

Regular Board of Education Meeting

Monday, January 17, 2022 6:00 PM

City of Gering Council Chambers, 1025 P Street, Gering, NE
69341



Agenda

1. GPS Board of Education Information

The meeting agenda will be kept current and available for public inspection in the office of the Secretary of the Board of Education at the Central Office during regular working hours.

District Vision: *Gering Public Schools provides a collaborative community, inspiring excellence and innovation in teaching and learning to empower student growth and leadership in school and life.*

District Mission: *Gering Public Schools exists to equip today's learners with the skills necessary to be tomorrow's leaders.*

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2. *The Open Meetings Act requires and the intention of the Board is that agenda items be sufficiently descriptive to give the public reasonable notice of matters to be considered at the meeting. The Board of Education releases its agenda well in advance of most meetings and desires that all interested persons are fully informed. Any interested person who has a question or needs clarification about the sufficiency of a descriptive item should contact the Office of the Superintendent of Schools.*

If anyone in attendance is interested in addressing our Board, you are welcome to do so. We simply request that you complete the appropriate form and turn it in to us now, so that you may be recognized during the 'Patron Comment' section of our meeting. These forms are located by the entry doors of the meeting room.

Agenda items are subject to reordering at the discretion of the board president. Board members may request specific agenda item(s) be moved to a different place on the agenda. Please attend the entire meeting to ensure you hear discussion on a particular agenda item.

3. Opening Procedures

1. Call to Order by Dr. Nicole Regan, Superintendent

The Board of Education reserves the right to enter into Executive Session for the protection of the public interest, or the prevention of needless injury to the reputation of an individual, and if the individual has not requested a public meeting.

2. Roll Call
3. Excuse Absent Board Member(s)
4. Pledge of Allegiance
5. Open Meetings Act

Pursuant to Section 84-1412 of the Nebraska Statutes, the public is hereby informed that a current copy of the Nebraska Open Meetings Act is posted in the Board meeting room on the north wall.

Notice of this meeting was published in the Gering Courier on Thursday, January 13, 2022.

4. **Board Organizational Meeting**

By board policy, the Superintendent will chair the election of the President and then the newly elected President will preside over the other elections.

1. Election of School Board President

5. **Convene the Board of Education to Order**

The newly elected Board President will now preside over the meeting.

1. Election of School Board Vice President
2. Dissemination of Ethics/Accountability & Disclosure statutes and Board Member Code of Ethics (Policy# 202.1).

6. **Consent Agenda**

At this time, any Board member may request that any item in the consent agenda be removed from the consent agenda and be considered and voted on separately.

1. Consent Appointments and Designations
 - i. American Civics, Curriculum & Personnel Committee (Facilitators, Dr. Regan & Kory Knight): B.J. Peters, Mary Winn and Tracy Wiese
 - ii. Finance & Facilities Committee (Facilitator, Stacy Rodriguez): Brian Copsey, Brady Shaul and Josh Lacy

- iii. Board Secretary: Lindsey Mashek, Administrative Assistant to the Superintendent
 - iv. Board Treasurer: Stacy Rodriguez, Director of Finance & Facilities
 - v. Appoint Superintendent Dr. Nicole Regan as the Authorized Representative to secure funds for Gering Public Schools.
 - vi. Federal Authorized Representative: Dr. Nicole A. Regan, Superintendent of Schools
 - vii. Depository for Funds:
 - 1. Platte Valley Bank
 - 2. Riverstone Bank
 - 3. Western States Bank
 - 4. Nebraska Liquid Asset Fund
 - 5. BOK Financial Services
 - 6. Wells Fargo Corporate Trust Services
 - viii.
 - ix. School Physician: Regional West Physicians Clinic
 - x. Designation of Legal Council:
 - 7. KSB School Law
 - 8. Perry Law Firm
 - 9. Simmons Olsen Law Firm
 - xi.
 - xii. Designation of District Newspaper of Record: Gering Courier
 - xiii. Designation of ADA Compliance Officer: Byron Olsen, Director of Student Services
 - xiv. Designation of Title IX & XIII Officer: Dr. Nicole Regan, Superintendent of Schools
2. Minutes from the previous month's board meeting(s)
The attached minutes are intended to accurately reflect the action of the Board at its previous meetings.
3. Approval of Claims/Bills
4. Board Policy Adoption
- i. First Reading of Board Policies

- ii. Second Reading of Board Policies
 - 1. 300.1 Role of Administration
 - 2. 301.1 Structure of Management
 - 3. 301.2 Management Team
 - 4. 301.3 Succession Authority To The Superintendent
 - 5. 301.4 Communication Channels
 - 6. 302.1 Superintendent Qualifications, Recruitment, Appointment
 - 7. 302.2 Superintendent Contract and Contract Non-Renewal
 - 8. 302.3 Superintendent Salary and Other Compensation
 - 9. 302.4 Superintendent Duties
 - 10. 302.5 Superintendent Evaluation
 - 11. 302.6 Superintendent Professional Development
- 5. Personnel Items
 - i. Certified Staff Contract(s)
 - ii. Certified Staff Resignation(s)
 - 1. Zak Griffith, Director of Technology

7. Reports and Discussions

- 1. Employee Recognition: "Bulldogs Going Beyond"
 - i. Leigh Anne Tofflemire, Music Teacher at Geil & Lincoln Elementary
 - ii. Guadalupe Hakert, Special Education Paraprofessional at Northfield Elementary
- 2. Building Report: Lincoln Elementary
- 3. Guest Presenter: Bryan Flansburg, First Student Location Manager

4. Board Committee: Personnel & Curriculum
5. Board Committee: Facilities & Finance
 - i. Monthly Financial Summary Report
6. Superintendent's Report
8. **Patron Comments**
9. **Action Items**
 1. Discuss, consider and take action regarding an addendum to Mario Chavez's administrative employment contract encompassing his role as the interim building principal at Gering High School for the remainder of the 2021-22 school year.
 2. Discuss, consider and take action regarding a consultant agreement with Zak Griffith starting January 27, 2022 through the technology staffing transition anticipated to be complete no later than December 31, 2022.
 3. Discuss, consider and take action regarding the retirement of Kathy Rose, Music Teacher at Northfield Elementary.
10. **Board Comments**
 1. Tentative Upcoming Board Meeting/Event Dates
11. **Adjourn**

POLICY 203.1
GERING PUBLIC SCHOOLS
GERING, NE

BOARD ORGANIZATIONAL MEETING

An annual organizational board meeting shall be held at which all newly elected board members assume their duties and take the oath of office. At the annual meeting, the board shall appoint all necessary board officers and may appoint committees for a term of one year or until the election of their successors.

The superintendent shall assume chairmanship of the meeting for the purpose of electing a board president. Ballots for officers may be cast in secret but the total vote for each candidate shall be recorded by the secretary.

The board shall also appoint the superintendent or another qualified employee as the district's Non-Discrimination Compliance Coordinator for the year to meet federal Equal Employment Opportunity requirements.

The board shall pass a resolution for re-adoption of all existing policies, regulations, and handbooks for the governance of the district.

Legal Reference: Neb. Statute 79-724
 84-712
 84-1413

Cross Reference: 201.1 Board Powers and Responsibilities
 201.2 Board Membership - Elections/Appointment

POLICY 203.2
GERING PUBLIC SCHOOLS
GERING, NE

PRESIDENT (Class II, III, IV, V and VI)

It shall be the responsibility of the board president to lead a well-organized board in an efficient and effective manner. The board president shall set the tone of the board meetings and, as the representative of the consensus of the board, speak on behalf of the board to the public.

The president of the board shall be elected by a majority vote at the organizational meeting each year to serve a one year term of office.

The president, in addition to presiding at the board meetings, shall take an active role in board decisions by discussing and voting on each motion before the board in the same manner as other board members. However, before making or seconding a motion, the board president shall turn over control of the meeting to either the vice president or other board member.

The board president has the authority to call special meetings of the board. Prior to board meetings, the board president shall consult with the superintendent on the development of the agenda for the meeting.

The board president, as the chief officer of the school district, shall sign employment contracts and sign other contracts and school district warrants approved by the board and appear on behalf of the school corporation in causes of action involving the school district.

It is the responsibility of the president to appoint all committees whose appointment is not otherwise determined.

Legal Reference: Neb. Statute 79-564
 79-566 to 574

Cross Reference: 201.1 Board Powers and Responsibilities

POLICY 203.3
GERING PUBLIC SCHOOLS
GERING, NE

VICE PRESIDENT

If the board president is unable or unwilling to carry out the duties required, it shall be the responsibility of the vice president of the board to carry out the duties of the president. If the president is unable or unwilling to complete the term of office, the vice president shall serve as president for the balance of the president's term of office, and a new vice president shall be elected.

The vice president of the board shall be elected by a majority vote at the organizational meeting each year to serve a one-year term of office.

The vice president shall accept control of the meeting from the president when the president wishes to make or second a motion. The vice president shall take an active role in board decisions by discussing and voting on matters before the board in the same manner as other board members.

Legal Reference: Neb. Statute 79-564
 79-567 to 569
 79-593

Cross Reference: 201.1 Board Powers and Responsibilities

POLICY 202.1
GERING PUBLIC SCHOOLS
GERING, NE

BOARD MEMBER CODE OF ETHICS

Board members' actions, verbal and nonverbal, reflect the attitude and the beliefs of the school district. Therefore, board members must conduct themselves professionally and in a manner fitting to their position.

Each board member shall follow the code of ethics stated in this policy.

AS A SCHOOL BOARD MEMBER:

1. I will listen.
2. I will respect the opinion of others.
3. I will recognize the integrity of my predecessors and associates and the merit of their work.
4. I will be motivated only by an earnest desire to serve my school district and the children of my school district community in the best possible way.
5. I will not use the school district or any part of the school district program for my own personal advantage or for the advantage of my friends or supporters.
6. I will vote for a closed session of the board if the situation requires it, but I will consider "secret" sessions of board members unethical.
7. I will recognize that to promise in advance of a meeting how I will vote on any proposition which is to be considered is to close my mind and agree not to think through other facts and points of view which may be presented in the meeting.
8. I will expect, in board meetings, to spend more time on education programs and procedures than on business details.
9. I will recognize that authority rests with the board in legal session and not with individual members of the board, except as authorized by law.
10. I will make no disparaging remarks, in or out of the board meeting, about other members of the board or their opinions.
11. I will express my honest and most thoughtful opinions frankly in board meetings in an effort to have decisions made for the best interests of the children and the education program.
12. I will insist that the members of the board participate fully in board action and recommend that when special committees are appointed, they serve only in an investigative and advisory capacity.
13. I will abide by majority decisions of the board.
14. I will carefully consider petitions, resolutions and complaints and will act in the best interests of the school district.
15. I will not discuss the confidential business of the board in my home, on the street or in my office; the place for such discussion is the board meeting.

16. I will endeavor to keep informed on local, state and national educational developments of significance so I may become a better board member.

IN MEETING MY RESPONSIBILITY TO MY SCHOOL DISTRICT COMMUNITY:

1. I will consider myself a trustee of public education and will do my best to protect it, conserve it, and advance it, giving to the children of my school district community the educational facilities that are as complete and adequate as it is possible to provide.
2. I will consider it an important responsibility of the board to interpret the aims, methods and attitudes of the school district to the community.
3. I will earnestly try to interpret the needs and attitudes of the school district community and do my best to translate them into the education program of the school district.
4. I will attempt to procure adequate financial support for the school district.
5. I will represent the entire school district rather than individual electors, patrons or groups.
6. I will not regard the school district facilities as my own private property but as the property of the people.

IN MY RELATIONSHIP WITH THE SUPERINTENDENT AND EMPLOYEES:

1. I will function, in meeting the legal responsibility that is mine, as part of a legislative, policy-forming body, not as an administrative officer.
2. I will recognize that it is my responsibility, together with that of my fellow board members, to see the school district is properly run and not to run them myself.
3. I will expect the school district to be administered by the best-trained technical and professional people it is possible to procure within the financial resources of the school district.
4. I will recognize the superintendent as executive officer of the board.
5. I will work through the administrative employees of the board, not over or around them.
6. I will expect the superintendent to keep the board adequately informed through oral and written reports.
7. I will vote to hire employees only after the recommendation of the superintendent has been received.
8. I will insist that contracts be equally binding on teachers and board.
9. I will give the superintendent power commensurate with the superintendent's responsibility and will not in any way interfere with, or seek to undermine, the superintendent's authority.
10. I will give the superintendent friendly counsel and advice.
11. I will present any personal criticism of employees to the superintendent.
12. I will refer complaints to the proper administrative officer.

TO COOPERATE WITH OTHER SCHOOL BOARDS:

1. I will not employ a superintendent, principal or teacher who is already under contract with another school district without first securing assurance from the proper authority that the person can be released from contract.
2. I will consider it unethical to pursue any procedure calculated to embarrass a neighboring board or its representatives.
3. I will not recommend an employee for a position in another school district unless I would employ the individual under similar circumstances.
4. I will answer all inquiries about the standing and ability of an employee to the best of my knowledge and judgement, with complete frankness.
5. I will associate myself with board members of other school districts for the purpose of discussing school district issues and cooperating in the improvement of the education program.

Legal Reference: Neb. Statute 79-526

Cross Reference: 201.1 Board Powers and Responsibilities
 202.2 Board Member Conflict of Interest

Nebraska State Board of Education Internal Policy Directives

P9 - Ethics/Accountability & Disclosure

Ethics/Accountability & Disclosure

Board members, the Commissioner and Department staff are all subject to the provisions of the Nebraska Political Accountability and Disclosure Act (Sections 49-1401 et seq. of the Revised Statutes of Nebraska). The Commissioner is authorized to develop administrative and personnel policies dealing with ethics and conflicts of interest for Department staff, which may include requirements for the reporting of outside consulting income received by staff.

In addition to sections of the Act regarding campaign activities of Board members, the following sections should be of primary interest to the Board and staff of the Department:

49-1499.02. Executive branch; discharge of official duties; potential conflict; actions required.

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

(a) Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict; and

Created: 1995

Approved 08/03/2018

Reviewed 2006, 2009, 2014, 2018

[VIEW BOARD ACTION HISTORY](#)

[VIEW CROSS-REFERENCES](#)

[Back to Internal Policy Directives Index](#)

(b) Deliver a copy of the statement to the commission and to his or her immediate superior, if any, who shall assign the matter to another. If the immediate superior does not assign the matter to another or if there is no immediate superior, the official or employee shall take such action as the commission shall advise or prescribe to remove himself or herself from influence over the action or decision on the matter.

(2) This section does not prevent such a person from (a) making or participating in the making of a governmental decision to the extent that the individual's participation is legally required for the action or decision to be made or (b) making or participating in the making of a governmental decision if the potential conflict of interest is based upon a business association and the business association exists only as the result of his or her position on a commodity board. A person acting pursuant to subdivision (a) of this subsection shall report the occurrence to the commission.

49-14,100. Advisory opinions; application; effect. Any person who is in doubt as to the propriety of action proposed to be taken by him may apply to the commission for an advisory opinion relating thereto, and the commission shall have authority to render such opinions. When an advisory opinion is issued pursuant to a complete and accurate request, such opinion shall be a complete defense to any charge of violation of sections 49-1493 to 49-14,104 as to any action taken strictly subject to the terms of such opinion.

49-14,101.01 Financial gain; gift of travel or lodging; prohibited acts; violation; penalty.

(1) A public official or public employee shall not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.

(2) A public official or public employee shall not use or authorize the use of personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain.

(3) Unless otherwise restricted by an employment contract, a collective-bargaining agreement, or a written agreement or policy approved by a government body, a public official or public employee may use a telecommunication system, a cellular telephone, an electronic handheld device, or a computer under the control of the government body for email, text messaging, a local call, or a long-distance call to a child at home, a teacher, a doctor, a day care center, a baby-sitter, a family member, or any other person to inform any such person of an unexpected schedule change or for other essential personal business. Any such communication shall be kept to a minimum and shall not interfere with the conduct of public business. A public official or public employee shall be responsible for payment or reimbursement of charges, if any, that directly result from any such communication. An agency or government body may establish procedures for reimbursement of charges pursuant to this subsection.

(4) A public official shall not accept a gift of travel or lodging or a gift of reimbursement for travel or lodging if the gift is made so that a member of the public official's immediate family can accompany the public official in the performance of his or her official duties.

(5) A member of the immediate family of a public official shall not accept a gift of travel or lodging or a gift of reimbursement for travel or lodging if the gift is made so that a member of the public official's immediate family can accompany the public official in the performance of his or her official duties. . . .

(7) Except as provided in section 23-3113, any person violating this section shall be guilty of a Class III misdemeanor, . . .

49-14,102. Contracts with governmental bodies; procedure; purpose.

(1) Except as otherwise provided by law, no public official or public employee, a member of that individual's immediate family, or business with which the individual is associated shall enter into a contract valued at two thousand dollars or more, in any one year, with a government body unless the contract is awarded through an open and public process.

(2) For purposes of this section, an open and public process includes prior public notice and subsequent availability for public inspection during the regular office hours of the contracting government body of the proposals considered and the contract awarded.

(3) No contract may be divided for the purpose of evading the requirements of this section.

(4) This section shall not apply to a contract when the public official or public employee does not in any way represent either party in the transaction.

[Subsection 5 does not apply to NDE contracts]

(6) This section prohibits public officials and public employees from engaging in certain activities under circumstances creating a substantial conflict of interest. This section is not intended to penalize innocent persons, and a contract shall not be absolutely void by reason of this section.

(7) This section does not apply to contracts covered by sections 49-14,103.01 to 49-14,103.06. *[These statutes cover contracts involving school districts and other local political subdivisions, for which different procedures are required.]*

Additional Board Policies

Board members, (in accordance with B11), the Commissioner, and staff shall consult with Legal Services on the subject of seeking an opinion from the Accountability and Disclosure Commission in any situation in which they may have a potential conflict of interest or are uncertain as to whether

their planned actions may be a violation of the accountability and disclosure laws. Such opinion requests by staff shall be routed through the Commissioner's Office and Legal Services.

In particular, situations may arise in which staff wish to serve as officers or directors of corporations, foundations, associations, or other organizations which may do business with the Department. Except where there is a clear statutory authority for the Commissioner and Department staff to serve in such a capacity, they should refrain from accepting such office without an opinion from the Accountability and Disclosure Commission if their Department duties and the private officer/director duties may create a potential conflict.

When Board members, the Commissioner, and staff serve as officers or directors in businesses or organizations in which there is no potential conflict under the accountability and disclosure laws, they nonetheless should do so on their own time and with their own resources, unless there is specific statutory authority for such activity. Resources of the State, including staff time shall not be used in support of private entities.

Occasionally the Board is requested to appoint staff or Board members as Board of Directors members for non-profit corporate board that may, or may not, eventually have financial dealings with the Department or may take positions on the regulatory operations of the Department. Absent specific statutory directive, the Board has no authority to appoint Board of Directors members for any corporation. If regular contact with the entity would be in the best interests of the Department, and is within the Constitutional and statutory authority granted to the Department, the Board may choose to assign Board members, the Commissioner, or staff to serve as regular liaisons with such organizations or corporations. Such liaisons may convey information and monitor and coordinate joint activities, but shall take no role in managing the affairs of the private entity.

The State Board of Education encourages opportunities to cooperate with other agencies and associations involved in education. The Commissioner, or designee, is directed to represent the State Board when such representation is appropriate. The State Board may also designate members of the Board to act as official or additional liaisons or representatives to agencies and associations.

It is the responsibility of the Commissioner to secure Board approval for joining associations or other formal groups when acting on behalf of the Board, whenever such membership involves the policy function of the Board, and whenever a commitment of resources not previously approved by the Board is involved.

POLICY 203.6
GERING PUBLIC SCHOOLS
GERING, NE

BOARD COMMITTEES

Committees will be appointed by the president of the board. These committees are created for specific tasks of seeking information or investigation and will report back to the board for its consideration and action. Committee action is considered to be advisory only. Each committee will have a chairperson appointed by the president. In addition to appointing the three members to the Committee on American Civics at the annual board organizational meeting in January for one year, the board may wish to appoint additional committees on topics such as:

1. curriculum, instruction and assessment,
2. personnel,
3. facilities,
4. finance,
5. negotiations, and
6. policy.

The Committee on American Civics shall:

1. Hold no fewer than two public meetings annually, at least one when public testimony is accepted;
2. Keep minutes of each meeting showing the time and place of the meeting, which members were present or absent, and the substance and details of all matters discussed;
3. Examine and ensure that the social studies curriculum used in the district is aligned with the social studies standards adopted by the Nebraska Department of Education and teaches foundational knowledge in civics, history, economics, financial literacy, and geography;
4. Review and approve the social studies curriculum to ensure that it stresses the services of the men and women who played a crucial role in the achievement of national independence, establishment of our constitutional government, and preservation of the union and includes the incorporation of multicultural education to instill pride and respect for the nation's institutions and not be merely a recital of events and dates;
5. Ensure that any curriculum recommended or approved by the committee on American civics is made readily accessible to the public and contains a reference to this section;
6. Ensure that the district develops and utilizes formative, interim, and summative assessments to measure student mastery of the social studies standards adopted by the Nebraska Department of Education;
7. Ensure that the social studies curriculum in the district incorporates one or more of the following for each student:
 - a. naturalization test used by United States Citizenship and Immigration Services prior to the completion of eighth grade and again prior to the completion of the twelfth grade with the individual score from each test for each student made available to a parent or guardian of such student; or
 - b. Attendance or participation between the beginning of eighth grade and completion of twelfth grade in a meeting of a public body which is a subdivision of the state and not a subcommittee of that body, followed by the completion of a project or paper in which each student demonstrates or discusses the personal learning experience of such student related to that attendance or participation; or

- c. Completion of a project or paper and a class presentation between the commencement of eighth grade and the completion of twelfth grade on a person or persons or an event commemorated by either George Washington's birthday, Abraham Lincoln's birthday, Dr. Martin Luther King, Jr.'s birthday, Native American Heritage Day, Constitution Day, Memorial Day, Veterans Day, or Thanksgiving Day or on a topic related to such person or persons or event; and
- 8. Take all such other steps as will assure the carrying out of the provisions of this section and provide a report to the school board regarding the committee's findings and recommendations.

Legal Reference: Neb. Statute 79-724

Cross Reference: 201.1 Board Powers and Responsibilities
 604.11 Citizenship

POLICY 203.6
GERING PUBLIC SCHOOLS
GERING, NE

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4. Review and approve the social studies curriculum to ensure that it stresses the services of the men and women who played a crucial role in the achievement of national independence, establishment of our constitutional government, and preservation of the union and includes the incorporation of multicultural education to instill pride and respect for the nation's institutions and not be merely a recital of events and dates;
5. Ensure that any curriculum recommended or approved by the committee on American civics is made readily accessible to the public and contains a reference to this section;
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 - b. Attendance or participation between the beginning of eighth grade and completion of twelfth grade in a meeting of a public body which is a subdivision of the state and not a subcommittee of that body, followed by the completion of a project or paper in which each student demonstrates or discusses the personal learning experience of such student related to that attendance or participation; or

- c. Completion of a project or paper and a class presentation between the commencement of eighth grade and the completion of twelfth grade on a person or persons or an event commemorated by either George Washington's birthday, Abraham Lincoln's birthday, Dr. Martin Luther King, Jr.'s birthday, Native American Heritage Day, Constitution Day, Memorial Day, Veterans Day, or Thanksgiving Day or on a topic related to such person or persons or event; and
- 8. Take all such other steps as will assure the carrying out of the provisions of this section and provide a report to the school board regarding the committee's findings and recommendations.

Legal Reference: Neb. Statute 79-724

Cross Reference: 201.1 Board Powers and Responsibilities
 604.11 Citizenship

POLICY 203.4
GERING PUBLIC SCHOOLS
GERING, NE

SECRETARY

It shall be the responsibility of the board to annually appoint a board secretary.

A board secretary may be appointed from employees, from the public or from among board members at the annual board organizational meeting.

It shall be the responsibility of the board secretary, as custodian of school district records, to preserve and maintain the records and documents pertaining to the business of the board; to keep complete minutes of special and regular board meetings; to ensure that the meeting minutes and a list of all approved claims are published; to keep a record of the results of regular and special elections; to keep an accurate account of school funds; to sign warrants drawn on the school funds after board approval; and to complete and maintain the annual school census. The board secretary is also responsible for filing the required reports with the Nebraska Department of Education.

If the secretary is unable or unwilling to carry out the duties required, it shall be the responsibility of the superintendent (*or other person designated by the board*) to carry out the duties of the secretary. *Full Board will make this decision.*

Legal Reference: Neb. Statute 79-528
 79-564
 79-576 to 580

Cross Reference: 104.1 Annual School Census
 201.1 Board Powers and Responsibilities
 203.1 Board Organizational Meeting
 203.5 Treasurer
 204.11 Meeting Minutes

POLICY 203.5
GERING PUBLIC SCHOOLS
GERING, NE

TREASURER

It shall be the responsibility of the board to annually appoint a board treasurer.

It shall be the responsibility of the treasurer to receive the funds collected for the district by the county treasurer, to pay out the funds for expenses approved by the board, to maintain accurate accounting records for each fund, to manage districts investments for the maximum benefit to the district, to report monthly and annually the status of all district funds and investments, and to file required reports with the appropriate state agencies and other entities.

The treasurer will work with the secretary to coordinate the recording, preserving and reporting of financial records, reports, cash flow needs and district investments.

If the treasurer is unable or unwilling to carry out the duties required, it shall be the responsibility of the superintendent (or other person designated by the board) to carry out the duties of the treasurer. Full Board will make this decision.

The treasurer shall give a bond in an amount set by the board. The cost of the bond will be paid by the school district.

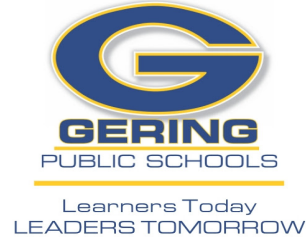
Legal Reference: Neb. Statute 79-586 to 590

Cross Reference: 201.1 Board Powers and Responsibilities
 203.1 Board Organizational Meeting
 203.5 Secretary
 700 Business Operation

Special Board of Education Meeting

Thursday, December 30, 2021 8:00 AM

City of Gering Council Chambers
1025 P Street
Gering, NE 69341



Minutes

1. GPS Board of Education Information

2. Opening Procedures

2.1. Open Meetings Act

Board President Peters noted that a copy of the Open Meetings Act was posted in the room in which the hearing was located. Board President Peters also noted that due and proper notice of the meeting was published in the Gering Courier on December 23, 2021.

2.2. Call to Order

At 8:02 a.m. on December 30, 2021, the Gering Public Schools Board of Education convened a special meeting for the purpose of conducting a hearing on the consideration of the cancellation or continuation of the employment contract of Rocky Schneider.

2.3. Roll Call

Present: Brian Copsey, Josh Lacy, B.J. Peters, Brady Shaul, Tracy Wiese, Mary Winn.

2.4. Excuse Absent Board Member(s)

3. Adopt Agenda

A motion to adopt the agenda was presented by Brian Copsey, seconded by Mary Winn. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

4. Discuss, consider, and take action to appoint a hearing officer and advisor to the Board for a personnel hearing.

Board President Peters turned the conduct of the meeting over to Josh Schauer, the attorney representing the Board of Education for the hearing on the administration's recommendation that the employment contract of Rocky Schneider be canceled.

5. Conduct personnel hearing concerning the employment contract of Rocky Schneider.

The board heard evidence concerning Mr. Schneider's employment.

5.1. Closed Session Deliberations

A motion to deliberate upon the evidence received at this personnel hearing and exercise a quasi-judicial function, with a closed session being clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual at 5:36 p.m. was presented by Brian Copsey, seconded by Mary Winn. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

5.2. Reconvene in Open Session

A motion to reconvene in Open Session at 7:37 p.m. was presented by Brian Copsey, seconded by Brady Shaul. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

6. Discuss, consider and take action to cancel, non-renew, continue or other action as deemed appropriate concerning the employment contract of Rocky Schneider.

Hearing Officer Schauer read the proposed Findings of Fact to cancel Mr. Schneider's employment as follows:

DECISION TO CANCEL EMPLOYMENT

On December 30, 2021, the Board of Education conducted a hearing to consider whether to cancel the employment contract of Rocky Schneider. Mr. Schneider was present and was represented by Jeff Kirkpatrick, Attorney at Law. The Board of Education was represented by Jordan Johnson, Attorney at Law, and Karen Haase, Attorney at Law. Based on the evidence adduced at the hearing in the form of testimony and documents, the Board of Education makes the following findings and decisions.

1. Mr. Schneider is a certificated employee who was employed as a principal by Gering Public Schools for the 2021-22 contract year.
2. By letter delivered December 10, 2021, Mr. Schneider was notified of the possible cancellation of his contract.
3. By letter dated December 14, 2021, Mr. Schneider requested a hearing regarding the proposed cancellation of his employment contract.
4. On December 23, 2021, Mr. Schneider was given written notice of the time, date, and place of the hearing including the employment-related reasons for the proposed cancellation, the names of the witnesses who would testify at the hearing, and the documents which would be offered into evidence by the administration at the hearing.
5. Due and proper notice was given of the meeting of the Board of Education at which the hearing was conducted, as required by law, including the publication of such notice in the December 23, 2021 edition of the Gering Courier.
6. Based upon the evidence adduced at the hearing, the board of education finds that Mr. Schneider has failed to meet the expectations and standards for the performance of a principal at Gering Public Schools for the reasons set out in these findings.
7. Superintendent Regan directed district administrators to report to her significant or serious issues facing the district, its students, or its staff. Throughout the 2021-2022 school year, Mr. Schneider repeatedly refused to adhere to that directive and failed to report several significant or serious issues facing the district, its students, or its staff. Mr. Schneider failed to adhere to Superintendent Regan's directive himself and failed to ensure that his building administrators adhered to that directive. In doing so, he violated the minimum standards for professional practices which are set by the Nebraska Department of Education.
8. Mr. Schneider repeatedly refused to address significant issues facing the district, its students, or its staff in a manner consistent with the District's expectations, the expectations of his supervising administrator, the district's policies and procedures, the minimum standards

for professional practices which are set by the Nebraska Department of Education, and the basic standards of professional and competent conduct expected of district administrators.

9. Throughout the 2021-2022 school year, Mr. Schneider repeatedly failed to demonstrate respect for his supervising administrator and to communicate with that administrator professionally and appropriately.

10. On Wednesday, December 8, 2021, Superintendent Regan met with Mr. Schneider to reprimand him for behaving in an unprofessional and insubordinate manner. During that meeting, Mr. Schneider stated his intent to resign at the end of the school year due to the position "being hard enough with a competent, supportive superintendent." Mr. Schneider implied that he was unable to meet the District's expectations with Superintendent Regan as his Superintendent. He indicated that he did not understand the District's expectations with respect to reporting, investigating, and addressing known or alleged sexual harassment or sexualized misconduct.

11. Based upon the evidence adduced at the hearing, the Board of Education finds that Mr. Schneider has failed to meet the Board of Education's expectations and standards for the performance of certificated staff in Gering Public Schools.

12. Mr. Schneider has acted in an unprofessional manner; acted in an insubordinate manner; and neglected his duties. His conduct substantially interferes with the continued performance of his duties as a principal at Gering Public Schools.

13. Mr. Schneider breached his contract of employment by performing acts and engaging in conduct that is materially harmful to the district and which substantially inhibits Mr. Schneider's ability to discharge the duties of his contract.

14. In judging the credibility of the witnesses and the weight to be given to witness testimony and other evidence presented, the board has considered the following:

- a) The conduct and demeanor of the witness while testifying;
- b) The sources of information, including the opportunity for seeing or knowing the things about which the witness testified;
- c) The ability of the witness to remember and to communicate accurately;
- d) The reasonableness or unreasonableness of the testimony of the witness;
- e) The self-interest or lack of self-interest of the witness in the result of this case;
- f) The apparent fairness or bias of the witness or the witness's relationship to the parties in this matter;
- g) Any previous statement or conduct of the witness that is consistent or inconsistent with the testimony of the witness at this hearing; and,
- h) Any other evidence provided at the hearing that affects the credibility of the witness or that tends to support or contradict the testimony of the witness or other evidence.

15. The board of education has determined that the testimony and evidence presented by the school district are credible.

16. The evidence presented by Mr. Schneider at this hearing, to the extent it is inconsistent with the evidence of the school district, is not as credible as that of the school district. The testimony that Mr. Schneider presented in an attempt to excuse his conduct, neither justifies his behavior nor diminishes Mr. Schneider's responsibility for his actions.

17. In making its determination, the board limited its decisions to the education-related and job-related considerations set out in its findings.

18. The findings set out above, whether considered individually or in the aggregate, constitute just cause for the cancellation of Mr. Schneider's employment.

It is therefore the decision of the Board of Education that the employment contract of Rocky Schneider should be canceled and the same is hereby terminated effective immediately.

A motion to adopt the Findings of Fact was presented by Brian Copsey, seconded by Brady Shaul. After voting, motion Passed.

Josh Lacy: **Nay**, Tracy Wiese: **Nay**, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Mary Winn: **Yea**

7. Adjourn

The meeting was adjourned at 7:43 p.m.

Regular Board of Education Meeting

Monday, December 20, 2021 6:00 PM

City of Gering Council Chambers
1025 P Street
Gering, NE 69341



Minutes

1. GPS Board of Education Information

2. Opening Procedures

2.1. Call to Order

Board President B.J. Peters called the meeting to order at 6:01 p.m.

2.2. Roll Call

2.3. Excuse Absent Board Member(s)

A motion to to excuse Josh Lacy was presented by Mary Winn, seconded by Brian Copsey. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

3. Pledge of Allegiance

4. Opening Meetings Act

5. Consent Agenda

A motion to approve the Consent Agenda was presented by Brian Copsey, seconded by Mary Winn. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

5.1. Minutes from the previous month's board meeting(s)

5.2. Approval of Claims/Bills

5.3. Board Policy Adoption

5.3.i. First Reading of Board Policies

5.3.i.1. 300.1 Role Of Administration

Absent: Josh Lacy, **Present:** Brian Copsey, B.J. Peters, Brady Shaul, Tracy Wiese, Mary Winn.

5.3.i.2. 301.1 Structure of Management

5.3.i.3. 301.2 Management Team

5.3.i.4. 301.3 Succession Authority To The Superintendent

5.3.i.5. 301.4 Communication Channels

5.3.i.6. 302.1 Superintendent Qualifications, Recruitment, Appointment

- 5.3.i.7. 302.2 Superintendent Contract and Contract Non-Renewal
- 5.3.i.8. 302.3 Superintendent Salary and Other Compensation
- 5.3.i.9. 302.4 Superintendent Duties
- 5.3.i.10. 302.5 Superintendent Evaluation
- 5.3.i.11. 302.6 Superintendent Professional Development
- 5.3.ii. Second Reading of Board Policies
 - 5.3.ii.1. 605.3 Program for High Ability Students
 - 5.3.ii.2. 605.3-R1 Identification of High Ability Students
 - 5.3.ii.3. 605.4 Alternative Education Programs or Plans for Expelled Students
 - 5.3.ii.4. 605.5 Religious Based Exclusion From a School Program
 - 5.3.ii.5. 605.6 English As a Second Language
 - 5.3.ii.6. 605.7 Dual Enrollment
 - 5.3.ii.7. 605.7-F1 Request For Part-Time Or Dual Enrollment
 - 5.3.ii.8. 605.7-R1 Dual Enrollment Procedure
 - 5.3.ii.9. 605.8 Home-Bound Instruction
 - 5.3.ii.10. 605.8-R1 Home-Bound Instruction
 - 5.3.ii.11. 605.13 Reading Instruction And Improvement
 - 5.3.ii.12. 612 Specialized Student Services
 - 5.3.ii.13. 612.10 Free Appropriate Public Education
- 5.4. Personnel Items
 - 5.4.i. Certified Staff Contract(s)
 - 5.4.i.1. Rachel Harper - Fifth Grade Teacher at Northfield Elementary
 - 5.4.ii. Certified Staff Resignation(s)
 - 5.4.ii.1. Shawna Montgomery - Science Teacher at Gering High School
 - 5.4.ii.2. Taylor Montgomery - Science Teacher at Gering High School
 - 5.4.ii.3. Summer Hulbert - Second Grade Teacher at Lincoln Elementary
- 5.5. Set tentative dates and times for the Gering Public Schools' Board of Education 2022 calendar year.

6. Student Recognitions

Board Members Tracy Wiese and Mary Winn presented certificates for student recognitions.

- 6.1. All-Festival Acting Team
- 6.2. GHS Honor Band Selections
- 6.3. GHS Honor Choir Selections
- 6.4. NSAA Fall Academic All-State

7. Patron Comments

8. Reports and Discussions

8.1. Board Committee: Personnel & Curriculum

Mary Winn gave the Curriculum and Personnel Committee Report covering the major items discussed and under consideration by said committee. A copy of the minutes from the last meeting are available on file. The next meeting will be held on Tuesday, January 4, 2022, at 7:00 a.m. (Central Office)

8.2. Board Committee: Finance & Facilities

Brian Copsey and Brady Shaul gave the Business and Facilities Committee report covering the major items discussed and under consideration by said committee. A copy of the minutes from the last meeting are available and on file. The next meeting will be held on Thursday, January 6, 2022 at 4:30 p.m. (Central Office)

8.2.i. Monthly Finance Summary Report

8.3. Superintendent's Report

A monthly report was given by Dr. Regan covering the major items pertinent to the District.

9. Enter into Executive Session for the sole purpose of discussing personnel matters to prevent needless injury to the reputation of an individual if deemed necessary.

10. Reconvene from the Executive Session.

11. Any action deemed necessary as a result of the Executive Session discussion.

12. Action Items

12.1. Discuss, consider and take action regarding the 2020-21 Financial Audit Report.

A motion to accept the 2020-21 financial audit report was presented by Brian Copsey, seconded by Brady Shaul. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

12.2. Discuss, consider and take action regarding the proposed 2022-23 School Calendar.

Brian commented that this was the first year the shareholders were included and wanted to say thank you. Shelly said it was great from a planning perspective and nice to have it done. Accommodating families

A motion to approve the proposed 2022-23 School Calendar was presented by Mary Winn, seconded by Tracy Wiese. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

12.3. Discuss, consider and take action regarding the proposed 2023-24 School Calendar.

A motion to approve the 2023-24 proposed calendar was presented by Brian Copsey, seconded by Brady Shaul. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

12.4. Discuss, consider and take action regarding the proposed 2022-24 Negotiated Professional Agreement.

1. **Base Salary:** The base salary for the 2022-23 school year will increase from \$37,150 to \$38,150. During the 2023-24 school year, the base salary will increase to \$39,000.

2. **Article F - Horizontal Movement:** The maximum movement per contract year is one (1) column. Previously, movement was capped at (2) columns per contract year.
3. **Article I - Class Cover Substitute:** In response to scheduling changes that occurred at GHS during the 2021-22 school year, the payment rate for internal class coverage will be adjusted from 1/6 to 1/7 of a substitute teacher's daily rate of pay per class period.

A motion to approve the 2022-24 Negotiated Professional Agreement was presented by Mary Winn, seconded by Brian Copsey. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

12.5. Discuss, consider and take action regarding a Cooperative Agreement with Minatare Public Schools for Boys & Girls Soccer.

A motion to approve the Cooperative Agreement with Minatare Public Schools for Boys and Girls Soccer was presented by Brian Copsey, seconded by Tracy Wiese. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

12.6. Discuss, consider and take action regarding expansion of the Early Childhood Program to add an additional classroom at Geil Elementary beginning August 2022.

A motion to approve expansion of the Early Childhood Program to add an additional classroom at Geil Elementary beginning August 2022 was presented by Brady Shaul, seconded by Brian Copsey. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

12.7. Discuss, consider and take action regarding the Fall 2021 NASB Superintendent evaluation report.

A motion to approve the Fall 2021 NASB Superintendent evaluation report was presented by B.J. Peters, seconded by Mary Winn. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

12.8. Discuss, consider and take action regarding action with regard to an addendum to the Superintendent's Contract of Employment.

A motion to enter into Executive Session at 6:44 p.m. for the sole purpose of discussing personnel matters to prevent needless injury to the reputation of an individual if deemed necessary was presented by B.J. Peters, seconded by Brian Copsey. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

A motion to come out of executive session at 6:59 p.m. was presented by Mary Winn, seconded by Brady Shaul. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

A motion to approve the addendum to the Superintendent's Contract of Employment for the total amount of \$185,500 for the 2022-23 school year was presented by Brian Copsey, seconded by Mary Winn. After voting, motion Passed.

Josh Lacy: Absent, Brian Copsey: **Yea**, B.J. Peters: **Yea**, Brady Shaul: **Yea**, Tracy Wiese: **Yea**, Mary Winn: **Yea**

13. Tentative Upcoming Board Meeting/Event Dates

14. Board Comments

Mary Winn recognized student achievement. Tracy Wiese thanked board members for the inclusion and support in answering questions before wishing everyone a Merry Christmas. Brady Shaul acknowledged a successful first semester. Merry Christmas to everyone! Brian Copsey said it was great seeing Emily Hauck (first year band instructor) and the students. Merry Christmas to everyone! B.J. Peters added happy holiday wishes in closing.

15. Adjourn

Board President B.J. Peters adjourned the meeting at 7:05 p.m.

POLICY 205.2
GERING PUBLIC SCHOOLS
GERING, NE

POLICY ADOPTION

The board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two regular board meetings. The proposed policy changes shall be distributed and public comment will be allowed at each meeting prior to final board action. This notice procedure shall be required except for emergency situations. If the board adopts a policy in an emergency situation, a statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The board shall have complete discretion to determine what constitutes an emergency situation.

The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the board at the next regular meeting after the meeting allowing public discussion. The policy will be effective on the later of the date of passage or the date stated in the motion.

In the case of an emergency, a new or changed policy may be adopted by a majority vote of a quorum of the board. The emergency policy shall expire at the close of the third regular meeting following the emergency action, unless the policy adoption procedure stated above is followed and the policy is reaffirmed.

Legal Reference: Neb. Statute 79-520 (Class III)
 79-521 (Class IV)
 79-522 (Class V)
 79-523 (Class VI)
 79-526
 84-712 et seq.
 NDE Rule 10.004.01A1

Cross Reference: 201.1 Board Powers and Responsibilities

POLICY 300.1
GERING PUBLIC SCHOOLS
GERING, NE

ROLE OF ADMINISTRATION

In this series of the board policy manual, the board defines the role and the employment of school district administrators. Policies in the 400 Series, "Employees," also apply to administrators unless a more specific policy exists in the 300 Series, "Administration."

School district administrators have been given a great opportunity and responsibility to manage the school district, to provide educational leadership, and to implement the educational philosophy of the school district. They are responsible for the day-to-day operations of the school district. In carrying out these operations, the administrators are guided by board policies, the law, the needs of the students, and the wishes of the citizens in the school district community.

It shall be the responsibility of the administrators to implement and enforce the policies of the board, to oversee employees, to monitor educational issues confronting the school district, and to inform the board about school district operations.

While the board holds the superintendent ultimately responsible for these duties, the principals are more directly responsible for educational results, for the administration of the school facilities, and for the employees.

The board and the administration shall work together to share information and decisions under the management team concept.

POLICY 301.1
GERING PUBLIC SCHOOLS
GERING, NE

STRUCTURE OF MANAGEMENT

The board and the administrators shall work together in making decisions and setting goals for the school district. This effort is designed to obtain, share, and use information to solve problems, make decisions, and formulate school district policies and regulations.

It shall be the responsibility of each administrator to fully participate in the management of the school district by investigating, analyzing, and expressing their views on issues. Those board members or administrators with special expertise or knowledge of an issue may be called upon to provide information. Each board member and administrator shall support the decisions reached on the issues confronting the school district.

The board shall be responsible for making the final decision in matters pertaining to the school district.

It shall be the responsibility of the superintendent to develop guidelines for cooperative decision-making.

Approved 02/17/2003

Reviewed 10/05/2015; 12/07/2021

Revised _____

POLICY 301.2
GERING PUBLIC SCHOOLS
GERING, NE

MANAGEMENT TEAM

The board considers all those who have a role in the recruitment or release of employees to be part of the management team. The management team shall be headed by the superintendent. The superintendent shall convene meetings to discuss school district policies, administrative procedures, and other business brought to the superintendent's attention.

The management team shall meet with the board upon the board's request or superintendent's recommendation to review overall operations of the school district and conditions affecting the management team. The management team shall have no relationship to the formal negotiating unit. In the event a member or members of the management team are unable to resolve a problem, a committee of one board member, one management team member, and the superintendent shall investigate the circumstances and make a recommendation. If the recommendation does not settle the matter, the board and the management team shall meet to resolve the matter. The board may seek the advice of outside management consultants to assist in resolving the matter.

POLICY 301.3
GERING PUBLIC SCHOOLS
GERING, NE

SUCCESSION OF AUTHORITY TO THE SUPERINTENDENT

In the absence of or inability to communicate with the superintendent, it shall be the responsibility of the other administrators to assume the superintendent's duties. The succession of authority to the superintendent shall be in this order **unless determined otherwise by the Board of Education:**

1. Director of Special Services
2. Director of Curriculum
3. Finance Supervisor

If the absence of the superintendent is temporary, the successor shall assume only those duties and responsibilities of the superintendent that require immediate action. If the board determines the absence of the superintendent will be a lengthy one, the board shall appoint an acting superintendent to assume the responsibilities of the superintendent. The successor shall assume the duties when the successor learns of the superintendent's absence or when assigned by the superintendent or the board.

References to "superintendent" in this policy manual shall mean the "superintendent or the superintendent's designee" unless otherwise stated in the board policy.

Cross Reference: 302 Superintendent

Approved 10/19/2009

Reviewed 10/05/2015

Revised 12/07/2021

POLICY 301.4
GERING PUBLIC SCHOOLS
GERING, NE

COMMUNICATION CHANNELS

Questions and problems shall be resolved at the lowest organizational level nearest to the complaint. School employees shall be responsible for conferring with their immediate supervisor on questions and concerns. Students and other members of the school district community shall confer with a certificated employee and then with the principal on questions and concerns.

If resolution is not possible by any of the above, individuals may bring it to the attention of the superintendent within five (5) school days of their discussion with the principal. If there is no resolution or plan for resolution by the superintendent within ten (10) school days of the individual's discussion with the superintendent, the individual may ask to have the question or problem placed on the board agenda. The action of the board will be final.

It shall first be the responsibility of the administrators to resolve questions and problems raised by the employees and the students they supervise and by other members of the school district community.

Legal Reference: Nebraska Statute 79-254 et seq.

Cross Reference: 204.12 Public Participation in Board Meetings
402.05 Employee Grievances
504.01 Student Due Process Rights
506.06 Student Publications
1005.01 Public Complaints

Approved 02/17/2003

Reviewed 10/05/2015; 12/07/2021

Revised _____

POLICY 302.1
GERING PUBLIC SCHOOLS
GERING, NE

SUPERINTENDENT QUALIFICATIONS, RECRUITMENT, APPOINTMENT

The board shall employ a superintendent to serve as the chief executive officer of the board, to conduct the daily operations of the school district, and to implement board policy with the power and duties prescribed by the board and the law.

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

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

The board may contract for assistance in the search for a superintendent.

Legal Reference: 29 U.S.C. §§ 621-634 (1994).
42 U.S.C. §§ 2000e et seq. (1994).

Cross Reference: 201.01 Board Powers and Responsibilities
301 Administrative Structure

Approved 02/17/2003

Reviewed _____

Revised 12/07/2021

POLICY 302.2
GERING PUBLIC SCHOOLS
GERING, NE

SUPERINTENDENT CONTRACT AND CONTRACT NONRENEWAL

It shall be the responsibility of the board to provide the contract for the position of superintendent. The length of the contract for employment between the superintendent and the board shall be determined by the board, but shall not exceed three years. The contract will begin on July 1 and end on June 30. The contract shall state the terms of employment.

The superintendent serves the board as a probationary certificated employee, regardless of length of service. The superintendent's contract shall be deemed renewed and will remain in full force unless it is amended or not renewed. The superintendent and board may mutually agree to terminate the superintendent's contract at any time.

In the event of nonrenewal, termination or amendment of a contract, the board shall afford the superintendent appropriate due process, including notice of its intent by April 15. Unless continued by mutual written agreement according to statutory procedures, the board shall take final action on the contract by May 15.

If the superintendent wishes to resign, to be released from a contract, or to retire, the superintendent must comply with board policies dealing with retirement, release or resignation.

Legal Reference: Neb. Statute 79-824 et seq.

Approved 02/17/2003

Reviewed 12/07/2021

Revised _____

POLICY 302.3
GERING PUBLIC SCHOOLS
GERING, NE

SUPERINTENDENT SALARY AND OTHER COMPENSATION

The board has complete discretion to set the salary of the superintendent. It shall be the responsibility of the board to set the salary and benefits of the superintendent at a level that will include consideration of, but not be limited to, the economic condition of the school district and the training, experience, skill, and demonstrated competence of the superintendent. The salary shall be set at the beginning of each contract term.

In addition to the salary and benefits, the superintendent's actual and necessary expenses shall be paid by the school district when the superintendent is performing work-related duties. It shall be within the discretion of the board to pay dues to professional organizations for the superintendent. The information and professional relationships offered by these organizations are an important component in assisting the superintendent with the successful completion of his or her duties.

The board may approve the payment of dues and other benefits or compensation over and above the superintendent's contract. Approval of dues and other benefits or compensation shall be included in the records of the board in accordance with board policy.

Cross Reference: 302 Superintendent

Approved 02/17/2003

Reviewed 12/07/2021

Revised _____

POLICY 302.4
GERING PUBLIC SCHOOLS
GERING, NE

SUPERINTENDENT DUTIES

The board employs a superintendent of schools to serve as the chief executive officer of the board. The board delegates to the superintendent the authority to implement board policy and to execute decisions made by the board concerning the internal operations of the school district, unless specifically stated otherwise.

The superintendent shall be responsible for the implementation and execution of board policy and the observance of board policy by employees and students. The superintendent shall be responsible for overall supervision and discipline of employees and the education program.

In executing the above-stated duties, the superintendent shall consider the financial situation of the school district as well as the needs of the students. Specifically the superintendent:

1. Interprets and implements all board policies and all state and federal laws relevant to education;
2. Supervises, either directly or through delegation, all activities of the school system according to, and consistent with, the policies of the board;
3. Represents the board as a liaison between the school district and the community;
4. Establishes and maintains a program of public relations to keep the public well-informed of the activities and needs of the school district, effecting a wholesome and cooperative working relationship between the school district and the community;
5. Attends and participates in all meetings of the board, except when the superintendent's employment or salary is under consideration when the superintendent has been excused; ~~and makes recommendations affecting the school district;~~
6. Reports to the board on such matters as deemed **necessary** material to the understanding and proper management of the school district or as the board may request;
7. Assumes responsibility for the overall financial planning of the district and for the preparation of the annual budget, and submits it to the board for review and approval;

8. Establishes and maintains efficient procedures and effective controls for all expenditures of school district funds in accordance with the adopted budget, subject to the direction and approval of the board;
9. Files, or causes to be filed, all reports required by law;
10. Makes recommendations to the board for the selection of employees for the school district;
11. Makes and records assignments and transfers of all employees pursuant to their qualifications;
12. Employs such employees as may be necessary, within the limits of budgetary provisions and subject to the board's approval;
13. Recommends to the board, for final action, the promotion, salary change, demotion, or dismissal of any employee;
14. Prescribes rules for the classification and advancement of students, and for the transfer of students from one building to another in accordance with board policies;
15. Summons employees of the school district to attend such regular and occasional meetings as are necessary to carry out the education program of the school district;
16. Supervises methods of teaching, supervision, and administration in effect in the schools;
17. Conducts annual evaluations of those individuals who directly report to superintendent;
18. Attends such conventions and conferences as are necessary to keep informed of the latest educational trends;
19. Accepts responsibility for the general efficiency of the school system, for the **professional** development of the employees, and for the educational growth and welfare of the students;
20. Defines educational needs and formulates policies and plans for recommendation to the board;
21. Makes administrative decisions necessary for the proper functioning of the school district;
22. ~~Responsible for scheduling~~ **Assumes the responsibility for** the use of buildings and grounds by all groups and/or organizations;
23. Acts as the purchasing agent for the board, and establishes procedures for the purchase of books, materials, and supplies;

24. Approves vacation schedules for employees;
25. Conducts periodic district administration meetings; ~~and~~;
26. Performs other duties as may be assigned by the board;
27. Supervises the establishment or modification of the boundaries of school attendance **locations**, and transportation areas subject to approval of the board; **and**
28. Directs studies of buildings and sites, taking into consideration population trends and the educational and cultural needs of the district in order to ensure timely decisions by the board and the electorate regarding construction and renovation projects.

This list of duties shall not act to limit the board's authority and responsibility over the superintendent. In executing these duties and others the board may delegate, the superintendent shall consider the school district's financial condition as well as the needs of the students in the school district.

Cross Reference: 205 School Board Policy Process
 301 Administrative Structure

POLICY 302.5
GERING PUBLIC SCHOOLS
GERING, NE

SUPERINTENDENT EVALUATION

The board will conduct an ongoing evaluation of the superintendent's skills, abilities, and competence. At a minimum, the board will formally evaluate the superintendent twice in the first year and annually thereafter. The goal of the superintendent's formal evaluation is to ensure the education program for the students is carried out, promote growth in effective administrative leadership, clarify the superintendent's role, clarify the immediate priorities of the board, and develop a working relationship between the board and the superintendent.

The formal evaluation will be based upon the following principles:

1. The evaluation criteria shall be in writing, clearly stated and mutually agreed upon by the board and the superintendent. The criteria will be related to the job description and the school district's goals;
2. At a minimum, the evaluation process will be conducted annually at a time agreed upon;
3. Each board member shall have an opportunity to individually evaluate the superintendent, and these individual evaluations will be compiled into an overall evaluation by the entire board;
4. The board as a whole shall discuss its evaluation with the superintendent;
5. The board may discuss its evaluation of the superintendent in closed session upon a request from the superintendent if the board determines its discussion in open session will needlessly and irreparably injure the superintendent's reputation;
6. The individual evaluation by each board member, if individual board members so desire, will not be reviewed by the superintendent. Board members are encouraged to communicate their criticisms and concerns to the superintendent in the closed session; and
7. The board will complete the evaluation process by reaching consensus on goals or priorities for the superintendent for the next period of evaluation.

The board president will develop a written summary of the individual evaluations, including both the strengths and the weaknesses of the superintendent, and place it in the superintendent's personnel file to be incorporated into the next cycle of evaluations. This policy supports and

does not preclude the ongoing, informal evaluation of the superintendent's skills, abilities and competence.

Legal Reference: Neb. Statute 79-828

Cross Reference: 202.03 Board Self-Evaluation
204.06 Closed Sessions
302.01 Superintendent Qualifications, Recruitment, Appointment

Approved 02/17/2003

Reviewed 12/07/2021

Revised _____

POLICY 302.6
GERING PUBLIC SCHOOLS
GERING, NE

SUPERINTENDENT PROFESSIONAL DEVELOPMENT

The board encourages the superintendent to continue professional growth by being involved in professional organizations, attending conferences, continuing **his or her** education, and participating in other professional activities.

It shall be the responsibility of the superintendent to arrange the superintendent's schedule in order to enable attendance at various conferences and events. If a conference or event requires the superintendent to be absent from the office for more than three days, requires overnight travel, or involves unusual expenses, the superintendent shall bring it to the attention of the board president prior to attending the event.

The superintendent shall report to the board after an event.

Cross Reference: 303.07 Administrator Professional Development
 402.08 Employee Travel Compensation

Approved 02/17/2003

Reviewed _____

Revised 12/07/2021

POLICY 204.12
GERING PUBLIC SCHOOLS
GERING, NE

PUBLIC PARTICIPATION IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the board shall set time aside for citizen participation, either at a specific time during the meeting or during the discussion of agenda items. The board has the discretion to limit the amount of time set aside for public participation.

If the pressure of business or other circumstances dictate, the board president may decide to eliminate this practice at a particular meeting. The board president will recognize these individuals to make their comments at the appropriate time. The orderly process of the board meeting shall not be interfered with or disrupted. Only those speakers recognized by the board president shall be allowed to speak. Comments by others are out of order. If disruptive, the individual making the comments or another individual causing disruption may be asked to leave the board meeting.

Citizens wishing to address the board on a certain agenda item must notify the superintendent prior to the board meeting. Citizens wishing to present petitions to the board may do so at this time. However, the board will only receive the petitions and not act upon them or their contents.

Subjects for comment should involve areas within the board's proper responsibility. Discussion on unrelated matters is to be discouraged.

Individuals who have a complaint about employees may bring their complaint to the board only after they have followed board policy addressing citizens' complaints. Students who have a complaint may only bring their complaint to the board after they have followed board policy addressing students' complaints.

Any written or printed materials to be circulated for a meeting of the school board must be submitted to the superintendent by the Wednesday preceding a Monday night meeting. This material will be transmitted to the members of the board for their consideration.

Legal Reference: Nebraska Statute 84-1408 to 1414

Cross Reference: 201.7 School Board Liability
204.3 Public Hearings
204.10 Agenda
403.5 Public Complaints about Employees

Approved 1/20/03 Reviewed 2/23/15 Revised 9/14/09

**GERING PUBLIC SCHOOLS
GERING, NE**

PUBLIC COMPLAINTS ABOUT EMPLOYEES

The board recognizes situations may arise in the operation of the school district which are of concern to parents and other members of the school district community. While constructive criticism is welcomed, the board desires to support its employees and their actions to free them from unnecessary, spiteful, or negative criticism and complaints that do not offer advice for improvement or change.

While speakers may, during public meetings, offer objective criticism of school operations and programs, the board will not hear personal complaints concerning district personnel nor against any person connected with the school system unless that complaint is an agenda item having followed the process described below. To do so could expose the board to a charge of being party to slander and would prejudice any necessity to act as the final review of administrative recommendations regarding the matter. The board president will direct the patron to the appropriate means for board consideration and disposition of legitimate complaints involving individuals.

The board firmly believes concerns should be resolved at the lowest organizational level by those individuals closest to the concern. Whenever a complaint or concern is brought to the attention of the board it will be referred to the administration to be resolved. Prior to any board consideration however, the following should be completed:

1. Matters concerning an individual student, teacher, or other employee should first be addressed to the teacher or employee.
2. Unsettled matters from (1) above or problems and questions about individual attendance centers should be addressed to the employee's building principal for certificated employees and support staff. At this level, if requested by the administrator, the complainant shall put the complaint in writing.
3. Unsettled matters regarding certificated employees from (2) above or problems and questions concerning the school district should be directed to the superintendent.
4. If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the board in writing. The board will follow policy 1005.01 in handling public complaints.

Cross Reference: 204.10 Agenda
 204.12 Public Participation at Board Meetings
 1005.01 Public Complaints

Approved 03/15/10