision to increase the hourly rate for the use of Krantz Field track and turf from \$50.00 to \$150.00 was approved during a second and final reading. This change was recommended by Mr. Tyler Siecke, the District Activities Director, after he found that the fees for our facilities were lower than those of comparable districts.

B. Cell Phones LB 140

In November 2023, discussion regarding the establishment of a unified district-wide cell phone policy began, focusing on determining the appropriate timing for implementing any changes. Currently, the Blair High School and Otte Middle School have their own policies outlined in their student/parent handbook. These policies are formally adopted when the Board approves the handbooks at the start of each school year, thereby establishing the cell phone policies as official district policy.

Dr. Gilson noted that LB 140 and AM 203 have progressed to the Select File stage in the legislative process. In Nebraska, bills must undergo three rounds of debate before being enacted into law: General File (first debate), Select File (second debate), and Final Reading (third vote). The advancement of LB 140 to Select File indicates that it passed the General File with unanimous support and will now be subject to further discussion and potential amendments before moving to the Final Reading.

The proposed bill, AM 203, aims to ban personal electronic devices in schools and mandates that schools create their own policies on this matter, granting them significant 'wide latitude' locally. To facilitate the development of this policy, Dr. Gilson will establish an Ad Hoc Committee composed of administrators, staff, and student advisors. This committee will begin discussions to propose a policy to the Policy Committee. Additionally, Dr. Gilson will host a parent stakeholder meeting on the evening of Monday, April 7, 2025, at Blair High School.

2. New Business

C. Science Curriculum Changes

The Science Curriculum is currently in its second year of the Curriculum Calendar Design and Cycle, focusing on Assessing, Planning, Refining, and Developing, with Year 3 (2025-26) set for Implementation and Monitoring. Mr. Schwartz and Dr. Glasshoff noted that after reviewing the revised Nebraska State Standards for Science, approved on September 6, 2024, there were minimal changes and few instructional shifts in the revised standards. As a result, K-12 will continue using their existing books and materials without recommending the purchase of new resources.

D. Discussion and Revisions to Policy 303.02-Administrator Qualifications, Recruitment, Appointment

Discussions regarding Policy 303.02 on Administrator Qualifications, Recruitment, and Appointment have led to the recommendation of implementing a clear interview process for hiring administrators. Dr. Gilson presented three selection and interview process options to the committee. The Policy Committee plans to revise the policy over the next few months, acknowledging that while the current system is functional, efforts will be made to establish a more defined process within the policy.

E. Next Scheduled Policy/Curriculum/Americanism Committee Meeting

Monday, April 21, 2025 at 12:00pm

3. Adjournment

F. Adjournment:

The committee adjourned at 1:25pm.

COMMUNITY USE OF SCHOOL FACILITIES - PROCEDURES

Facility use, including rehearsals, is at the sole discretion of the District. School district buildings, facilities, sites and equipment may be made available to local school-related nonprofit entities and fees may be assessed. School-related nonprofit entities shall be narrowly defined as groups that satisfy the Internal Revenue Service requirements for a nonprofit organization, and whose sole and direct mission and purpose is to support the students of a district school or district schools. Such use will be permitted only when the use does not interfere with or disrupt the education program or a school-related activity and the use is consistent with state law.

It is within the discretion of the Board and superintendent to selectively allow other community organizations or for-profit entities to use school district buildings, facilities, sites and equipment on a fee basis.

Request for Use of Facilities and Contracts for Use

All entities and organizations wishing to use school facilities must:

1. Complete a Request For Use of Facilities application. This document is available through the District website or may be obtained through the Blair High School. The application must be completed prior to any further action taken to fulfill the request.
2. Provide proof of insurance to the Administration Office. As a precondition for use of school facilities, all entities or organizations requesting use of school facilities may require a Certificate of Insurance in the amount of at least one million dollars (\$1,000,000) of General Liability and Excess Liability naming Blair Community Schools as an additional insured.

When the Request for Use of Facilities application is complete, and the proof of insurance is received (when required), a Contract for Use shall be initiated by the office of the superintendent. The District shall authorize the use of the facilities, assess fees and receive payment, and reserve the space requested according to district policy and the administrative regulations. A completed Contract for Use is to be signed by the User and the District shall remain on file at the Administration Office. A copy will be provided to the User. Procedures for opening and closing the buildings shall be arranged between the Director of Maintenance and the organization. All requests must be submitted a minimum of two (2) weeks prior to the requested date(s). The superintendent shall develop protocol and procedures for communicating the contracted use with building principals and maintenance personnel.

Schedule of Fees

Fees will be assessed by category of use as follows. The fee shall be for the total hours of service set forth in the administrative regulations. **As listed the following also establishes a schedule of priorities for the use of district facilities.**

Priority for Use	Events/Activities	Fee Structure
1	<ul style="list-style-type: none"> School-sponsored building-level or district-wide events, activities and programs. 	No fees will be assessed. (Practices, Post Prom, PTO, Fun Nights, Camps, etc.)
2	<ul style="list-style-type: none"> Events or activities which serve students enrolled in Blair Community Schools that are planned and directed by nonprofit organizations directly affiliated with the District. Blair Kids Academy (BKA) & Gateway to the West 	<ul style="list-style-type: none"> Salary/Benefit Costs (if Personnel are needed) (BKA & Gateway to the West)
3	<ul style="list-style-type: none"> Events or activities which serve youth that are planned and directed by nonprofit youth organizations not directly affiliated with the District; Charitable fundraising events or activities that serve the youth or community. 	<ul style="list-style-type: none"> Salary/Benefit Costs (if Personnel are needed) (Basketball Club) <u>Facility Use Fee</u> (Propose)
4	<ul style="list-style-type: none"> Individuals or groups involved in activities not listed above. For-profit entities, companies, or enterprises. 	<ul style="list-style-type: none"> <u>Facility Use Fee</u> Salary/Benefit Costs (if Personnel are needed)

In addition, the following fees shall apply to the use of the facilities listed below:

School Auditorium (BHS and OBMS)	\$40.00 per hour
School Gymnasium (BHS, OBMS, AP)	\$40.00 per hour
Multi-purpose Rooms*	\$20.00 per hour
* Building spaces or rooms, including cafeterias, gyms (unless listed above), classrooms and other spaces suitable for the request.	
Football Field, BHS Track	\$150.00 per hour

All rehearsals will include full rental fees.

Limitations

1. Facility use is at the sole discretion of the District. The Board and superintendent reserve the right to deny the use of school facilities which have no direct benefit to youth or educational benefit to the citizens and for activities which are harmful to youth or incompatible with the mission of the District.
2. The District may restrict facility use during times including, but not limited to holidays, school vacations, or other dates where the needs of the district require the closing or limited access of school buildings, facilities or sites.
3. School district buildings, facilities, sites and equipment use is not allowed for private parties for corporations or businesses, private social functions for families or individuals including, but not limited to wedding receptions, birthday parties, graduation, or other such events.
4. The District may require that district staff be present during usage by an outside entity. In such cases, the cost for labor and related costs will be invoiced to the requesting entity on the Contract for Use.
5. Fees will be assessed for users as outlined in policy and administrative regulations.
6. The use of tobacco products and the possession or use of alcohol or drugs and the possession of an unauthorized loaded or unloaded firearm or any other instrument used as a dangerous or deadly weapon as defined in law are not allowed on school grounds per Board policy 1006.02-Public Conduct on School Premises or at School Events. Contracting groups are required to enforce this for their participants and spectators inside the building and on school grounds including parking lots.
7. Facilities are rented or provided "as is." The sponsoring agency is responsible for surveying the area to be used prior to the activity and assuring that it is safe and appropriate for the planned activity. The applicant agrees to protect, indemnify, and hold the District harmless for any and all claims, suits, actions, damages, judgments or causes of action arising out of or in any way related to such use.
8. In the event of school closings due to inclement weather, all use of facilities during that closing are canceled. Approved Contracts for Use for weekend or days school is not in session will also be canceled due to any snow or ice accumulation that would require additional removal costs for the District or when such inclement weather is deemed by the District to make travel conditions and facility operation hazardous to the participants or spectators of the event.
9. School district equipment will not be made available for use by outside organizations unless authorized in the contract. Kitchen equipment shall not be used or operated without Food Service personnel present. Contracting individuals will not be allowed to use kitchen equipment for personal use or gain.
10. Overnight rental of facilities is not allowed, but may be granted under special circumstances that must be approved by the Board of Education at a regularly scheduled monthly meeting prior to the date requested.
11. Use of facilities on Sunday:

- a. No facilities shall be utilized on Sunday for non-school sponsored activities (i.e. community concerts, dance recitals, youth tournaments) without prior approval from the Board of Education at a regularly scheduled monthly meeting prior to the date requested.
 - b. Facility use on Sundays for school-sponsored student activities shall only occur upon prior approval by the Superintendent.
12. Additional charges will apply if any facilities or equipment incurs damage during rental usage.

Requirements

1. A complete description of activities and needs must be provided on the Request for Facility Use application.
2. No Contract for Use will be made until the Request for Facility Use application is completed and approved. An applicant may, without penalty, cancel a previously approved facility use by providing notice of such to the District at least 48 hours prior to the scheduled use. If notice is given with less than 48 hours prior notice the facility use fee may not be refunded.
3. Contracts for Use will be executed during normal business hours. Contracts are not valid and no reservations of facility space will be made until final approval is granted by the Superintendent and full payment is received by the District when fees are assessed.
4. A Certificate of Insurance in the amount of at least one million dollars (\$1,000,000) of General Liability and Excess Liability naming Blair Community Schools as an additional insured may be required from any entity or organization wishing to rent, or in any way, use any district facility.
5. The District may require a school district employee to be present during the use of school district buildings, facilities, sites, and equipment by entities and organizations. In such cases, the cost for labor and related costs will be invoiced to the requesting entity or organization on the Contract for Use. The school district employee shall not accept a fee from the entity or organization using school district facilities and equipment. If appropriate, the school district employee will be paid by the school district.
6. Custodial or supervisory people will normally be assigned for groups where fees are required; an additional charge of \$16.00 per hour per custodian will apply during the regular work hours, with \$24.00 per hour per custodian applicable during weekend and after regular work hours. Rates will be charged based on actual labor costs for Food Service personnel who will be assigned by the Director of Food Service. The District will estimate the amount of personnel required for the event based on the event requirements and number of people expected. The district reserves the right, at their sole discretion, to increase the number of personnel required to maintain the facility for school use. Should

the district need to increase the number of personnel required for the event the lessee will be invoiced by the District after the event has occurred with a breakdown of the charges. Failure to pay any and all charges will result in loss of future facility use.

7. For rental of the Blair High School auditorium facilities, the District will provide and control the stage equipment, light and sound control personnel. Rental requiring controls is subject to the availability of control personnel.
8. Payment for rental of facilities and personnel provided by the District shall be made to Blair Community Schools and sent directly to the office of the Board of Education by the agency renting the facility.
9. No direct payments will be made to custodial, cafeteria, or auditorium personnel provided by the District. The District will reimburse supervisory, custodial, cafeteria, and auditorium personnel through normal payroll procedures.
10. The applicant is held responsible for preservation of order.
11. All facility use is limited to the area requested. Attendees will not be allowed into other areas of the facility. Areas must be cleaned up after use, including seating areas if utilized.
12. Removal of building doors, physical plant modifications, the hanging of decorations or scenery or moving pianos or other furniture is prohibited unless special permission is granted. Any items of this nature should be completely described in the Building Use Contract.
13. Facility used by the applicant will be carefully examined after use and the applicant agrees to promptly make good any loss or damage, and determined by the District, which occurs during applicant's use.
14. Contracted users nor their participants shall not enter the facility prior to the listed start time on the Contract for Use. The contracted user shall be on site at the start time and shall supervise all participants and spectators for the duration of the event. The contracted user shall not leave until all participants and spectators have evacuated the facility.
15. Any conditions or circumstances not covered in these procedures will be handled on a case-by-case basis by the superintendent or designee.

Approved: 12-11-2006

Reviewed: 11-11-2024

Revised: 08-08-2016, 6-2023, 11-11-2024

AMENDMENTS TO LB140

Introduced by Education.

1 1. On page 2, lines 10 and 16, after the second "school" insert
2 "instructional"; in line 18 strike "cell phones" and insert "electronic
3 communication devices"; in line 23 after "school" insert "instructional";
4 and in line 29 strike "a teacher" and insert "the school district".

5 2. On page 3, line 6, strike "communicating" and insert
6 "communication".

ADMINISTRATOR QUALIFICATIONS, RECRUITMENT, APPOINTMENT

The board shall employ building principals and other administrators, in addition to the superintendent, to assist in the daily operations of the school district.

The superintendent shall consider applicants who meet or exceed the standards set by the Nebraska Department of Education and the qualifications established in the job description for the position and recommend a candidate for approval of a contract by the school board. In employing an administrator, the board shall consider the qualifications, credentials and records of the applicants without regard to race, color, religion, sex, national origin, age, or disability. The superintendent will look closely at the training, experience, skill and demonstrated competence of qualified applicants in making its final decision.

Specific qualifications for the position of principal include:

1. Principals shall hold a valid Administrative and Supervisory Certificate from the Nebraska Department of Education with the appropriate endorsement as a principal for the level assigned.
2. In addition they shall hold at least a master's degree from an accredited institution with a major in administration and supervision.
3. They shall have had five years of teaching experience.

In choosing an administrator, the superintendent shall also consider the school district's educational philosophy, financial condition, organizational structure, education programs, and other factors deemed relevant by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board for filling an administrative position, based on the requirements stated in this policy. The board shall act only on the superintendent's recommendation.

The superintendent may contract for assistance in the search for administrators.

Approved: 12-11-2006

Reviewed: 04-14-2025

Revised: 03-08-2021

Buildings, Grounds, and Transportation Committee Meeting Minutes

Monday, March 31, 2025

Call to Order at 12:00pm

Central Office

Committee Members Present: Steve Callaghan (Chair), Denise Cada, Nate Larsen

Also Present: Dr. Randall Gilson, Jeffrey Steinbeck, Kari Loseke, Tyler Siecke, Janelle Jaworski, Rick Brant, and Angie Conety

1. Old Business

A. Deerfield Elementary Heat Pump Controller

A quote from Alberio regarding the purchase of 10 heat pump controllers was presented. Mr. Rick Brant discussed the necessary control upgrades for Deerfield Elementary (DF). He highlighted that the current controllers are obsolete, prone to losing memory, and that replacing them individually incurs significant costs. The proposed bid would provide DF with 10 new controllers, which includes a replacement for a recently replaced controller, leaving a total of 9 new controllers available for future needs.

DF currently has a total of 45 controllers in the building, and upgrading to new ones would lead to substantial cost savings. The strategy is to maximize the lifespan of the existing controllers by replacing them as they lose memory. The total cost for the upgrade controllers is quoted at \$19,961.00.

A motion may be brought at the April 14, 2025 Board of Education meeting **to approve the quote from Alberio in the amount of \$19,961.00 for 10 new heat pump controllers for Deerfield Elementary.**

B. Ad Hoc Meeting for 2, 5, 10 Year Building Plans

Dr. Gilson is hosting an Ad Hoc meeting with stakeholders from each building, school board members, and school administrators on Wednesday, April 2, 2025 at 12:00pm at the Central Office. Some of the previous building project priorities were as follows:

- Arbor Park Elementary: Office relocation and expanded lunch room.
- Deerfield Elementary: Internal building painting and four extra classrooms.
- Otte Middle School: Office relocation, new gym bleachers, additional staff parking lot, and track.
- Blair High School: Greenhouse, culinary kitchen, health pathway lab/physical training expansion, wrestling practice area/multi-purpose room, and new locker rooms.
- South Early Childhood Learning Center: Office relocation and classroom restrooms.

C. Blair High School Fence

Mr. Steinbeck provided an update on the fence bids for Blair High School, noting that in January, the committee decided to table the decision on the bids. Recently, American Fence reached out to inform of a decrease in material prices, resulting in a roughly \$2,300 reduction in each original bid from January. Despite this savings, the committee still considers the fence to be expensive and is uncertain if the savings is enough to make it worth moving forward, but Mr. Steinbeck felt it was important to share this new information.

D. 2019 F250 Super Cab Pickup

Mr. Steinbeck informed that the district has purchased a 2019 F250 Super Cab pickup from Woodhouse for snow removal. During the November Board of Education meeting, the Board had previously approved up to \$40,000 for the purchase of a pickup truck and the installation of a blade, for the reason that potential replacements are often sold before obtaining Board approval. With this purchase, the

district will have three operational pickups for snow removal, which is what we typically use for snow removal. Additionally, the pickup can accommodate our sander for spreading sand on icy parking lots.

2. New Business

E. Director of Operations Monthly Report – March 2025

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

F. Deerfield Elementary Sound System

Mrs. Janelle Jaworski, the music teacher at Deerfield Elementary, highlighted the necessity for a new sound system in the school's gym/auditorium. Currently, the facility has only one working microphone and had to utilize five different systems for last year's musical performance. The proposed upgrades would include additional wireless microphones for improved sound quality and a portable stereo system that can support up to eight wireless microphones connected to a speaker. The committee would like them to look into a system compatible with those used by the middle school and high school for potential sharing. The committee is not ready to recommend Board approval at this time, they will continue discussing possible solutions.

G. Stadium Lock at Krantz Field

Last month, a discussion occurred regarding the installation of a magnetic lock at Krantz Field to facilitate community access to the stadium. BilDen has submitted a bid of \$2,485.00 for the magnetic lock and its installation, which would be placed on the gate and include an internal button for releasing the gate if someone becomes locked inside. The magnetic lock would require activation by SEi, the entity controlling all district doors, and could be programmed to open on specific days and times, allowing for remote unlocking when access is needed.

Mr. Siecke noted that the discussion regarding the use of Krantz Field is challenging, as previous open access for community use has been successful, the installation of turf could raise costs related to vandalism. He also mentioned that few districts permit public use of their stadiums. The committee discussed that Blair does have walking paths and a track at the old Dana College campus they could access. The decision regarding the magnetic lock installation has been tabled for now.

H. Tree Damage

The district had significant tree damage during the recent storm and the wet ground is making cleanup difficult for the grounds crew. High branches will be removed once a tree service can use a boom truck. The ground cleanup has begun and will continue as the ground dries out.

I. Blair High School Floor Drains

Some floor drains at the high school are beginning to rot out. We noticed the tile in the floor in the boys' locker room near the gym were cracked indicating water was not draining properly and it was hollow underneath. Grunewald repaired the drain during Spring Break and discovered two more similar issues in the boys' restrooms in the main hallways. These two drains will be scheduled for repair later when school is out.

J. Bus Cameras

In October 2023, the Board approved the purchase of two used 2021 Freightliner – Thomas C2 buses; however, they have been unable to obtain keys to the cameras, which are a different brand from the rest of the fleet. Mr. Siecke reported that all options to access the cameras have been exhausted. REI will be installing new camera systems compatible with the existing fleet at a cost of approximately \$3,800.00 per bus. The committee supported the new cameras as they enhance student and driver safety, discourage bad behavior, as well as helping with issues like bullying and fighting.

K. Deerfield Elementary ACP (Alternative Classroom Placement) Room

During Spring Break, work was completed in the timeout room at Deerfield Elementary's ACP room, which included the installation of a new door to replace the old one with a large glass panel due to concerns about shattering. Additionally, a cushioned rubber floor was installed, and we are working on the addition of padding to the walls.

L. Old Concession Stand at Krantz Field

Underground work was needed behind the old concession stand at Krantz Field due to a leaking pipe, which created a soft spot in the ground. Doug's turf excavated the area to replace the pipe, restoring the water. The concession stand serves as a restroom for officials during games and is also used by the youth football teams during their events at the field.

M. Otte Middle School (OMS) Carpet

Mr. Steinbeck met with Floors, Inc to obtain a bid for recarpeting the High Ability Learner (HAL) classroom and the Special Education classroom at Otte Middle School. The total cost for new carpet in those two rooms is \$14,095.00. If the bid is approved, it will be completed over summer break, so both rooms are ready for the start of the 2025-26 school year.

A motion may be brought at the April 14, 2025 Board of Education meeting **to approve the purchase and installation of new carpet at Otte Middle School in the amount of \$14,095.00.**

N. Next Scheduled BG&T Committee Meeting

Monday, April 28, 2025 at 12:00pm.

3. Adjournment

O. The meeting adjourned at 2:05pm.

Finance Committee Meeting Minutes

Tuesday, April 8, 2025
Call to Order at 12:00pm
Central Office

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

Committee Member Absent: Kari Loseke

Also Present: Dr. Randy Gilson (Zoom), Tom Shearer, Steve Callaghan, Shane Keeling, Melaini Sturm and Angie Conety

1. Old Business

A. Preschool Early Childhood Expansion Grant

Last month, Mr. Shane Keeling, the Director of Student Services, informed the committee he 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 (possibly three) full-day transitional preschool classrooms, which would increase preschool options as 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. The committee supports the addition, recognizing its significant benefits for early education and lasting results.

A motion may be brought at the April 14, 2025 Board of Education meeting **to approve the addition of one full-time Early Childhood Preschool teacher beginning the 2025-26 school year.**

B. 2025-26 District Staffing

Dr. Gilson discussed potential staff position reductions for the 2025-26 school year that could be done because of attrition.

C. Capital Forecast

Dr. Gilson reviewed the notes from the Ad Hoc Capital Forecast meeting held on April 2, 2025. The Capital Forecast serves as a fluid document to prioritize building projects throughout the district, stressing the importance of safety. Key projects identified include the renovation of the entrance at Arbor Park Elementary and district-wide safety improvements. Each building has specific needs outlined in the forecast.

- Arbor Park Elementary - Office relocation, expanding the lunchroom, and replacing doors and locks for enhanced safety.
- Deerfield Elementary – Additional classrooms equipped with tornado shelters and replacing doors and locks for enhanced safety.
- Otte Middle School - Office relocation, increasing staff parking, upgrading gym bleachers, and enhancing the commons area.
- Blair High School - Ventilation upgrade in room 307, split room 309 into a kitchen and classroom for the FACS department, and addition of a new greenhouse.

D. 2025-26 Budget Update

Mr. Shearer shared the Certified Budget Authority for the district for the 2025-26 fiscal year is set at \$33,003,671.00, a \$1,172,445.00 increase from the prior year.

Mr. Shearer also requested a preliminary valuation from the Washington County Assessor, but did not receive it prior to the meeting. He hopes to be able to share it at the next finance meeting in May.

E. 2019 F250 Super Cab – Grounds Truck Purchase

Mr. Shearer updated the committee the district purchased a 2019 F250 Super Cab Pickup Truck with a snow plow from Woodhouse for grounds use, sand spreading, and snow removal for \$32,963. During the November 2024 Board of Education meeting, the Board approved up to \$40,000 for the purchase of a pickup truck and the installation of a blade because potential replacements are often sold before obtaining Board approval. The district now has three operational pickups for snow removal.

F. Labor Negotiations – Array Settlement Updates

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

G. Technology Needs: Update

At the March 10, 2025 Board of Education meeting, the Board approved a 4-year lease agreement with Apple, Inc. costing approximately \$300,000.00 annually. Mr. Shearer updated the committee the final lease agreement cost will only be \$281,145.03 per year for 4 years.

2. New Business

H. 2024-25 Certified – Contract Days

The certified staff contract required 186 working days, but due to snow days, the current certified staff calendar falls seven days short of this requirement. Traditionally, teachers work one day after the last day of student attendance. The difference arises because students must complete a specific number of hours while teachers have 186 days to fulfill their contract. Dr. Gilson requested the committee to forgive these seven days, allowing teachers' last day to be the Friday before Memorial Day, May 23, 2025. The committee supports this recommendation and acknowledges the contributions of the teachers and their dedication to the students.

A motion may be brought at the April 14, 2025 Board of Education meeting **to approve the recommendation to forgive seven contract days for certified staff for the 2024-25 school year.**

I. State Aid 2025-26

The Nebraska Department of Education (NDE) announced the certification of the 2025-26 State Aid on February 27, 2025, with a total certified amount of \$3,721,641 an increase of \$130,368 primarily driven by a \$141,185 rise in Allocated Income Tax. The district experienced a decrease of \$32.76 formula students, which translated to a (\$49,133) loss in Foundation Aid.

J. Food Service Management Company (Taher) Contract Renewal

Jeff Hilligoss, the District Manager for Taher, submitted a Contract Renewal proposal for Taher to continue as the food service manager company for Blair Community Schools for the 2025-26 school year. This proposal has been reviewed and approved by the Nebraska Department of Education (NDE) Nutrition Services, a requirement before a school district can approve a renewal agreement.

A motion may be brought at the April 14, 2025 Board of Education meeting **to approve the renewal contract as presented from Taher to continue as the food service manager company for Blair Community Schools for the 2025-26 school year.**

K. Food Service Lunch & Breakfast Prices 2025-26 (PLE)

The Nebraska Department of Education (NDE) did not have the PLE (Paid Lunch Equity) tool ready for the 2025-26 school year. This tool is used to determine and adjust paid lunch prices to ensure they are sufficient to cover costs. Setting meal prices for 2025-26 will be tabled until the May committee meeting for further discussion and recommendation.

However, Mr. Shearer noted that Taher’s proposed contract renewal for the 2025-26 school year includes an increase in the cost of a carton of milk from \$0.541 to \$0.562. He recommends an increase in the milk sale price from \$0.55 to \$0.60. In addition, Mr. Shearer noted the proposed contract renewal will increase Taher’s meals costs to the District for the 2025-26 school year by 4.03% or roughly \$0.18 per lunch and \$0.12 per breakfast.

L. Monthly Financials – March 2025

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

M. Next Scheduled Finance Committee Meeting

Tuesday, May 6, 2025 at 12:00pm.

3. Adjournment

The meeting was adjourned at 2:02pm.

March-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	\$658,704	\$7,455,732	\$15,926,345	46.8%	\$282,767	\$9,075,644	\$16,450,818	55.2%
Property Tax Interest & Penalties	11140	\$3,237	\$30,389	\$32,000	95.0%	\$4,594	\$25,841	\$38,000	68.0%
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	\$130,276	\$1,115,600	\$1,775,000	62.9%	\$130,763	\$1,024,122	\$1,750,000	58.5%
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	\$5,100	\$42,925	\$50,900	84.3%	\$5,300	\$39,075	\$45,000	86.8%
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	\$14,546	\$121,438	\$80,000	151.8%	\$4,811	\$37,491	\$26,000	144.2%
Local License Fee	11911	\$0	\$3,555	\$6,500	54.7%	\$0	\$3,240	\$6,500	49.8%
Police Court Fines	11921	\$0	\$875	\$900	97.2%	\$50	\$675	\$900	75.0%
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	\$75	\$3,753	\$3,000	125.1%	\$45	\$1,890	\$4,000	47.3%
Grant - Corporate/Private Interest	11925	\$0	\$18,072	\$0	100.0%	\$0	\$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		\$811,938	\$8,794,985	\$18,112,245	48.6%	\$428,330	\$10,242,955	\$18,561,418	55.2%
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	\$2,513,889	\$3,591,273	70.0%	\$375,225	\$2,626,575	\$3,752,253	70.0%
Special Education	13120	\$387,434	\$1,501,095	\$2,670,000	56.2%	\$367,981	\$1,464,782	\$2,499,504	58.6%
SPED Sch Age Transportation	13125	\$0	\$0	\$116,000	0.0%	\$0	\$0	\$101,000	0.0%
Homestead Exemption	13130	\$76,957	\$76,957	\$400,000	19.2%	\$67,938	\$67,938	\$375,000	18.1%
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	\$0	\$12,402	\$42,000	29.5%	\$0	\$15,730	\$45,000	35.0%
State Apportionment	13400	\$0	\$852,152	\$400,000	213.0%	\$0	\$421,971	\$370,000	114.0%
Property Tax Credit	13131	\$3,055,928	\$3,055,928	\$1,100,000	277.8%	\$576,683	\$576,683	\$850,000	67.8%
Personal Property Tax Credit	13132	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%

March-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%	\$0	\$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	\$16,215	\$16,215	\$69,466	23.3%	\$0	\$15,738	\$72,405	21.7%
SixPence Early Childhood Grant	13541	\$14,354	\$50,595	\$85,000	59.5%	\$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		\$3,910,015	\$8,131,050	\$8,493,886	95.7%	\$1,387,827	\$5,224,217	\$8,161,572	64.0%
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%	\$0	\$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%	\$12,119	\$48,410	\$45,000	107.6%
MEDICAID ADMIN	14709	\$0	\$5,724	\$14,000	40.9%	\$0	\$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%	\$12,119	\$643,326	\$1,054,908	61.0%
Non Revenue Receipts									
Insurance Adjustment	15301	\$0	\$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%	\$0	\$5,176	\$0	100.0%
Other Non-Revenue Rec	15690	\$0	\$8	\$0	100.0%	\$0	\$1,354	\$0	100.0%

March-25

Blair Community Schools Budget Comparison Receipts

Description	Code	2024-2025				2023-2024			
		Mon Rec	YTD Rec	Budget	%	Mon Rec	YTD Rec	Budget	%
Total		\$0	\$31,142	\$0	100.0%	\$0	\$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		\$4,721,953	\$18,653,483	\$28,322,516	65.9%	\$1,828,276	\$16,278,767	\$27,887,898	58.4%

Period: 7
 Month: MARCH
 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		\$4,836,483	\$6,192,422
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	\$1,080,715	\$7,840,944	\$14,209,594	55.2%	\$1,018,799	\$7,208,040	\$12,952,745	55.6%
201125	Regular Instruction - FLEX	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
201150	Instruction - Limited English Programs	\$8,685	\$57,965	\$56,038	103.4%	\$4,377	\$33,866	\$69,556	48.7%
201160	Instruction - Poverty Programs	\$45,482	\$364,808	\$736,949	49.5%	\$55,780	\$392,517	\$541,833	72.4%
	Subtotal REGULAR INSTRUCTION	\$1,134,883	\$8,263,717	\$15,002,581	55.1%	\$1,078,955	\$7,634,423	\$13,564,135	56.3%
201200	Special Education	\$264,145	\$2,005,793	\$3,216,914	62.4%	\$249,923	\$1,721,757	\$2,808,063	61.3%
202141	Special Education (Psychology)	\$15,785	\$116,631	\$246,443	47.3%	\$15,602	\$124,281	\$413,219	30.1%
202151	Special Education (Speech Path)	\$23,040	\$172,532	\$281,789	61.2%	\$24,350	\$134,905	\$217,909	61.9%
202161	Special Education (Occup Therapy)	\$5,208	\$41,519	\$65,123	63.8%	\$5,208	\$45,884	\$158,389	29.0%
202171	Special Education (Physical Therapy)	\$5,208	\$36,869	\$62,925	58.6%	\$5,208	\$37,305	\$1,183	3152.2%
202181	Special Education (Vision Services)	\$14,053	\$68,617	\$110,000	62.4%	\$12,485	\$62,425	\$85,000	73.4%
	Subtotal SPED - SCHOOL AGE	\$327,440	\$2,441,960	\$3,983,195	61.3%	\$312,776	\$2,126,556	\$3,683,763	57.7%
201190	Early Childhood Education	\$699	\$9,523	\$2,206	431.6%	\$328	\$7,856	\$27,086	29.0%
201291	Preschool - SPED - Ages 3-5	\$5,562	\$109,577	\$99,911	109.7%	\$7,036	\$45,962	\$98,887	46.5%
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	\$28,232	\$0	100.0%	\$3,860	\$16,958	\$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%	\$321	\$1,348	\$3,983	33.8%
202153	Preschool - Speech Path - Ages 0-2	\$4,705	\$25,393	\$51,330	49.5%	\$6,200	\$33,396	\$39,470	84.6%
202162	Preschool - Occup Therapy - Ages 3-5	\$2,604	\$18,546	\$31,270	59.3%	\$2,604	\$19,427	\$20	97133.8%
202163	Preschool - Occup Therapy - Ages 0-2	\$2,604	\$18,361	\$31,450	58.4%	\$2,604	\$18,322	\$299	6128.9%
202172	Preschool - Physical Therapy - Ages 3-5	\$2,604	\$15,675	\$31,325	50.0%	\$2,604	\$20,833	\$60,075	34.7%
202173	Preschool - Physical Therapy - Ages 0-2	\$2,604	\$18,337	\$31,450	58.3%	\$2,604	\$15,754	\$35,200	44.8%
202182	Preschool - Vision Services - Ages 3-5	\$0	\$1,757	\$14,000	12.5%	\$1,561	\$7,803	\$20,000	39.0%
202183	Preschool - Vision Services - Ages 0-2	\$1,757	\$8,783	\$14,000	62.7%	\$1,561	\$7,803	\$14,000	55.7%
	Subtotal PRESCHOOL (non-reimbursed)	\$27,200	\$254,775	\$307,987	82.7%	\$31,282	\$195,505	\$300,098	65.1%
202610	Operation of Plant	\$122,971	\$964,500	\$1,598,697	60.3%	\$138,739	\$951,664	\$1,486,522	64.0%
202620	Maintenance of Plant	\$33,948	\$419,405	\$572,035	73.3%	\$58,926	\$352,827	\$410,956	85.9%
202630	Grounds Maintenance	\$9,694	\$74,946	\$124,205	60.3%	\$7,822	\$95,815	\$176,787	54.2%
202640	Equipment Maintenance	\$5,338	\$14,921	\$95,150	15.7%	\$6,273	\$27,629	\$19,400	142.4%
202650	Non-Student Vehicle Maint & Purch	\$524	\$5,625	\$68,483	8.2%	\$382	\$6,584	\$68,696	9.6%
202660	Security	\$8,464	\$73,265	\$89,200	82.1%	\$5,403	\$66,231	\$89,200	74.2%
202670	Safety	\$3,616	\$45,759	\$93,209	49.1%	\$2,051	\$29,223	\$57,893	50.5%
202680	Operation/Maintenance of Plant-Other	\$0	\$770	\$4,250	18.1%	\$0	\$0	\$4,000	0.0%
	Subtotal MAINTENANCE COSTS	\$184,555	\$1,599,191	\$2,645,229	60.5%	\$219,597	\$1,529,973	\$2,313,454	66.1%
202710	Reg Pupil Transportation-Operating	\$32,630	\$251,754	\$598,272	42.1%	\$39,933	\$248,604	\$676,862	36.7%
202712	SPED Transportation-Operating	\$4,962	\$58,515	\$114,604	51.1%	\$7,315	\$44,652	\$64,376	69.4%
202713	SPED Transport-Preschool-Operating	\$0	\$0	\$0	100.0%	\$0	\$2,133	\$0	100.0%
202720	Reg Pupil Transportation-Monitoring	\$5,392	\$40,325	\$70,957	56.8%	\$5,206	\$38,927	\$65,256	59.7%
202722	SPED Transportation-Monitoring	\$4,421	\$39,665	\$62,332	63.6%	\$4,460	\$37,666	\$72,976	51.6%
202730	Reg Pupil Transportation-Maintenance	\$1,069	\$63,006	\$90,889	69.3%	\$4,812	\$82,233	\$84,473	97.3%
202732	SPED Transportation-Maintenance	\$223	\$20,966	\$31,993	65.5%	\$0	\$17,459	\$31,390	55.6%
202790	Reg Pupil Transportation-Other	\$32	\$224	\$500	44.8%	\$32	\$241	\$1,168	20.7%
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	\$48,729	\$474,455	\$969,548	48.9%	\$61,758	\$471,916	\$999,937	47.2%
202110	Attendance & Social Work Services	\$3,957	\$27,693	\$47,488	58.3%	\$3,815	\$26,701	\$0	100.0%
202120	Guidance Services	\$40,002	\$289,017	\$491,571	58.8%	\$39,437	\$283,048	\$371,762	76.1%
202130	Health Services	\$21,542	\$164,550	\$264,946	62.1%	\$21,821	\$149,876	\$238,902	62.7%
202140	Psych Services	\$650	\$25,919	\$28,000	92.6%	\$0	\$8,743	\$32,850	26.6%
202190	Other Pupil Supp Services	\$7,233	\$74,333	\$171,712	43.3%	\$6,699	\$65,903	\$136,244	48.4%
202210	Improvement of Instruction	\$9,169	\$70,345	\$142,329	49.4%	\$8,486	\$65,684	\$46,172	142.3%
202212	Curriculum & Assessment	\$0	\$854	\$22,037	3.9%	\$0	\$3,365	\$15,073	22.3%
202213	Instructional Staff Training/Development	\$514	\$9,158	\$43,749	20.9%	\$689	\$15,316	\$61,698	24.8%
202211	School Improvement	\$0	\$92	\$0	100.0%	\$0	\$0	\$0	100.0%
202214	Implementation of Standards	\$0	\$50	\$5,249	0.9%	\$573	\$869	\$276	314.8%
202220	Library Services	\$37,753	\$308,476	\$546,750	56.4%	\$37,776	\$316,305	\$603,596	52.4%
202230	Instruction-Related Technology	\$20,464	\$131,612	\$316,644	41.6%	\$85,539	\$190,551	\$199,054	95.7%
202223	Audio-Visual Services	\$186	\$7,999	\$5,800	137.9%	\$429	\$5,091	\$7,300	69.7%
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	\$2,393	\$22,918	\$59,608	38.4%	\$432	\$22,762	\$41,649	54.7%
202320	Executive Admin Services	\$58,633	\$416,703	\$673,141	61.9%	\$57,127	\$360,451	\$698,977	51.6%
202330	Legal Services	\$0	\$34,356	\$18,000	190.9%	\$2,658	\$11,031	\$14,850	74.3%
202410	Office of Principal	\$110,840	\$843,376	\$1,426,894	59.1%	\$116,939	\$838,700	\$1,351,186	62.1%
202490	School Administration - Other	\$0	\$2,730	\$10,880	25.1%	\$0	\$5,771	\$9,200	62.7%
202510	Gen Business Support	\$28,153	\$276,528	\$437,507	63.2%	\$38,636	\$284,735	\$426,437	66.8%
202520	Warehousing & Distribution	\$303	\$303	\$300	101.1%	\$0	\$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	\$897	\$11,438	\$0	100.0%	\$779	\$1,267	\$0	100.0%
202570	Personnel Services	\$0	\$5,246	\$2,500	209.9%	\$0	\$2,798	\$2,500	111.9%
202580	Technology-Administration Services	\$1,242	\$4,859	\$15,000	32.4%	\$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	\$271	\$6,104	\$0	100.0%	\$13,711	\$38,827	\$0	100.0%
203535	High Ability Learners Grant	\$0	\$15,771	\$11,734	134.4%	\$76	\$2,713	\$11,410	23.8%
203540	State Early Childhood Grant	\$5,068	\$38,553	\$69,466	55.5%	\$8,027	\$56,184	\$72,405	77.6%
203541	Sixpence Early Childhood Grant	\$8,545	\$67,582	\$84,985	79.5%	\$6,088	\$42,297	\$85,000	49.8%
203551	Extended Learning Opportunity Grant	\$0	\$2,058	\$8,147	25.3%	\$2,793	\$2,943	\$0	100.0%
203590	Career Education Grant	\$0	\$0	\$0	100.0%	\$0	\$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	\$28,999	\$193,199	\$207,689	93.0%	\$18,389	\$128,716	\$245,033	52.5%
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%

March-25

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	\$49,343	\$312,522	\$470,415	66.4%	\$43,404	\$277,372	\$470,581	58.9%
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%	\$0	\$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	\$0	\$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%	\$0	\$8,450	\$0	100.0%
206998 ARP - ESSER III GRANT	\$0	\$0	\$0	100.0%	\$0	\$13,157	\$215,669	6.1%
TOTAL	\$2,158,963	\$16,500,114	\$28,743,635	57.4%	\$2,218,690	\$15,310,309	\$26,366,105	58.1%

Period: 7 (MARCH)
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