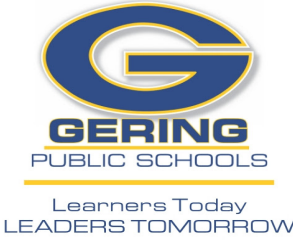


Regular Board of Education Meeting

Monday, September 9, 2024 6:00 PM

Gering High School - Freshmen Academy Wing, 1500 U Street,
Gering, NE 69341



Agenda

{{Name: Agenda Item Name}}

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.*

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.

2. **Opening Procedures**

2.1. Call to Order

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.

2.2. Roll Call

2.3. Pledge of Allegiance

2.4. 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, ****, 2022.

2.5. **Annual Budget Presentation 2024-2025**

Purpose of Special Presentation is to hear support relating to the proposed budget and to consider amendments relative thereto.

3. **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.

3.1. Minutes from the previous month's board meeting(s) August 27, 2024

3.2. Approval of Claims/Bills

Fund Amount	
01 General	\$558,147.75
03 Employee	\$242.00
05 Activity	\$16,418.94
06 Cafeteria	\$212,839.70
08 Special Building	\$124,994.41
09 QCPUF	\$46,670.00
Fund Totals:	\$959,312.80

3.3. Board Policy Adoption

3.3.i. Updated Board Policies

3.3.i.1. Policy 902.3

Construction Management at Risk Contracts

POLICY 902.3

Construction Management at Risk Contracts

3.4. Personnel Items

3.4.i. Certified Staff Contract(s)

3.4.ii. Certified Staff Resignation(s)

4. **Celebration of Excellence**

5. **Reports & Discussions**

5.1. Board Committee Report: Curriculum & Personnel

5.2. Board Committee Report: Business & Facilities

5.3. Monthly Finance Report

5.4. Superintendent's Report

5.4.i. Strategic Plan Update 2024-2029

6. **Public Comments: 204.12**

7. **Action Items**

8. **Board Comments**

8.1. Tentative Upcoming Board Meeting/Event Dates

Future Board Meetings

Special Meeting: Tues, ***, 2024 @ 12:00 p.m. (Central Office)

Regular Meeting: Mon, ***, 2024 @ 6:00 p.m. (Freshman Academy)

Special Meeting: Tues, ***, 2024 @ 12:00 p.m. (Central Office)

Tentative Committee Meeting Dates:

Personnel & Curriculum Committee: Tues, ***, 2024 @ 7:00 a.m. (Central Office)

Policy Review Committee: Thurs, ***, 2024 @ 4:00 p.m. (Central Office)

Finance & Facilities Committee: Thurs, ***, 2024 @ 4:30 p.m. (Central Office)

Upcoming Event Highlights:

Event

9. **Adjourn**

Special Board of Education Meeting

Thursday, August 29, 2024 7:00 AM

Gering Public Schools - Central Office
1519 10th St
Gering, NE 69341



Minutes

1. GPS Board of Education Information

2. Opening Procedures

2.1. Call to Order

B.J. Peters called the meeting to order at 7:00 a.m.

2.2. Roll Call

Present: Brian Copsey, Josh Lacy, John Maser, B.J. Peters, Greg Trautman, Tracy Wiese.

2.3. Open Meetings Act

3. Consent Agenda

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

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

3.1. Minutes from the previous month's board meeting(s) August 12, 2024.

3.2. Board Policy Adoption

3.2.i. Second Reading of Board Policies

3.2.ii. 504.24 Title IX NONDISCRIMINATION

4. Reports and Discussions

5. Public Comments: 204.12

6. Action Items

6.1. Discuss, consider, and take action regarding the approval of the 2024-2025 school year Budget Resolution.

Director of Finance Stacy Rodriguez addressed the board regarding the Budget Resolution for 2024-25.

B.J. read the Budget Resolution in its entirety to the board.

A motion to approve the 2024-2025 school year Budget Resolution was presented by Greg Trautman, seconded by John Maser. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

6.2. Discuss, consider, and take action to amend the motion for Dana Cole to perform the 24-25 school year Audit to perform the 23-24 Audit.

A motion to amend the motion for Dana Cole to perform the 23-24 school year audit. was presented by Brian Copsey, seconded by Josh Lacy. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

6.3. Discuss, consider, and take action regarding the approval of the Middle School Improvement Committee.

B.J. stated the problems at the middle school have not gone away. Brian stated the middle school is not serving our students and staff well. Weighing what our options could be. The committee will report back to the board on updates. It is an important issue. Josh stated thank you to everyone for serving on the committee.

A motion to approve the Middle School Improvement Committee was presented by Greg Trautman, seconded by Tracy Wiese. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

6.4. 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.

A motion to enter into Executive Session at 7:19 a.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 Greg Trautman, seconded by Josh Lacy. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

6.5. Reconvene from the Executive Session.

A motion to reconvene from Executive Session at 7:55 a.m. was presented by Greg Trautman, seconded by John Maser. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

6.6. Discuss, consider, and take all necessary action on amending the superintendent's contract.

A motion to approve and add an addendum to the superintendent's contract by adding a full single premium of health insurance paid by the district and reducing \$5,000 from the cash in lieu was presented by Brian Copsey, seconded by Josh Lacy. After voting, motion Passed.

Brian Copsey: **Yea**, Josh Lacy: **Yea**, John Maser: **Yea**, B.J. Peters: **Yea**, Greg Trautman: **Yea**, Tracy Wiese: **Yea**

7. Adjourn

The meeting was adjourned at 7:58 p.m.

Future Board Meetings

Regular Meeting: Mon. Sept. 9, 2024 @ 6:00 p.m. (Freshmen Academy)

Tentative Committee Meeting Dates:

Personnel & Curriculum Committee: Tues. Sept. 3, 2024 @ 7:00 a.m. (Central Office)

Middle School Improvement Committee: Wed. Sept. 4, 2024 @ 4:00 p.m. (Central Office)

Finance & Facilities Committee: Thurs. Sept. 5, 2024 @ 4:30 p.m. (Central Office)

Policy Review Committee: Thurs. Sept. 12, 2024 @ 4:30 p.m. (Central Office)

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 902.3
GERING PUBLIC SCHOOLS
GERING, NE

Construction Management at Risk Contracts

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

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

Definitions. For purposes of this policy:

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

Procedures.

1. Procedures for the preparation and content of requests for proposals shall include the following:
 - A. At least thirty days prior to the deadline for receiving and opening proposals, notice of the request for proposals shall be published in a newspaper of general circulation within the school district and filed with

the State Department of Education. The request for proposals shall contain, at a minimum, the following elements:

1. The identity of the school district for which the project will be built and the school district that will execute the contract;
 2. Policies adopted by the school district pursuant to the Act;
 3. The proposed terms and conditions of the contract, including any terms and conditions which are subject to further negotiation. The proposed general terms and conditions shall be consistent with nationally recognized model general terms and conditions which are standard in the design and construction industry in Nebraska. The proposed terms and conditions may set forth an initial determination of the manner by which the construction manager selects any subcontractor and may require that any work subcontracted be awarded by competitive bidding;
 4. Any bonds and insurance required by law or as may be additionally required by the school district;
 5. General information about the project which will assist the school district in its selection of the construction manager, including a project statement which contains information about the scope and nature of the project, the project site, the schedule, and the estimated budget;
 6. The criteria for evaluation of proposals and the relative weight of each criterion; and
 7. A description of any other information which the school district chooses to require.
2. Procedures for the preparation and submission of proposals by the construction manager shall be determined on a project-by-project basis and included within the requests for proposals.
 3. Procedures for evaluating requests for proposals submitted to the school district by a construction manager shall include the following:
 - A. The school district shall refer the proposals for recommendation to a selection committee. The selection committee shall be a group of at least five persons designated by the school district. Members of the selection committee shall include (1) members of the school board, (2) members of the school administration or staff, (3) the school's architect or engineer (4) any person having special expertise relevant to selection of a construction manager under the Act, and (5) a resident of the school district other than

an individual included in subdivisions (1) through (4) of this subsection. A member of the selection committee designated under subdivision (4) or (5) of this subsection shall not be employed by or have a financial or other interest in a construction manager who has a proposal being evaluated and shall not be employed by the school district or the school's architect or engineer.

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

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

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

- C. The school district shall then evaluate and rank each proposal on the basis of best meeting the criteria in the request for proposals and taking into consideration the recommendation of the selection committee.

4. Procedures for negotiations between the school district and the construction managers submitting proposals prior to the acceptance of a proposal if any such negotiations are contemplated shall include the following:
 - A. The school district may attempt to negotiate a construction management at risk contract with the highest ranked construction manager and may enter into a construction management at risk contract after negotiations.
 - B. The negotiations shall include a final determination of the manner by which the construction manager selects a subcontractor.
 - C. If the school district is unable to negotiate a satisfactory contract with the highest ranked construction manager, the school district may terminate negotiations with that construction manager. The school district may then undertake negotiations with the second highest ranked construction manager and may enter into a construction management at risk contract after negotiations.
 - D. If the school district is unable to negotiate a satisfactory contract with the second highest ranked construction manager, the school district may undertake negotiations with the third highest ranked construction manager, if any, and may enter into a construction management at risk contract after negotiations.
 - E. If the school district is unable to negotiate a satisfactory contract with any of the ranked construction managers, the school district may either revise the request for proposals and solicit new proposals or cancel the construction management at risk process under the act.
 - F. If the school district is able to negotiate a satisfactory contract with a construction manager, the school district shall file a copy of all construction management at risk contract documents with the State Department of Education within thirty days after their full execution. Within thirty days after completion of the project, the construction manager shall file a copy of all contract modifications and change orders with the State Department of Education.

5. Procedures for filing and acting on formal protests relating to the solicitation or execution of construction management at risk contracts shall include the following:
 - A. Definitions.
 - (1) Interested party shall mean an actual or prospective bidder whose direct economic interest would be affected by the award of a contract by the school district to another party or by the failure of the school district to award a contract to such actual or prospective bidder.
 - (2) Protest shall mean a written objection by an interested party on any phase of the bidding process, including specification, preparation,

bid solicitation, and intent to award.

- B. Right to Protest. An interested party may protest to the Superintendent. The protest shall be submitted in writing on company letterhead within five working days after public notice of the bid. Protests based on alleged apparent improprieties in a solicitation or other request for proposals must be filed before bid opening or the closing date for receipt of proposals. In all other cases, the protest must be filed within five working days following the selection of the construction manager. To expedite handling of protests, the envelope containing the protest should be clearly labeled "Protest". The written protest shall include as a minimum the following:
- (1) The name and address of the interested party;
 - (2) Appropriate identification of the relevant solicitation, and if a bid has been opened, its number, and date of opening;
 - (3) A detailed statement of reasons for the protest;
 - (4) Supporting, exhibits, evidence, or documents to substantiate any claims unless not available within the filing time, in which case the expected availability date shall be indicated; and a list of all persons who have knowledge of facts relevant to the protest; and
 - (5) The action(s) the protestor desires the school district to take to resolve the protest.

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

- C. Authority to Resolve Protests. Prior to the commencement of an administrative review by the Board concerning any protest, the Superintendent shall attempt to resolve any protest filed by an interested party concerning any solicitation. If the protest is not resolved by mutual agreement, the Superintendent shall create and deliver a Decision to the protestor within a reasonable time after the written protest was received. The Decision shall include a written summary of the Superintendent's investigation and a recommendation regarding the outcome of the protest. The Decision shall (1) state the reasons for the action taken, and (2) inform the interested party of their right to the administrative review by

the Board. A copy of the Decision shall be mailed or otherwise furnished immediately to the interested party and any other party intervening protester and all other bidders. If not satisfied with the decision of the Superintendent, any interested party protester may appeal to the Board, but the decision shall be final unless the interested party protester files a timely appeal with the Board.

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

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

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

Adopted on: 9/9/24

Revised on: _____

Reviewed on: _____

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.

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: Tonight the board will allow a total of 30 minutes for the presentation of ALL public comments. Individuals may speak only one time, and must limit comments to around 5 minutes. If there are more than 6 individuals who wish to address the board, the 30 minutes will be divided equally between the number of speakers. These time limits may be changed by a majority vote of the board members in attendance to extend the time for a specific item or speaker. You may only speak ONCE.
- Personnel or Student Topic: If you are planning to speak about a personnel or student matter involving an individual, please understand that our policies may require you to follow the district's complaint procedure before addressing the board. Board members will generally not respond to any questions you ask 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. Lewd, obscene, profane, slanderous, threatening and hostile conduct or statements and fighting words (words whose mere utterance entails a call to violence) will not be tolerated.
- No action by the Board: The board will not act on any matter which is not on the agenda and will not take action upon the conclusion of public comment.

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 01/20/2003

Reviewed 02/23/2015, 10/14/2021 6/9/22

Revised 09/14/2009, 7/20/22