

**Regular Board Meeting**  
**January 16, 2023, at 7:30 PM**  
**Southern School District**

Notice is hereby given of a meeting of the Board of Education, Southern School District #1 on January 16, 2023, at 7:30 PM at Southern Jr./Sr. High School Board Room in Wymore. A current agenda is also available at the office of the Superintendent.

I hereby certify that the above notice was posted in three public places as follows:

Southern Elementary School

Southern Jr./Sr. High School

U.S. Post Office in Wymore

- I. Call Meeting to Order
  - I.A. Roll Call
  - I.B. Notice of Nebraska Open Meetings Act Posted
  - I.C. Motion to excuse Dana Dorn from the January 16, 2023, school board meeting
  - I.D. Oath of Office
  - I.E. Reorganization of the Southern School Board
    - I.E.1. Election of Officers
      - I.E.1.1. President
      - I.E.1.2. Vice-President
      - I.E.1.3. Secretary
- II. Approval of Minutes from the December 12, 2022, Regular Board Meeting and Special Board Meeting

- III. Communications, Audiences, and Recognitions
  - III.A. Public comments will not be received after this period of time. Public comment period is limited to 5 minutes per person and a total of 30 minutes overall.
- IV. Financial Statement: Items for Discussion, Consideration, and/or Action
  - IV.A. Approval of Bills
    - IV.A.1. General Fund, Special Building Fund, Depreciation Fund, and Qualified Capital Purpose Undertaking Fund Claims
    - IV.A.2. Lunch & Activity Claims
- V. Support Service
  - V.A. Facility Update
  - V.B. Personnel Items
  - V.C. Technology Update
- VI. Administrative and Committee Reports
  - VI.A. Student Board Member Report
  - VI.B. Elementary Principal's Report
  - VI.C. Secondary Principal's Report
  - VI.D. Superintendent's Report
- VII. Items for Discussion, Consideration, and/or Action
  - VII.A. Appointments
    - VII.A.1. Authorized Representative for State & Federal Programs
    - VII.A.2. Bus Mechanic for Bus Inspections
    - VII.A.3. District's Non-Discrimination Compliance Coordinator
    - VII.A.4. Treasurer
  - VII.B. Designate the Fund Depository for Southern Public Schools
  - VII.C. Designate the Legal Newspaper for Southern Public Schools

VII.D. Designate the Legal Counsel for Southern Public Schools

VII.E. Designate the Method for Publicizing Meetings of the Southern Board of Education

VII.F. Appoint School Board Standing Committees

VII.F.1. American Civics

VII.F.2. Buildings & Grounds

VII.F.3. Finance

VII.F.4. Negotiations

VII.F.5. Policy

VII.F.6. Transportation

VII.G. Policy Review - Policy 2005: Conflict of Interest, Policy 2006: Complaint Procedures, Policy 2012: Code of Ethics

VII.H. Option Enrollment Applications

VIII. Adjournment

# Nebraska Open Meetings Act

**84-1407. Act, how cited.** Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

**84-1408. Declaration of intent; meetings open to public.** It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

**84-1409. Terms, defined.** For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

**84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.**

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

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

(b) Discussion regarding deployment of security personnel or devices;

(c) Investigative proceedings regarding allegations of criminal misconduct;

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

(e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or

(f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1) (a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

**84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body.**

(1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site. (ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such notice shall be published by: (A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site; or (B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting. (iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of

an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

(a) Reasonable advance publicized notice is given as provided in subsection (1) of this section;

(b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recodation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;

(c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;

(d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and

(e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or (ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if:

(a) The territory represented by the educational service unit, member educational service units, community college board of governors, public power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given as provided in subsection (1) of this section which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recodation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site;

(g) The telephone conference call lasts no more than five hours; and

(h) No more than one-half of the board's, council's, governing body's, committee's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that: (i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and (ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

**84-1412. Meetings of public body; rights of public; public body; powers and duties.**

(1) Subject to the Open Meetings Act, the public has the right to attend and the right

to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an instate location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act;

(f) Reasonable arrangements are made to provide viewing at other instate locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and

(g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the instate location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

**84-1413. Meetings; minutes; roll call vote; secret ballot; when.**

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

**84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.**

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

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

Revised  
10/2020



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**OATH OF OFFICE**

I, \_\_\_\_\_, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely and without mental reservation or for purpose of evasion; and that I will faithfully and impartially perform the duties of the office of member of the board of education, according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence. So help me God.

\_\_\_\_\_  
Board Member Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

**2004**  
**Oath of Office**

No board member is required to take an oath of office pursuant to Nebraska law. However, new board members may voluntarily take the following oath before entering into their official duties:

I, ....., do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely and without mental reservation or for purpose of evasion; and that I will faithfully and impartially perform the duties of the office of member of the board of education, according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence. So help me God.

Board members may affirm the oath orally or in writing. Copies of written oaths will be retained as official records of the school district in the main administrative office and such other places as may be required by law. Board members who give the oath orally will be noted in the minutes.

Adopted on: 7-9-2018

Revised on: \_\_\_\_\_

Reviewed on: 2-10-2020

**2002**  
**Organization of the Board, Board Officers, Check Signing, and**  
**Committees**

1. Membership, Term and Election

- a. The Board of Education shall be comprised of six members who will be elected at large.
- b. Those who wish to serve on the board shall file, be elected, and serve terms of office on the board according to law.

2. Internal Organization and Officers

a. President

- i. At the regular January meeting, the board shall elect from among its members a president who shall serve in that capacity for one year.
- ii. The president shall preside at all board meetings, and shall perform such other duties as may be prescribed by law or by action of the board.

b. Vice President

- i. At the regular January meeting, the board shall elect from among its members a vice president who shall serve in that capacity for one year.
- ii. The vice president shall preside in the absence of the president, and shall perform such other duties as are assigned by the board.

c. Secretary

- i. At the regular January meeting, the board shall elect a secretary who need not be a member of the board. The secretary shall serve in that capacity for one year. If the secretary is a member of the board, an assistant secretary may be named and his or her duties and compensation set by the board.

- ii. The secretary shall see that an accurate record of the proceedings of the board is kept, that a copy of the proceedings is provided to each board member and to the superintendent, and that a concise summary of each month's meeting is published along with a list of all approved claims. The secretary shall perform such other duties as are prescribed by law and assigned by the board.

d. Treasurer

- i. At the regular January meeting, the board shall elect, employ, or appoint a treasurer who need not be a member of the board if permitted by law. The treasurer shall serve in that capacity for one year, unless the board designates a longer term for the treasurer.
- ii. The treasurer may be designated to sign checks and certain other documents. The treasurer is the custodian of the monies of the district.
- iii. The treasurer shall give bond or equivalent insurance coverage payable to the district as prescribed by law with the cost of the bond being paid by the district.
- iv. The treasurer shall issue no warrant of payment of claim against the district until such claim has been duly authorized.

3. Signing and Authorizing Checks, Warrants, and other Instruments.

- a. Unless otherwise delegated by the board, the president and secretary of the board shall sign checks, warrants, and other instruments of the district.
- b. The board may delegate another person to sign and validate any checks, warrants, and other instruments. Facsimile signatures of board members may be used.
- c. The board delegates that the vice president or treasurer may sign any warrant in the absence of either the president or the secretary.

#### 4. Board Officer Voting and Tie Breakers

- a. The vote to elect board officers may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.
- b. In the event any officer cannot be elected by a majority after 10 votes; no votes occur after ten motions fail for lack of a "second,"; or no member volunteers to serve as an officer for a particular position, the tie will be broken by the applicable method:
  - i. If the board is split between two members, the officer will be determined by coin flip. The winning member will be the officer for the upcoming year unless the position changes by action of the board.
  - ii. If the board is split between more than two members who wish to serve as the officer, any member wanting to serve as the officer will put his or her name into a drawing. The name drawn out will be the officer for the upcoming year unless the position changes by action of the board.
  - iii. If no member is willing to serve as an officer for a position which is required to be a member of the board, all non-officers' names will be put into a drawing. The name drawn out will be the officer for the upcoming year unless the position changes by action of the board.

#### 5. Committees

- a. The board shall authorize such special committees as it deems necessary. The board president shall appoint members to the committee, and designate its function, tasks it is to perform, and a completion date for its work.
- b. On or before the beginning of each calendar year, the board shall appoint three members to form a Committee on American Civics. The committee's duties shall be those prescribed by Nebraska statutes, which include:
  - i. Hold no fewer than two public meetings annually, at least one where public testimony is accepted;

- ii. 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;
- iii. Examine and ensure that the social studies curriculum used in the district is aligned with the social studies standards adopted pursuant to section 79-760.01 and teaches foundational knowledge in civics, history, economics, financial literacy, and geography;
- iv. 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 as set forth in sections 79-719 to 79-723 in order to instill a pride and respect for the nation's institutions and not be merely a recital of events and dates;
- v. 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;
- vi. Ensure that the district develops and utilizes formative, interim, and summative assessments to measure student mastery of the social studies standards adopted pursuant to section 79-760.01;
- vii. Ensure that the social studies curriculum in the district incorporates one or more of the following for each student:
  - 1. Administration of a written test that is identical to the entire civics portion of the naturalization test used by United States Citizenship and Immigration Services prior to the completion of eighth grade and again prior to the completion of twelfth grade with the individual score from each test for each student made available to a parent or guardian of such student; or
  - 2. Attendance or participation between the commencement of eighth grade and completion of twelfth grade in a meeting of a public body as defined by section 84-1409 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 such attendance or participation; or

3. 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 a holiday listed in section 79-724(6) or on a topic related to such person or persons or event;
- viii. 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.

## 6. Vacancies

- a. A vacancy on the board of education shall exist when any one of the following occurs:
  - i. A member submits his or her formal resignation from the board.
  - ii. A member removes himself or herself from the district or is absent from the district for a continuous period of sixty days.
  - iii. A member misses more than two consecutive regular board meetings unless excused by a majority of the remaining members.
  - iv. Such other reasons as are set forth in Nebraska statutes.
- b. The board shall make note the vacancy in its minutes and shall give notice of the date the vacancy occurred, the office vacated, and the length of the unexpired term to (1) the election commissioner or county clerk, and (2) the public by published notice in a newspaper of general circulation in the district.
- c. Vacancies shall be filled in the manner set forth in Nebraska statutes.

Adopted on: 7-9-2018  
Revised on: 6-8-2020  
Reviewed on: 2-10-2020

MINUTES  
BOARD OF EDUCATION  
December 12, 2022  
6:30 PM

I. Call Meeting to Order

President Dave Zimmerman called the meeting to order at 6:30 p.m. and the following members were present: Aaron Whitwer, Dana Dorn, Dave Zimmerman, and Jim Zvolanek. The following administrators were present: Jerry Rempe, Jeff Murphy, & Christopher Proski.

Reasonable advance publicized notice of the meeting was given according to law by publishing, a designated method for giving notice of the school district. Posted Location:

- Fairbury Journal-News

Posted Date: 11/30/2022

Reasonable advance notice was simultaneously given to board members and a copy of their acknowledgement of receipt of notice and the agenda attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

I.A. Roll Call

I.B. Notice of Nebraska Open Meetings Act Posted

President Dave Zimmerman announced that a complete copy of the Nebraska Open Meetings Act was posted on the back of the board of education meeting room.

I.C. Motion to excuse Angela Meyer & Betsy Frerichs from the December Special Board Meeting

Motion to excuse Angela Meyer & Betsy Frerichs from the December Special Board Meeting Special Meeting. This motion, made by Aaron Whitwer and seconded by Dana Dorn, passed. Betsy Frerichs: Absent, Angela Meyer: Absent, Dana Dorn: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes  
yes: 4, no: 0, Absent: 2

II. Items for Discussion, Consideration, and/or Action

II.A. Facility Study Presentation - Wilkins ADP - Jacob Sertich

Jacob Sertich worked with the school board members to prioritize items for a 1–10 year long-range facility plan in an effort to meet current code requirements and to improve the current safety and security of the district buildings. The school board wants to try and accomplish a number of facility upgrades within the current budget limitations, while also exploring possible grant funding to help cover the cost of these projects. Dr. Proski noted that the safety of the students and staff is the number one priority of the district.

### III. Adjournment

Motion to adjourn the meeting at 7:23 p.m. This motion, made by Dana Dorn and seconded by Jim Zvolanek, passed.

Betsy Frerichs: Absent, Angela Meyer: Absent, Dana Dorn: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes  
yes: 4, no: 0, Absent: 2

The next Regular Board meeting is scheduled for 7:30 p.m., December 12, 2022, at Southern Jr./Sr. High School Boardroom in Wymore. The Board of Education will usually adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to amend the agenda as deemed necessary.

BY

President of the Board of Education  
Of this School District

ATTEST

Secretary of the Board of Education  
of this School District

MINUTES  
BOARD OF EDUCATION  
December 12, 2022  
7:30 PM

I. Call Meeting to Order

President Dave Zimmerman called the meeting to order at 7:30 p.m. and the following members were present: Aaron Whitwer, Dana Dorn, Dave Zimmerman, and Jim Zvolanek. The following administrators were present: Jerry Rempe, Jeff Murphy, & Christopher Prosocki. The following student board member representative was present: Iasiah Hoover.

Reasonable advance publicized notice of the meeting was given according to law by publishing, a designated method for giving notice of the school district. Posted Location:

- Fairbury Journal-News

Posted Date: 11/30/2022

Reasonable advance notice was simultaneously given to board members and a copy of their acknowledgement of receipt of notice and the agenda attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

I.A. Roll Call

I.B. Notice of Nebraska Open Meetings Act Posted

President Dave Zimmerman announced that a complete copy of the Nebraska Open Meetings Act was posted on the back of the board of education meeting room.

I.C. Motion to excuse Angela Meyer & Betsy Frerichs from the December Board Meeting

Motion to excuse Angela Meyer & Betsy Frerichs from the December Board Meeting. This motion, made by Dana Dorn and seconded by Aaron Whitwer, passed.

Betsy Frerichs: Absent, Angela Meyer: Absent, Dana Dorn: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes  
yes: 4, no: 0, Absent: 2

II. Approval of Minutes from the November 14, 2022, Regular Board Meeting

Motion to approve minutes from the November 14, Regular Board Meeting. This motion, made by Aaron Whitwer and seconded by Jim Zvolanek, passed.

yes: 4, no: 0, Absent: 2

III. Communications, Audiences, and Recognitions

III.A. Public comments will not be received after this period of time. Public comment period is limited to 5 minutes per person and a total of 30 minutes overall.

#### IV. Financial Statement: Items for Discussion, Consideration, and/or Action

##### IV.A. Approval of Bills

##### IV.A.1. General Fund, Special Building Fund, Depreciation Fund, and Qualified Capital Purpose Undertaking Fund Claims

Motion to approve the general fund, special building fund, depreciation fund, and qualified capitol purpose undertaking fund claims. This motion, made by Jim Zvolanek and seconded by Dana Dorn, passed.

Betsy Frerichs: Absent, Angela Meyer: Absent, Aaron Whitwer: Abstain (With Conflict), Dana Dorn: yes, David Zimmerman: yes, Jim Zvolanek: yes  
yes: 3, no: 0, Absent: 2, Abstain (With Conflict): 1

##### IV.A.2. Lunch & Activity Claims

#### V. Support Service

##### V.A. Facility Update

John Eisenhower provided the school board with a written report on: setting up for events, fixing leaky faucets, sump-pump going out, projectors and screens hung, planning to have all locks replaced over Christmas break, transportation, and fixing a front windshield on a van.

Dr. Prososki went over a quote for a maintenance management system and Dr. Prososki said that he has been working on getting everything lined up for the electric bus and the infrastructure to charge the bus. He noted that this process has been very labor intensive since it is new technology, it has made the process a lot longer than what he planned for. He noted that both transformers at the Jr./Sr. High School will need to be updated because they are in very bad shape and they will need to be updated to support the Level II and Level III charging stations. Dr. Prososki said they will be completing a cost-sharing program with the city of Wymore to purchases the new transformers. In addition, Dr. Prososki is going to write another grant with NPPD that will cover 90% of the costs of 2 upgraded transformers, 3 charging stations, and all of the electrical and Internet work that is required. NPPD also said they will fund 90% of a Level II charging station in Blue Springs, which will allow the district to be more flexible when it comes to charging the electric bus in multiple locations. Dr. Prososki said the initial infrastructure grant will cover the remaining 10% of the costs. Lastly, he noted there is a lot of misinformation about the grant the district received for the electric bus and he said if anyone has questions, they can reach out to Dr. Prososki to receive the correct information about this grant.

##### V.B. Personnel Items

##### V.B.1. Hiring Recommendation

##### V.B.1.1. Kane Hookstra - 1.0 FTE - PK-6 Principal for the 2023-2024 School Year

Motion to approve Kane Hookstra as the PK-6 principal for the 2023-2024 school year. This motion, made by Jim Zvolanek and seconded by Aaron Whitwer, passed.

yes: 4, no: 0, Absent: 2

## V.B.2. Resignation

### V.B.2.1. Jerry Rempe - 1.0 FTE - PK-6 Principal/Athletic Director at the Conclusion of the 2022-2023 School Year

Motion to approve the resignation of Jerry Rempe at the conclusion of the 2022-2023 school year. This motion, made by Dana Dorn and seconded by Jim Zvolanek, passed.

yes: 4, no: 0, Absent: 2

The school board accepted the resignation of Jerry Rempe at the conclusion of the 2022-2023 school year with regrets and they thanked Jerry for his years of service at Southern Public Schools.

## V.C. Technology Update

## VI. Administrative and Committee Reports

### VI.A. Student Board Member Report

The student board member reported on the following items: athletic teams update, student council dress up days, door decorations, FBLA Christmas party, and blood drive.

### VI.B. Elementary Principal's Report

The elementary principal reported on the following items: current enrollment figures (3-Year-Old Preschool - 10, 4-Year-Old Preschool - 18, K - 26, 1st - 17, 2nd - 32, 3rd - 23, 4th - 28, 5th - 21, & 6th - 27), DIBELS & NSCAS testing, Christmas activities, upcoming events, & winter participation numbers (Boys Basketball - 17, Girls Basketball - 12, & Wrestling - 14).

### VI.C. Secondary Principal's Report

The secondary principal reported on the following items: current enrollment figures (7th - 22, 8th - 28, 9th - 28, 10th - 33, 11th - 28, 12th - 29), last day of the semester, 3 alternative spots filled at ESU 5, winter concert & cake auction (Raised around \$2,100), student recognitions in a variety of events and activities, FBLA food drive, and NSCAS testing.

### VI.D. Superintendent's Report

Dr. Prosofski said that some student groups were underperforming on the Nebraska Student-Centered Assessment System (NSCAS) and, based on federal regulations, the Elementary School and Junior High School were identified as Additional Targeted Support and Improvement (ATSI) schools. Based on this designation, they will have to create a plan for improvement by building and complete a resource allocation review. Next, Dr. Prosofski said that all ESU 5 superintendents will be meeting with Senator Tom Brandt of District 32 and Senator Myron Dorn of District 30 in an effort to advocate for public schools in our area. Dr. Prosofski presented the 2021-2022 Annual Report, he gave the board an update on the certificated staff salaries for

the 2023-2024 school year, and he went over the January in-service agenda. Next, Dr. Prososki went over a legislative update and he noted that the Nebraska Initiative 433 (Minimum wage increase) only pertains to state minimum wage law and schools in Nebraska are considered governmental agencies and they have to abide by the federal minimum wage law of \$7.25 (Dr. Prososki noted that when Nebraska Initiative 433 is fully implemented, starting wages at Southern will exceed that amount). Dr. Prososki went over Policy 2016: Participation in Insurance Program by Board Members and he said that Dave Zimmerman is the only board member participating in the school's employees' health and dental insurance programs. Dave Zimmerman has to pay both the employee and employer portions of the premiums or \$25,055 a year. Dr. Prososki then went over a property tax request comparison for Gage County, and Southern is the only district in the area that has not increased their tax request dating back to the 2016-2017 school year. Lastly, Dr. Prososki and some board members gave an update of the State Education Conference that they recently attended and he gave the school board an update on the strategic plan for 2020-2024.

## VII. Items for Discussion, Consideration, and/or Action

### VII.A. Approve the 2023-2024 Negotiated Agreement with the Southern Education Association

Motion to approve the 2023-2024 negotiated agreement with the southern education association. This motion, made by Jim Zvolanek and seconded by Aaron Whitwer, passed.  
yes: 4, no: 0, Absent: 2

For the 2023-2024 school year, teachers will receive a \$993 raise to the base salary and this will represent a 4.92% increase. This increase will put their total compensation around the 102% threshold in the array. Based on LB 397, teachers' total compensation has to fall between 98%-102% threshold. In addition, there were a handful of items that were updated on the Extra Duty Schedule.

### VII.B. 2023-2024 District Calendar

Motion to approve the 2023-2024 district calendar. This motion, made by Dana Dorn and seconded by Jim Zvolanek, passed.  
yes: 4, no: 0, Absent: 2

### VII.C. 2023-2024 Preschool Calendar

Motion to approve the 2023-2024 preschool calendar. This motion, made by Aaron Whitwer and seconded by Dana Dorn, passed.  
yes: 4, no: 0, Absent: 2

### VII.D. Superintendent's Contract

Dr. Prososki's current base salary ranks 8th out of 11 schools in the array and his total compensation ranks 7th out of 11 schools in the array. Dr. Prososki base salary is \$7,039 below the midpoint (His base salary is currently at 95% on the array).

#### VII.D.1. Superintendent's Contract Extension

Motion to approve the superintendent's contract extension. This motion, made by Jim Zvolanek and seconded by Aaron Whitwer, passed.  
yes: 4, no: 0, Absent: 2

Dr. Prosocki contract was extended through the 2024-2025 school year

#### VII.D.2. Superintendent Salary and Benefits

Motion to approve a base salary of \$144,000 for the 2023-2024 school year. This motion, made by Jim Zvolanek and seconded by Dana Dorn, passed.  
yes: 4, no: 0, Absent: 2

This salary increase will move him from 95% on the array to the midpoint on the array or at 100%.

#### VII.E. Option Enrollment Applications

#### VIII. Adjournment

Motion to adjourn the meeting at 8:50 p.m. This motion, made by Dana Dorn and seconded by Aaron Whitwer, passed.  
yes: 4, no: 0, Absent: 2

The next Regular Board meeting is scheduled for 7:30 p.m., January 16, 2023, at Southern Jr./Sr. High School Board Room in Wymore. The Board of Education will usually adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to amend the agenda as deemed necessary.

BY  
President of the Board of Education  
Of this School District

ATTEST  
Secretary of the Board of Education  
of this School District

## **PUBLIC PARTICIPATION**

INSTRUCTIONS FOR MEMBERS OF THE PUBLIC WHO WISH TO SPEAK:  
This is the portion of the meeting when members of the public may speak to the board about matters of public concern.

- **Getting Started:** When you have been recognized, please identify yourself, including an address and the name of any organization you represent. The board may waive the address requirement to protect the security of the individual.
- **Time Limit:** The board will generally 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.
- **Personnel or Student Topic:** If you are planning to speak about a personnel or a student matter involving an individual, please understand that the district has a complaint policy and/or procedures to resolve such complaints and concerns. The Board requests that you follow the policy and procedures before addressing these matters with the Board. Board members will generally not respond to any questions you ask or comments about individual staff members or students.
- **General Rules:** This is a public meeting for the conduct of business. Comments from 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 unless it is on the published agenda.

## 2022-23 SCHOOLWIDE PLAN RATING RUBRIC for NEW & UPDATED PLANS (ANNUAL REVIEW OF SCHOOLWIDE EFFECTIVENESS)

District Name: \_\_\_\_\_

Grade Span of Building: \_\_\_\_\_

Building Name: \_\_\_\_\_

Date: \_\_\_\_\_

***Although the peer-review process is for determining whether required schoolwide components are in place, the rubric serves as a tool to use annually for reviewing the plan and provides a system to encourage and measure growth. The mandatory components in this rubric require submission of the supporting documentation within the school plan (i.e., copy of the Title I Parent and Family Engagement Policy or Procedure; requirement 5.2) in order to be considered complete. Documentation, not just reference to the documentation must be included in the corresponding folder.***

PLAN PREPARATION	
<b>A</b>	<p><b><i>According to §1114(b)(1-7), A Schoolwide Program Plan: (1) is developed over a one year period, or is amended from a prior plan; (2) is developed with the involvement of parents and other members of the community to be served, and individuals who will carry out such plan; (3) remains in effect for the duration of the school's participation as a Schoolwide Program; (4) is available to the local educational agency, parents, and the public, in an understandable and uniform format; (5) if applicable, is developed in coordination with other Federal, State and local services; (6) is based on a comprehensive needs assessment, and; (7) includes a description of the strategies the school will be implementing to address the school needs.</i></b></p> <p>Plans shall include a Cover Page and a School Information page. NOTE: K-12 plans will NOT be accepted. Each school, (i.e., K-6, 7-8, 9-12) must have a plan specifically addressing its identified needs.</p> <p>In the process of creating the Schoolwide Program Plan the school is encouraged to include elements of the current Continuous Improvement Plan.</p> <p>NOTE: All required documents MUST be included. RECOMMENDATION: Write the narrative first, and then include documentation that supports the narrative.</p>
<p>Schoolwide Plan Cover Pages 1 &amp; 2 are complete. (Please use template provided by NDE)</p>	
<p><input type="checkbox"/> Yes      <input type="checkbox"/> No</p>	
<p>SECTION A COMMENTS:</p>	

**COMPONENTS OF A SCHOOLWIDE PROGRAM**

1	<p>§1114(b)(6) and §1114 (b)(2)                  Requirement: Comprehensive Needs Assessment</p>			
	<p>Omit student names on all documentation.</p>			
	Required (1 point)	Proficient (2 points)	Advanced (3 points)	Points
1.1	<p><i>Required Documentation:</i> The narrative will describe how data was used from a comprehensive needs assessment of the entire school to identify the needs of all children, particularly those who are failing, or are at-risk of failing to meet State academic standards, and how this analysis was used to plan curriculum, instruction and assessment decisions.</p>			
	<p>The school/district provides training opportunities for administration and staff to understand how to disaggregate data by subgroups to inform curriculum, instruction, and assessment decisions.</p>	<p>Trained staff use disaggregated data from the comprehensive needs assessment in the analysis to inform curriculum, instruction, and assessment decisions.</p>	<p>The school uses a systemic approach in using the data to inform curriculum, instruction, and assessment decisions.</p>	
1.2	<p><i>Required Documentation:</i> The narrative will describe how information from the parents and community was gathered to identify the needs of the school. Include documentation that supports the narrative.</p>			
	<p>Parent/community input was gathered that identified the needs of the school through one activity. Describe the activity and how the results were used in the needs assessment.</p> <p><b>Note:</b> If the activity was a parent/community survey, explain how the survey was distributed and collected as well as the survey results.</p>	<p>Parent/community input was gathered that identified the needs of the school through two activities. Describe the activities and how the results were used in the needs assessment.</p> <p><b>Note:</b> If one of the activities was a parent/community survey, explain how the survey was distributed and collected as well as the survey results.</p>	<p>Parent/community input was gathered that identified the needs of the school through three or more activities. Describe the activities and how the results were used in the needs assessment.</p> <p><b>Note:</b> If one of the activities was a parent/community survey, explain how the survey was distributed and collected as well as the survey results.</p>	
1.3	<p><i>Required Documentation:</i> The narrative will describe the on-going improvement efforts, which should support the Continuous School Improvement Plan. Documentation will include action plans from the Continuous School Improvement Plan.</p>			
	<p>The Continuous School Improvement Plan identifies on-going improvement efforts.</p>	<p>The Continuous School Improvement Plan identifies on-going improvement efforts that address students' needs.</p>	<p>The Continuous School Improvement Plan clearly identifies on-going improvement efforts, identified strategies, resources, and interventions to meet the school's goals and student needs.</p>	
<p><b>SECTION 1 COMMENTS:</b></p>				

2	<b>§1114 (b)(7)(A)</b> <b>Requirement: Schoolwide reform strategies</b>			
	<b>Required (1 point)</b>	<b>Proficient (2 points)</b>	<b>Advanced (3 points)</b>	<b>Points</b>
2.1	<i>Required Documentation: The narrative will describe the additional assistance provided for students at risk of not meeting the challenging state academic standards. Evidence of the additional assistance provided.</i>			
	The schoolwide plan includes strategies to address the needs of <i>all</i> children in the school, but particularly those at risk of not meeting the challenging state academic standards and addresses how the school regularly monitors and revises the plan based on student needs.	The schoolwide plan includes strategies to address the needs of <i>all</i> children in the school through student services; but particularly the needs of those at risk of not meeting the challenging state academic standards and addresses how the school regularly monitors and revises the plan based on student needs.	The schoolwide plan includes strategies to address the needs of <i>all</i> children in the school, but particularly those at risk of not meeting the challenging state academic standards which may include counseling, student services, mentoring, career and technical education programs, or professional development. The plan addresses how the school regularly monitors and revises the plan based on student needs.	
SECTION 2 COMMENTS:				
3	<b>§1114(b)(7)(A)(iv)</b> <b>Requirement: High quality and ongoing professional development</b>			
	<b>Required (1 point)</b>	<b>Proficient (2 points)</b>	<b>Advanced (3 points)</b>	<b>Points</b>
3.1	<i>Required Documentation: The narrative will describe the professional development and other activities provided to improve instructional effectiveness and use of academic data to guide instruction. A list of professional development activities tied to standards and needs assessments, and a list of participants will be included.</i>			
	Ongoing professional development and other activities to improve teacher effectiveness and use of data to guide instruction.	Ongoing professional development and other activities to improve teacher effectiveness and use of data to guide instruction especially targeted to those subgroups of students at risk of failing to meet challenging State academic standards.	Ongoing professional development and other activities to improve teachers, paraprofessionals and other school personnel effectiveness and use data to guide instruction, especially targeted to those subgroups of students at risk of failing to meet challenging State academic standards.	
SECTION 3 COMMENTS:				

<b>4</b>	<b>§1116(a-f) Requirement: Strategies to increase parent and family engagement</b>			
	<i>(See section below for Compact Requirements. All requirements must be included to receive a score.)</i>			
	<i>(See section below for Title I Parent and Family Engagement Policy or Procedure Requirements.)</i>			
	<b>Required (1 point)</b>	<b>Proficient (2 points)</b>	<b>Advanced (3 points)</b>	<b>Points</b>
<b>4.1</b>	<p><u>Required Documentation:</u> The narrative will describe how the School-Parent Compact was jointly developed and how it is distributed. A copy of the school-parent compact.</p>			
	The compact was developed with staff and parents and meets the requirements below.	Staff and parents were involved in the development of the compact and reviewed at the annual parent meeting. The compact meets the requirements below.	Staff, parents and students (secondary only) were involved in the development of the compact; reviewed at the annual parent meeting and at least one other time per year. The compact meets the requirements below.	
	<p>A Title I School-Parent Compact has been jointly developed with parents and outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high academic standards. Such compact shall:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment to enable children to meet the challenging state academic standards;</li> <li><input type="checkbox"/> the ways in which parents will be responsible for supporting their children's learning; (For example: volunteering in their child's classroom, participating in decisions relating to the education of their children and positive use of extracurricular time)</li> <li><input type="checkbox"/> address the importance of communication between teachers and parents on an ongoing basis</li> </ul> <p style="text-align: center;"><i>Parent signatures are encouraged, but not required.</i></p>			
<b>4.2</b>	<p><u>Required Documentation:</u> The narrative will describe how the parents were involved in developing the Title I Parent and Family Engagement Policy or Procedure. A copy of the school level Title I Parent and Family Engagement Policy or Procedure is included and describes how the requirements are being met.</p>			
	A school level Title I Parent and Family Engagement Policy or Procedure, meeting Title I requirements (below), was developed with parent and family input.  <i>(Does not need to be Board approved.)</i>	A school level Title I Parent and Family Engagement Policy or Procedure, meeting Title I requirements (below), was developed with parent and family input and is distributed/shared with parents and family.  <i>(Does not need to be Board approved.)</i>	A school level Title I Parent and Family Engagement Policy or Procedure, meeting Title I requirements (below), was developed with parent and family input and is distributed/shared with parents and family and is reviewed and updated at the annual Title I parent meeting.  <i>(Does not need to be Board approved.)</i>	

The **school** has a policy that meets the requirements of ESSA. The policy shall include the following:

- schools shall provide opportunities for the participation of parents and family members including those with migratory children, limited English proficiency, or have disabilities. Parent shall be notified of the Parent and Family Engagement Policy, information related to school and parent programs, meetings, and other activities in an understandable and uniform format and to the extent practicable provided in a language the parents can understand;
- convene an annual parent meeting scheduled at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation under this part and to explain the requirements of this part, and the right of the parents to be involved.
- involve parents in an organized, ongoing, and timely way, in the planning, review, and improvement of the school Parent and Family Engagement Policy;
- provide opportunities for parents and family members to participate in decisions relating to the education of their children. The school shall provide other reasonable support for parental involvement activities;
- provide parents of participating children timely information about programs under this part, a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress and the achievement levels of the challenging State academic standards. The school will provide assistance, opportunities, and/or materials and training to help parents work with their children to improve their children's academic achievement in a format, and when feasible, in a language the parents and family members can understand;
- educate teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents in the value and utility of contributions of parents, how to reach out to, communicate with and work with parents as equal partners;
- coordinate and integrate parental involvement programs and activities with other Federal, State and local programs, including preschool programs that encourage and support parents in more fully participating in the education of their children.

<b>4.3</b>	<p><b><i>Required Documentation:</i></b> The narrative will describe how and when the Title I parent meeting is/was held informing parents of the school's participation in Title I. A copy of the sign in sheet and agenda from the annual Title I parent meeting are included.</p>	
	<p>At least one Title I parent meeting is held annually. The meeting shall inform parents of the school's participation in the Title I program, explain the requirements of Title I and the right of the parents to be involved. Translation provided as needed.</p>	<p>In addition to the annual Title I parent meeting, at least one additional Title I parent and family engagement activity is held. These are scheduled at various times to accommodate parents. Translation provided as needed.</p>

**SECTION 4 COMMENTS:**

5	<b>§1114(b)(7)(A) and §1112(b)(10)(A)(B) Requirement: Transition plan</b>			
	<b>Required (1 point)</b>	<b>Proficient (2 points)</b>	<b>Advanced (3 points)</b>	<b>Points</b>
5.1	<i>Required Documentation: The narrative will describe the school's transition plan for incoming students to support, coordinate and integrate services from their previous program / school.</i>			
	The transition plan for incoming students provides support, coordination, and integration of services.	The transition plan for incoming students provides for at least two activities for students, parents, and school personnel to support, coordinate and integrate services.	The transition plan for incoming students includes three or more varied activities for students, parents, and school personnel to support, coordinate and integrate services.	
5.2	<i>Required Documentation: The narrative will describe the school's transition plan for outgoing students as they move onto their next school / program / career.</i>			
	The transition plan for outgoing students from the school describes one activity to assist in the transition to their next level of education or career.	The transition plan for outgoing students from the school describes at least two activities to assist in the transition from the school to their next level of education.  For high schools, this would be to postsecondary school and the coordination with institutions of higher education, employers, and other local partners.	The transition plan for outgoing students describes three or more activities to assist students in the transition to their next level of education.  For high schools, this would be to postsecondary school and the coordination with institutions of higher education, employers, and other local partners; and through increased student access to early college high school or dual or concurrent enrollment opportunities or career counseling to identify student interests and skills.	
<b>SECTION 5 COMMENTS:</b>				

6	<b>§1114(b)(7)(A)</b> <b>Requirement: Opportunities to Strengthen the Academic Program</b>			
	<b>Required (1 point)</b>	<b>Proficient (2 points)</b>	<b>Advanced (3 points)</b>	<b>Points</b>
6.1	<i>Required Documentation: The narrative will describe how the Schoolwide Plan will increase the amount and quality of learning time within or beyond the instructional day.</i>			
	The schoolwide plan describes one opportunity to increase the amount and quality of learning time within or beyond the instructional day.	The schoolwide plan describes two opportunities to increase the amount and quality of learning time within or beyond the instructional day.	The schoolwide plan describes three or more opportunities to increase the amount and quality of learning time within or beyond the instructional day.	
<b>SECTION 6 COMMENTS:</b>				
7	<b>§1114(a)(1)(A)</b> <b>LEA Option May Consolidate Use of Title I-A Funds:</b>			
7.1	<b>§1114(a)(1)(A)</b> <u>Optional:</u> <b>LEA may Consolidate and use Federal, State, and local Title I Funds:</b>  <input type="checkbox"/> Yes <input type="checkbox"/> No   Our LEA chose to use Title I funds, together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families. <i>(If not consolidating funds, No is acceptable)</i>			
<b>SECTION 7 ADDITIONAL COMMENTS:</b>				

COM  
MEN  
TS  
ON  
OVE  
RAL  
L  
PLA  
N:



# Renew America's Schools - Informational FOA Webinar

December 6, 2022

2022 Funding Opportunity Announcement (FOA) for Energy Improvements at Public K-12 School Facilities  
Bipartisan Infrastructure Law (BIL)

DE-FOA-0002756

This webinar is being recorded and will be published on the EERE eXCHANGE website.

Please note that video and speaking capability has been disabled for attendees.

If you have questions during this webinar, you can use the Q&A feature and all questions and answers will be posted to the Q&A Spreadsheet at a future date to the EERE eXCHANGE website under DE-FOA-0002756.

Live questions will not be answered during the webinar itself.

Please be careful not to submit any language that might be business sensitive, proprietary or confidential.

A copy of today's slides will be posted on EERE eXCHANGE within 2-3 business days of the webinar.

<https://eere-exchange.energy.gov/Default.aspx#Foald06985843-f32c-494e-880a-cb5db6d787a4>

DE-FOA-0002756

- NO NEW INFORMATION OTHER THAN THAT PROVIDED IN THE FOA WILL BE DISCUSSED IN THE WEBINAR.
- Participation in today's webinar will not convey any advantages or disadvantages in the application evaluation process.
- Your participation is completely **voluntary**.



DE-FOA-0002756



All applicants are strongly encouraged to carefully read the Funding Opportunity Announcement **DE-FOA-0002756** (“FOA”) and adhere to the stated submission requirements.

This presentation summarizes the contents of the FOA. If there are any inconsistencies between the FOA and this presentation, or statements from DOE personnel, the FOA is the controlling document and applicants should rely on the FOA language and seek clarification by submitting a question to [\[schoolsFOA@doe.gov\]](mailto:schoolsFOA@doe.gov).

DE-FOA-0002756

# Renew America's Schools

**Invest in More Efficient, Energy-Saving School Buildings:** The Department of Energy (DOE) has launched a \$500 million grant program spread across FY22-26 through President Biden's Bipartisan Infrastructure Law (BIL) to make public schools more energy efficient.



<https://www.energy.gov/clean-energy-infrastructure/grants-energy-improvements-public-school-facilities>

DE-FOA-0002756

# Renew America's Schools – Goals



Facilitate  
substantial  
additional  
investment

Prioritize schools  
with high needs

Minimize  
administrative  
burden

Build enduring  
capacity in LEAs  
to maximize  
impact equitably

# Renew America's Schools – Innovation



DE-FOA-0002756

## Renew America's Schools

### 2022 Funding Opportunity Announcement for Energy Improvements at Public K-12 School Facilities

DE-FOA-0002756

Milestone	Date
FOA Issue Date:	November 29 <sup>th</sup> , 2022
Submission Deadline for Concept Papers:	January 26 <sup>th</sup> , 2023
Submission Deadline for Full Application:	April 21 <sup>st</sup> , 2023
Submission Deadline for Replies to Reviewer Comments:	May 22 <sup>nd</sup> , 2023
Expected Date for DOE Selection Notifications	Week of June 12 <sup>th</sup> , 2023
Expected Timeframe for Award Negotiations:	June – September 2023

*Only applicants who have submitted an eligible Concept Paper will be eligible to submit a Full Application*

DE-FOA-0002756

## DE-FOA-0002756: 2022 FUNDING OPPORTUNITY ANNOUNCEMENT FOR ENERGY IMPROVEMENTS AT PUBLIC K-12 SCHOOL FACILITIES - BIPARTISAN INFRASTRUCTURE LAW (BIL) - RENEW AMERICA'S SCHOOLS

The Office of State and Community Energy Programs is issuing this Funding Opportunity Announcement (FOA) titled Energy Improvements at Public K-12 School Facilities - Bipartisan Infrastructure Law (BIL) - Renew America's Schools.

The activities to be funded under this FOA support BIL section 40541 and the broader government-wide approach to support projects that enable replicable and scalable impacts, create innovative, sustaining partnerships, leverage funding and economies of scale, focus on disadvantaged communities, improve student, teacher, and occupant health, enrich learning and growth, assist schools that serve as community assets (e.g., neighborhood cooling centers or disaster recovery shelters), and are crafted thoughtfully within the context of public school facilities (e.g., procurement restraints, construction windows, etc.).

[Apply](#)

**Topic Area 1 – High-Impact Energy Efficiency and Health Improvements**

Proposals contemplated under this topic area will include energy improvements that result in direct reduction to school energy costs, increase energy efficiency, and lead to improvements in teacher and student health, including indoor air quality. Energy cost savings may be realized by reduced loads and/or by demand flexibility and demand response approaches.

**Topic Area 2 - Innovative Energy Technology Packages**

Proposals contemplated under this topic include innovative energy technology packages. Applicants may include any improvement, repair, or renovation to a school that incorporates two or more of the following energy improvements:

- Energy efficiency measures
- Installation of renewable energy technologies
- Alternative fueled vehicle infrastructure on school grounds
- Purchase or lease of alternative fueled vehicles to be used by a school

DOE expects to make a total of approximately \$80,000,000 of federal funding available for new awards under this FOA, subject to the availability of appropriated funds. DOE anticipates making approximately 20-100 awards under this FOA. DOE may issue one, multiple, or no awards. Individual awards may vary between \$500,000 and \$15,000,000.

Link to Energy Justice Dashboard: <https://energyjustice-schools.eop.anl.gov/>

Link to Needs Assessment Tools: [School Needs and Benefits Assessment Resources | Department of Energy](#)

SCEP is compiling a "teaming" partner list to facilitate widespread participation in this initiative. This list allows organizations with expertise in the topic to express their interest to potential applicants and to explore potential partnerships. Please see the Teaming List section of the FOA document for more information.

The eXCHANGE system is currently designed to enforce hard deadlines for Concept Paper and Full Application submissions. The APPLY and SUBMIT buttons automatically disable at the defined submission deadlines. The intention of this design is to consistently enforce a standard deadline for all applicants.

Applicants that experience issues with submissions PRIOR to the FOA Deadline: In the event that an Applicant experiences technical difficulties with a submission, the Applicant should contact the eXCHANGE helpdesk for assistance (exchangehelp@hq.doe.gov). The eXCHANGE helpdesk and/or the EERE eXCHANGE System Administrators (eXCHANGE@ee.doe.gov) will assist the Applicant in resolving all issues.

Applicants that experience issues with submissions that result in a late submission: In the event that an Applicant experiences technical difficulties with a submission that results in a late submission, the Applicant should contact the eXCHANGE helpdesk for assistance (exchangehelp@hq.doe.gov). The eXCHANGE helpdesk and/or the EERE eXCHANGE System Administrators (eXCHANGE@ee.doe.gov) will assist the Applicant in resolving all issues (including finalizing the submission on behalf of, and with the Applicant's concurrence). DOE will only accept late applications when the Applicant has a) encountered technical difficulties beyond their control; b) has contacted the eXCHANGE helpdesk for assistance; and c) has submitted the application through eXCHANGE within 24 hours of the FOA's posted deadline.

### DOCUMENTS

- [DE-FOA-0002756 - BIL 40541 Renew Americas Schools](#) (Last Updated: 11/29/2022 10:31 AM ET)
- [DE-FOA-0002756 Teaming Partner List](#) (Last Updated: 11/29/2022 09:04 PM ET)

### APPLICATION FORMS AND TEMPLATES

The following forms and templates may be used as part of the application submission. Note that these forms and templates do not necessarily constitute all the documents required for a complete application. Please refer to the 'Application and Submission Information' of the published announcement to learn more about the required application content requirements.

#### Full Application

- [DE-FOA-0002756 Project Narrative Template](#) (Last Updated: 11/28/2022 06:08 PM ET)
- [DE-FOA-0002756 SF-424a Budget Information](#) (Last Updated: 11/28/2022 06:08 PM ET)
- [SF-424 Application for Federal Assistance](#) (Last Updated: 11/29/2022 11:42 AM ET)
- [DE-FOA-0002756 Summary Slide Template](#) (Last Updated: 11/28/2022 06:08 PM ET)
- [SF-LLL Disclosure of Lobbying Activities](#) (Last Updated: 11/29/2022 11:42 AM ET)

[Hide Application Forms and Templates](#)

### WEBINAR DETAILS

An information webinar is scheduled for December 8, 2022 at 1:00 PM ET

Please register in advance at the link provided below:

<https://doe.webex.com/webex/join/register/rd331a42e0f00650add96a39aa7d85c>

### CONTACT INFORMATION

- [SchoolsFOA@doe.gov](mailto:SchoolsFOA@doe.gov)  
For questions about this FOA
- [EERE-ExchangeSupport@doe.gov](mailto:EERE-ExchangeSupport@doe.gov)  
For questions related to the use of the EERE Exchange website

### SUBMISSION DEADLINES

- Concept Paper Submission Deadline: 1/28/2023 5:00 PM ET
- Full Application Submission Deadline: 4/21/2023 5:00 PM ET
- View Full Application Reviewer Comments Period: 5/8/2023 5:00 PM ET – 5/12/2023 5:00 PM ET

### DOCUMENTS

- [DE-FOA-0002756 - BIL 40541 Renew Americas Schools](#) (Last Updated: 11/29/2022 10:31 AM ET)
- [DE-FOA-0002756 Teaming Partner List](#) (Last Updated: 12/4/2022 10:34 PM ET)

### APPLICATION FORMS AND TEMPLATES

The following forms and templates may be used as part of the application submission. Note that these forms and templates do not necessarily constitute all the documents required for a complete application. Please refer to the 'Application and Submission Information' of the published announcement to learn more about the required application content requirements.

#### Full Application

- [DE-FOA-0002756 Project Narrative Template](#) (Last Updated: 11/28/2022 06:08 PM ET)
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[Hide Application Forms and Templates](#)

<https://eere-exchange.energy.gov/Default.aspx#Foald06985843-f32c-494e-880a-cb5db6d787a4>

DE-FOA-0002756

- I. Funding Opportunity Description
- II. Award Information
- III. Eligibility Information
- IV. Application & Submission Information
- V. Application Review Information
- VI. Award Administration Information
- VII. Conclusion

# I. Funding Opportunity Description

# Background and Context (I.A)

The Office of State and Community Energy Programs is issuing this Funding Opportunity Announcement (FOA). Awards made under this FOA will be funded, in whole or in part, with funds appropriated by the Infrastructure Investment and Jobs Act, more commonly known as the Bipartisan Infrastructure Law (BIL).

The BIL appropriates more than \$62 billion to the Department of Energy (DOE) to invest in American manufacturing and workers; expand access to energy efficiency and clean energy; deliver reliable, clean and affordable power to more Americans; and demonstrate and deploy the technologies of tomorrow through clean energy demonstrations.

This FOA supports the implementation of [Section 40541 of the BIL](#) , which provides \$500 million for grants for energy improvements at public school facilities for the five (5) year period encompassing Fiscal Years (FYs) 2022 through 2026.



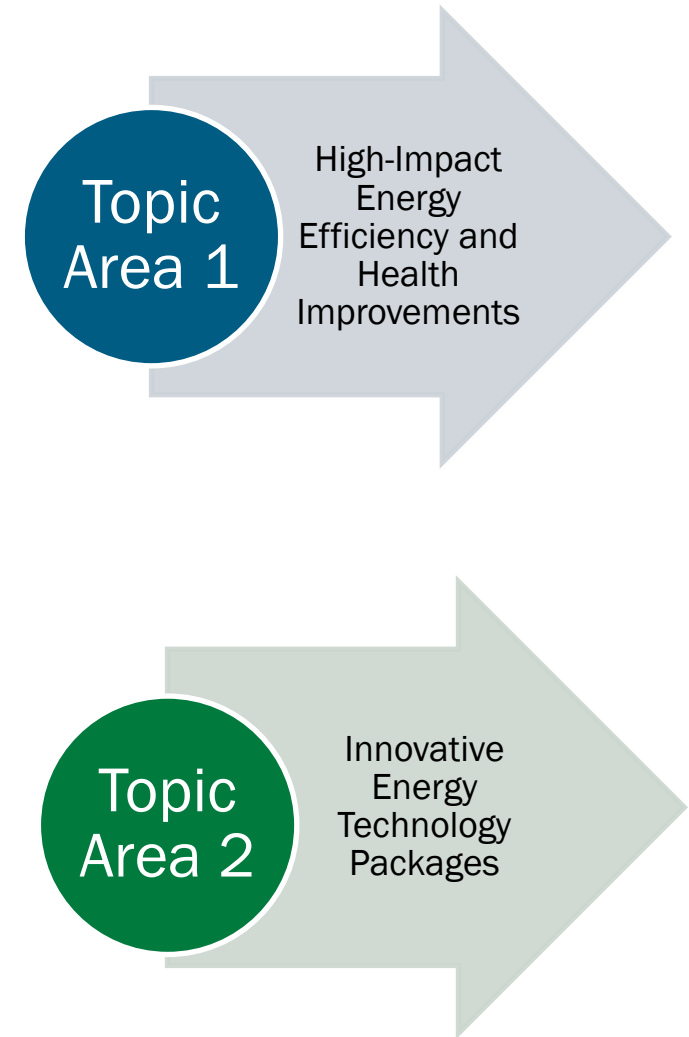
DE-FOA-0002756

# Background and Context (I.A)

The activities to be funded under this FOA to support BIL section 40541:

- enable replicable and scalable impacts,
- create innovative, sustaining partnerships,
- leverage funding and economies of scale,
- target disadvantaged communities,
- improve student, teacher, and occupant health,
- enrich learning and growth,
- prioritize schools that serve as community assets (e.g. neighborhood cooling centers or disaster recovery shelters), and
- are crafted thoughtfully within the context of public school facilities (e.g. procurement restraints, construction windows, etc.).

These projects should maximize the benefits of the clean energy transition as the nation works to curb the climate crisis, empower workers, and advance environmental justice.



# Topic Areas (I.B)



**Topic Area 1**

High-Impact  
Energy  
Efficiency and  
Health  
Improvements

**Topic Area 2**

Innovative  
Energy  
Technology  
Packages

# Applications Specifically Not of Interest (I.C)

The following types of applications will be deemed nonresponsive and will not be reviewed or considered (See Section III.D. of the FOA):

- Applications that fall outside the technical parameters specified in Sections I.A. and I.B. of the FOA.
- Applications for proposed technologies that are not based on sound scientific principles (e.g., violates the laws of thermodynamics).
- Applications that fall outside the eligible activities described in Section 40541 of the BIL.
- Applications that do not include an LEA and therefore do not qualify as an “eligible entity” under Section 40541(a)(4) of the BIL. See Section III, Eligibility Information for more information.

## 34 CFR 303.23

**General. Local educational agency or LEA** means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary schools or secondary schools.



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## II. Award Information

# Award Overview - (II.A)

## Total Amount to be Awarded

- Approximately \$80,000,000\*

## Average Award Amount

- SCEP anticipates making awards that range from \$500,000 to \$15,000,000

## Types of Funding Agreements

- Cooperative Agreement (a type of grant)

## Anticipated Period of Performance

- 24 to 60 months

## Cost Share Requirement

- At least 5% of Total Project Costs

\*Subject to the availability of appropriated funds

DE-FOA-0002756

## III. Eligibility Information

# Who is Eligible to Apply? (III.A)



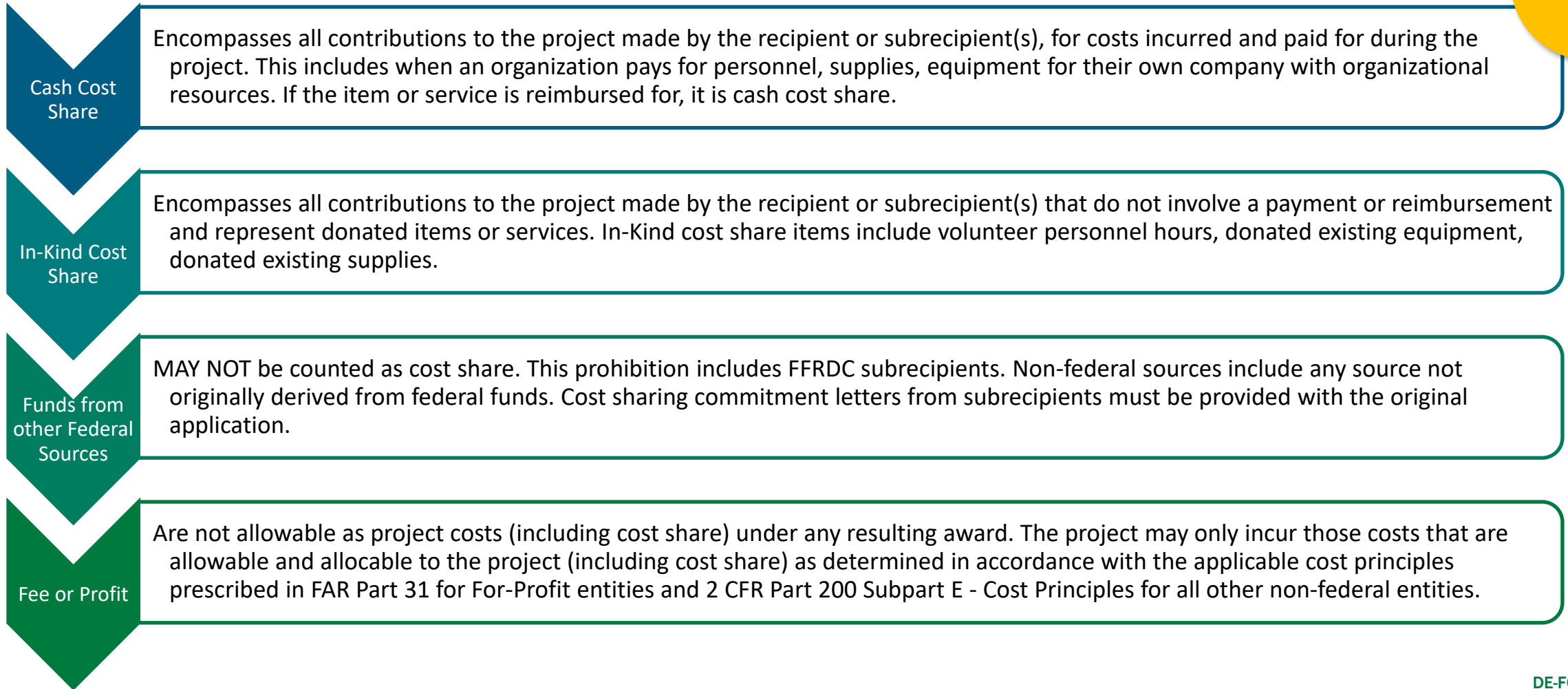
As described in Section 40541(a)(3) of the BIL, an eligible entity is a consortium of:

- (a)** one local educational agency (LEA) and
- (b)** one or more schools; nonprofit organizations; for-profit organizations; or community partners that have the knowledge and capacity to partner and assist with energy improvements.

# Cost Share – III.B & Appendix A

This FOA has a cost share of at least 5% of the total allowable costs.

5%



DE-FOA-0002756

# Appendix A – Cost Share Information

## How Cost Sharing is Calculated

As stated above, cost sharing is calculated as a percentage of the Total Project Cost. FFRDC costs must be included in Total Project Costs. The following is an example of how to calculate cost sharing amounts for a project with \$1,000,000 in federal funds with a minimum 20% non-federal cost sharing requirement:

Formula: Federal share (\$) divided by federal share (%) = Total Project Cost

Example: \$1,000,000 divided by 80% = \$1,250,000

Formula: Total Project Cost (\$) minus federal share (\$) = Non-federal share (\$)

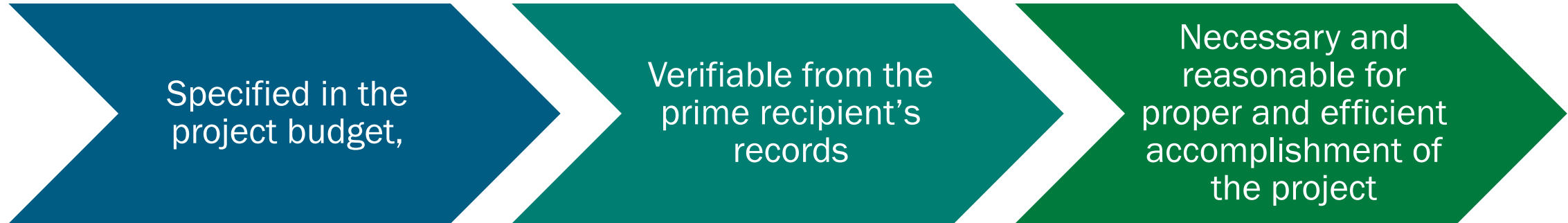
Example: \$1,250,000 minus \$1,000,000 = \$250,000

Formula: Non-federal share (\$) divided by Total Project Cost (\$) = Non-federal share (%)  
Example: \$250,000 divided by \$1,250,000 = 20%



# Cost Sharing – Types & Allowability (III.B.iii)

Cost share contributions must be:

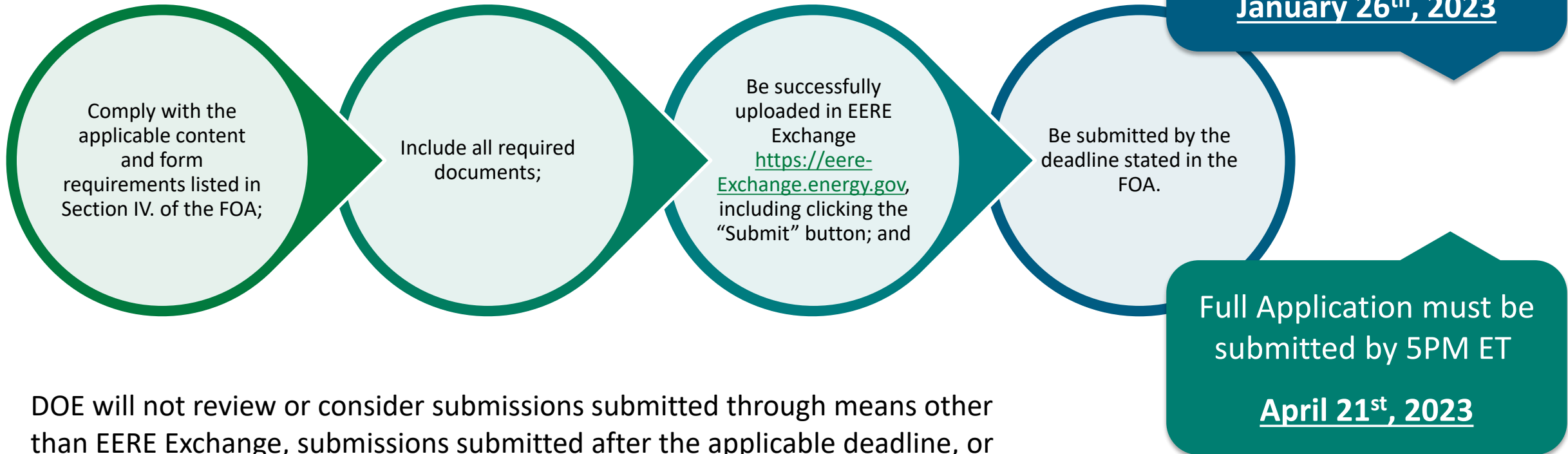


As all sources of cost share are considered part of total project cost, the cost share dollars will be scrutinized and subject to the same federal regulations as federal dollars to the project. Every cost share contribution must be reviewed and approved in advance by the Contracting Officer and incorporated into the project budget before the expenditures are incurred.

Additional information will be shared on Cost Sharing under agenda item IX – Appendices.

# Compliance Criteria (III.C)

All applicant submissions must:



DOE will not review or consider submissions submitted through means other than EERE Exchange, submissions submitted after the applicable deadline, or incomplete submissions.

## IV. Application and Submission Information

# Application Process (IV.A)

The application process includes multiple phases: a Concept Paper phase and a Full Application phase.

**Only applicants who have submitted an eligible Concept Paper will be eligible to submit a Full Application.**



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# Concept Papers (IV.C)

Each Concept Paper must be targeted to a specific topic area. The Concept Paper must conform to the requirements listed in the FOA, including the stated page limits.

DOE makes an independent assessment of each Concept Paper based on the criteria in Section V. of the FOA. DOE will encourage a subset of applicants to submit Full Applications. Other applicants will be discouraged from submitting a Full Application. See Section VI.A.

Concept Papers must be submitted by **5PM ET**  
**January 26<sup>th</sup>, 2023**  
through EERE eXCHANGE

## “Statement of Need”

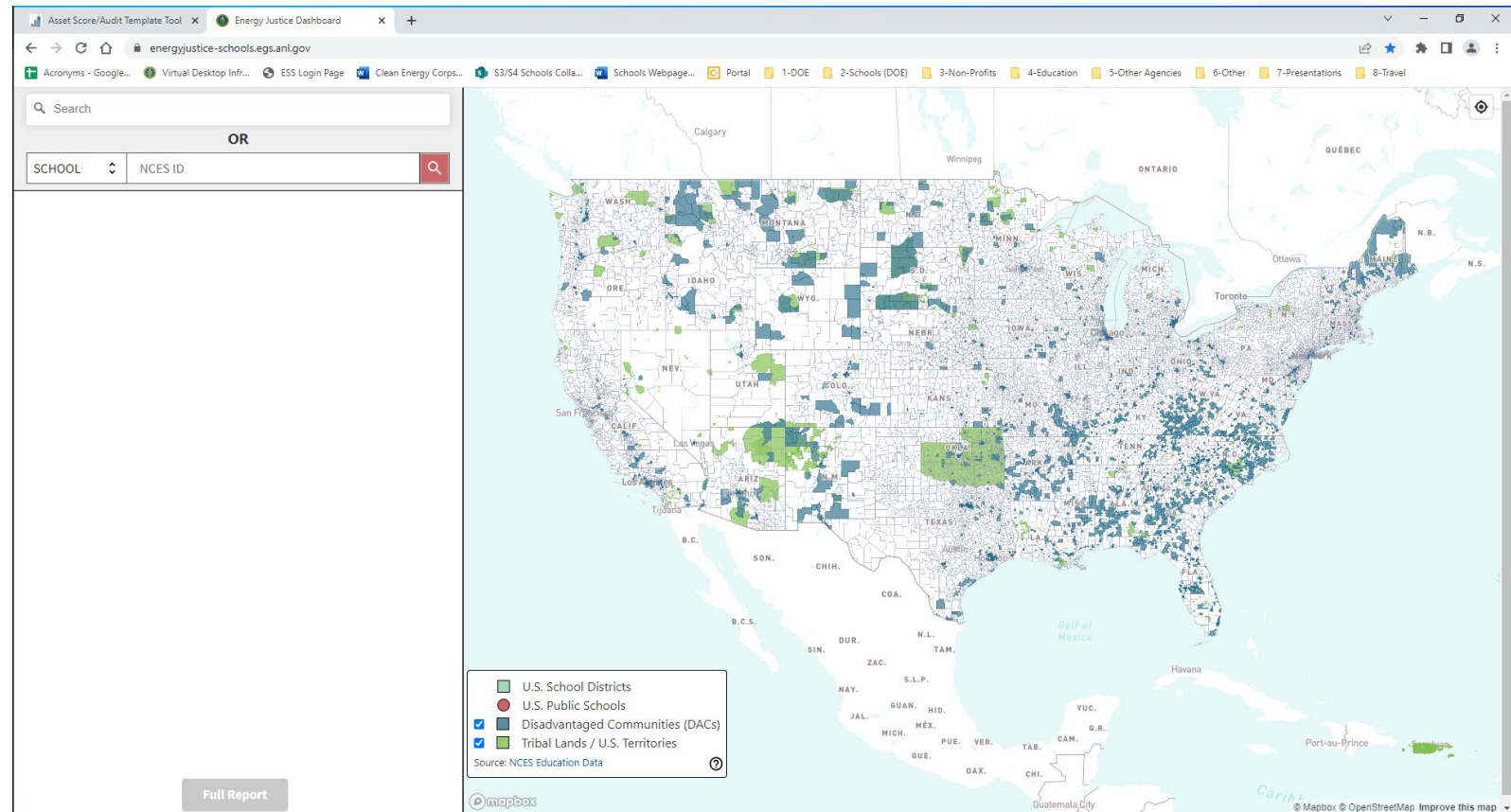


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# Community Need (IV.C)

DOE has developed the “Energy Justice Mapping Tool for Schools” (<https://energyjustice-schools.egs.anl.gov>) to help applicants derive relevant needs information on a school-by-school basis.

**Applicants must use this tool to generate a report for each facility of the proposed project. All reports should be included with the concept paper and full application submission as a standalone attachment.**



<https://www.energy.gov/clean-energy-infrastructure/grants-energy-improvements-public-school-facilities>

DE-FOA-0002756

# Facility Needs Assessment (IV.C)

DOE has compiled a variety of tools that can be used to assess needs that can be found on the DOE webpage (<https://www.energy.gov/bil/grants-energy-improvements-public-school-facilities>) under “Related Resources”. **Applicants can either utilize these tools to generate a facility needs assessment(s) or include a facility needs assessment(s) performed by a certified professional.** Regardless, applicants must include a facility needs assessment for each school addressed in the proposal. All assessments should be included with the concept paper and full application submission as a standalone attachment.

**I. Introduction: School Energy Assessment (SEA) Form**

This form is designed to help you walk through your school and collect specific information that will be useful for providing an assessment of the facility, capturing important building characteristics including heating, ventilation and air conditioning (HVAC) system details, and site energy use intensity (EUI). Collecting this information is an important first step in identifying potential retrofit opportunities for your school and estimating costs, savings, and health and safety benefits from implementing Energy Conservation Measures (ECMs).

As the flow chart on the right illustrates, after using this form to collect important facility information, there are two options that you may follow to complete ECM identification and costing. In the first option on the right, this form may be used in conjunction with the U.S. Department of Energy's Quick Building Assessment Tool (QBAT), a web-based software application within the DOE's Asset Score platform. Asset Score is a standardized tool to assess commercial building energy efficiency and identify retrofit potential using whole-building simulation. QBAT is a quick, simplified option in Asset Score designed to enable building owners, managers, and operators to assess the energy performance of their building under standardized operational conditions and identify energy improvement opportunities, recommendations for energy efficiency measures, and associated health and safety benefits. Using the outputs from this form, QBAT provides users with feedback for potential energy savings opportunities based on a building's existing equipment and simulated energy performance. QBAT also provides users with an ECM Cost Estimates spreadsheet to calculate high-level installed cost estimates for implementing the identified energy savings opportunities. To use QBAT, you will need to create an account in Asset Score.

If you choose not to use QBAT and Asset Score to generate ECM recommendations and cost estimates, a second option is also illustrated. After completing this form, you may provide it to a contractor or consultant involved in your facility assessment and retrofit planning. It will contain many useful details about your facility that will aid them with ECM identification and costing.

SEA Form

**Quick Building Assessment Tool**

The "Quick Building Assessment Tool" is an assessment capability for the identification of energy improvement opportunities, recommendations for energy efficiency measures, and associated health and safety benefits.

How it works:

- Provide the required Building Details, listed below, to create a representation of a building with typical characteristics, based on the specified Year Completed and Location.
- On the next screen, click the **Save Building** button to generate energy efficiency measures for energy improvement opportunities.
- Use the **ECM Cost Estimator** spreadsheet to quantify implementation costs and payoffs for the identified energy efficiency measures.

Building Name: [Text Field]  
Year Completed: [Text Field]  
Building Shape: [Dropdown Menu]  
Total Floor Area: [Text Field]  
Number of Above Grade Floors: [Text Field]  
Predisdominant Use Type: [Dropdown Menu]

Buttons: Cancel, Create Building

QBAT

**Asset Score Retrofit Cost Estimator Calculator**

**Building Parameters**

Instructions: Enter your building's parameters in the 'Value' column below. Many of these inputs can be found in your Asset Score simulations PDF report. Consult the INSTRUCTIONS tab for more details.

Building Parameter	User Inputs	Units	Legend
Conditioned Floor Area	90,000	ft <sup>2</sup>	User Input
Building Wall Area	30,209	ft <sup>2</sup>	Calculated Value
Building Roof Area	45,000	ft <sup>2</sup>	
Building Footprint	45,000	ft <sup>2</sup>	
Window-to-wall ratio	25	%	
Skylight area	0	ft <sup>2</sup>	
Zip Code	67213		
Building Use Type	School		

**Energy Conservation Measure (ECM) Cost Estimations**

INSTRUCTIONS: Select energy conservation measures (ECMs) from the Measure columns below once you've completed the Building Parameters section above. Estimates are made using a combination of the building parameters you've provided and the data source linked in the Cost Source column to the right.

Measure	Estimate (\$)	Cost Source
Upgrade roof insulation (R-30)	\$172,000 to \$157,000	DOE - Best Commercial Build
Install a cool roof	\$59,000 to \$152,000	DOE - Best Commercial Build

ECM Cost Estimator

<https://www.energy.gov/clean-energy-infrastructure/grants-energy-improvements-public-school-facilities>

DE-FOA-0002756

# Full Application (IV.D.i)

Each Full Application must be limited to a single concept. Full Applications must conform to the following requirements and must not exceed the stated page limits.

Section	Component	Required/ Optional	File Format	Page Limit	File Name
ii.	Project Narrative including Community Benefits Plan	Required	PDF or MS Word	15 pages (max)	ControlNumber_LeadOrganization_ProjectNarrative
iii.	Budget Justification Workbook (SF-424A)	Required	MS Excel Workbook	2 pages (including instructions)	ControlNumber_LeadOrganization_Budget_Justification
iv.	Resumes	Required	PDF	2 pages (max)	ControlNumber_LeadOrganization_Resumes
v.	Letters of Commitment	Required	PDF	1 page each (max)	ControlNumber_LeadOrganization_LOCs
vi.	Energy Justice Mapping Tool Report(s)	Required	PDF	n/a	ControlNumber_LeadOrganization_Energy_Justice_School_Report
vii.	Facility Needs Assessments	Required	PDF	n/a	ControlNumber_LeadOrganization_Facility_Needs_Assessment
viii.	Community Partnership Documentation	Required	PDF	n/a	ControlNumber_LeadOrganization_CPD
ix.	SF-424: Application for Federal Assistance	Required	PDF	n/a	ControlNumber_LeadOrganization_App424
x.	Summary for Public Release	Required	PDF	1 (max)	ControlNumber_LeadOrganization_Summary
xi.	Summary Slide	Required	MS Power-point	1	ControlNumber_LeadOrganization_Slide
xii.	SF-LLL Disclosure of Lobbying Activities	Required	PDF	n/a	ControlNumber_LeadOrganization_SF-LLL
xiii.	Current and Pending Support	Optional	PDF	n/a	ControlNumber_LeadOrganization_CPS
xiv.	Authorization for non-DOE/NNSA or DOE/NNSA FFRDCs (if applicable)	Required if applicable	PDF	n/a	ControlNumber_LeadOrganization_FFRDCAuth

Full Application must be submitted by 5PM ET  
**April 21<sup>st</sup>, 2023**  
through EERE eXCHANGE

# Full Application – Project Narrative (IV.D.ii)

Applicants are encouraged to use the “Project Narrative Template” provided. If applicants do not use the template, the Project Narrative must conform to the following content and form requirements. This volume must address the technical review criteria as discussed in Section V.A.ii of the FOA. Save the Project Narrative in a single PDF file using the following convention for the title: “ControlNumber\_LeadOrganization\_ProjectNarrative”.

Enter Control Number

**Project Narrative Template**

[The instructional blue and red text throughout the template should be removed in the final version of the Project Narrative]

**Project Narrative Cover Page(s)**

Note: Cover page(s) is counted towards the maximum number of Project Narrative pages (15 pages).

**FOA Title:** 2022 Funding Opportunity Announcement for Energy Improvements at Public K-12 School Facilities

**FOA Number:** DE-FOA-0002756

**FOA Topic Area Name:** Enter the Topic Area Name from the FOA

**FOA Topic Area:** Enter the Topic Area Number (e.g., Topic Area 1, Topic Area 2)

**Name of Applicant:** Enter Applicant Name

**Control Number:** Enter Control Number

**Project Title:** Enter Proposed Project Name

**Project Location(s):** Enter Proposed Project Address(es) – include street address, city, state, and zip code + 4 for each location

**Project Contacts:**

Technical Contact	Business Contact
[Name] [Title] [Address] [City, State, Zip] [Office Phone Number] [Mobile Phone Number] [Email address]	[Name] [Title] [Address] [City, State, Zip] [Office Phone Number] [Mobile Phone Number] [Email Address]

Page 1 of 8

Enter Control Number

**Additional Key Project Participants and Organizations**

Please provide the name(s) and type of organization(s) of each additional key participating organization including the name, title, address, telephone number, and electronic mail addresses of participant contacts here, if applicable.

Organization	Role & Function	Point of Contact Information
[Name of Organization]	[Examples: Equipment Supplier, Owner's rep, EPC contractor, labor union/training provider, etc.]	[Name] [Title] [Address] [City, State, Zip] [Office Phone Number] [Mobile Phone Number] [Email address]
[Name of Organization]	[Examples: Equipment Supplier, Owner's rep, EPC contractor, labor union/training provider, etc.]	[Name] [Title] [Address] [City, State, Zip] [Office Phone Number] [Mobile Phone Number] [Email address]

**1.0 Project Overview**

(Approximately 20% of total project narrative content)  
We suggest expanding on language from your submitted concept paper to respond to the project overview requirements

**1.1 Background**

The applicant should discuss the background of their organization, including the history and state of the current facilities. The applicant should summarize the findings of their needs assessment and the community served.

**1.2 Project Goals**

The applicant should explicitly identify the targeted improvements to school facility and the critical success factors in achieving that goal, including the ways in which the proposed project location and related infrastructure, skilled workforce, community benefits, etc. will contribute to the success of the overall project. The applicant should provide a clear and concise (high-level) statement of the goals and

Page 2 of 8

Enter Control Number

objectives of the project as well as the expected outcomes. The applicant can utilize the project goals from their concept paper to fill in this section.

**1.3 Technical Project Description (Workplan)**

The Applicant should provide a detailed description of the energy improvements and intended achievements for the particular topic area selected (High-Impact Energy Efficiency and Health Improvements or Innovative Energy Technology Packages). This should include the expected energy efficiency, energy savings, and safety benefits of the energy improvements. The applicant should also state whether the project will involve the construction, alteration, maintenance and/or repair of a public facility. See Appendix B of the FOA for applicable definitions and other information regarding the Buy America Requirement.

**1.3.1 Technical Scope Summary**

The applicant should provide a summary description of the overall work scope and approach to achieve the project objective(s). The overall work scope is to be divided by performance periods that are separated by discrete, approximately annual decision points (see below for more information on Go/No-Go decision points). The applicant should describe the specific expected results of each performance period, including milestones in the Community Benefits Plan.

**1.3.2 Work Breakdown Structure (WBS) and Task Description Summary**

Describe the work to be accomplished and how you will achieve the milestones, will accomplish the final project goal(s), and will produce all deliverables. The Workplan is to be structured with a hierarchy of performance period (approximately annual), task and subtasks, which is typical of a standard WBS for any project. The Workplan shall contain a concise description of the specific activities to be conducted over the life of the project. The description shall be a full explanation and disclosure of the project being proposed (i.e., a statement such as “we will then complete a proprietary process” is unacceptable). It is the applicant’s responsibility to prepare an adequately detailed task plan to describe the proposed project and the plan for addressing the objectives of this FOA. The summary provided should be consistent with the SOPO. The SOPO will contain a more detailed description of the WBS and tasks.

**1.3.3 Go/No-Go Decision Points**

Provide a summary of project-wide Go/No-Go decision points at appropriate points in the Workplan. At a minimum, each project must have at least one project-wide Go/No-Go decision point for each budget period (12 to 18-month period) of the project. See Section VI.B.iv in the FOA document. The applicant must also provide the specific technical and community benefits plan criteria to be used to evaluate the project at the Go/No-Go decision point. The summary provided should be consistent with the SOPO. Go/No-Go decision points are considered “SMART” and can fulfill the requirement for an annual SMART milestone.

**1.3.4 End of Project Goal**

The applicant should provide a summary of the end of project goal(s). At a minimum, each project must have one SMART end of project goal.

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# Full Application – Project Narrative (IV.D.ii)

The following is a summary of the Project Narrative. The Project Narrative to the Full Application may not be more than 15 pages, including the cover page, and all citations, charts, graphs, maps, photos, or other graphics, and must include all of the information in the table below. The applicant should consider the weighting of each of the technical review criterion (see Section V.A.ii of the FOA) when preparing the Project Narrative.

<b>1.0 Project Overview</b> (~ 20% of Project Narrative)	The Project Overview should contain Background, Project Goals, and Technical Project Description (Workplan).
<b>2.0 Statements of Need</b> (~ 20% of Project Narrative)	The Statements of Need should contain: Community Need, Facility Needs Assessment, and Fiscal Need Capacity.
<b>3.0 Benefits and Impact</b> (~ 20% of Project Narrative)	The Benefits and Impact should contain: Benefits Metrics and Community Benefits Plan.
<b>4.0 Innovation and Scalability</b> (~ 20% of Project Narrative)	The Innovation and Scalability should contain: Project Innovation and Leveraging Funds and Investments.
<b>5.0 Qualifications and Workforce</b> (~ 20% of Project Narrative)	The Qualifications and Workforce should contain: Qualifications and Expertise, Operation and Maintenance Workforce Training, and Project Management.

# Full Application – Community Benefits Plan

To foster equitable implementation of the Bipartisan Infrastructure Law (BIL), DOE requests that Community Benefits Plans accompany all agency funding opportunity announcements (FOAs).

The Community Benefits Plan is included within the Project Narrative of the full application. The Community Benefits Plan is based on a set of four core policy priorities:

- Investing in America's workforce;
- Engaging communities and labor;
- Advancing diversity, equity, inclusion, and accessibility; and
- Implementing Justice 40.

Enter Control Number	Enter Control Number
<ul style="list-style-type: none"><li>• The current and historic ability of the partnering local educational agency to raise funds for construction, renovation, modernization, and major repair projects for schools;</li><li>• The ability of the partnering local educational agency to issue bonds or receive other funds to support the current infrastructure needs of the partnering local educational agency for schools; and</li><li>• The bond rating of the partnering local educational agency.</li></ul> <p><b>3.0 Benefits and Impact</b> <i>(Approximately 20% of total project narrative content)</i></p> <p><b>3.1 Benefits Metrics</b> <i>The applicant shall outline the expected benefits of the proposed project such as expected energy savings, energy efficiency improvements, health and safety benefits, greenhouse gas reductions and impacts to student learning.</i></p> <p><b>3.2 Community Benefits Plan</b> <i>Applicants shall address the following four areas in their community benefits plan:</i></p> <p><b>3.2.1 Community and Labor Engagement</b> <i>The Community Benefits Plan must describe the applicant's actions to date and future plans to engage with labor unions, Tribal and local governments and community stakeholders – such as community-based organizations that support or work with underserved communities, including disadvantaged communities as defined for purposes of the Justice40 Initiative.</i> <i>For more guidance, see BIL FOA FAQ found at <a href="https://www.energy.gov/bil/community-benefits-plan-frequently-asked-questions-faq">https://www.energy.gov/bil/community-benefits-plan-frequently-asked-questions-faq</a>.</i></p> <p><b>3.2.2 Supporting quality jobs</b> <i>Describe your approach to investing in workforce education and training of both new and incumbent workers to support career-track learning and ensuring jobs are of sufficient quality to attract and retain skilled workers in the industry.</i></p> <p><b>3.2.2.1 Workforce Attraction, Training and Retention</b> <i>A summary of your plan to attract, train, and retain a skilled and well-qualified workforce for both construction and ongoing operations/production activities. A collective bargaining agreement, project labor agreement, labor-management partnership, or other similar agreement would provide evidence of such a plan. Alternatively, you may describe:</i></p> <ul style="list-style-type: none"><li>• wages, benefits, and other worker supports to be provided;</li><li>• commitments to support workforce education and training, including measures to reduce employee turnover costs for employers, increase productivity from a committed and engaged workforce, and promote a nimble, resilient, and stable workforce for the project; and</li><li>• Skill standards and certifications to ensure equipment is installed by skilled and trained workers</li></ul>	<ul style="list-style-type: none"><li>• efforts to engage employees in the design and execution of workplace safety and health plans.</li></ul> <p><b>3.2.2.2 Collective Bargaining</b> <i>Employees' ability to organize, bargain collectively, and participate, through labor organizations of their choosing, in decisions that affect them contributes to the effective conduct of business and facilitates amicable settlements of any potential disputes between employees and employers, providing assurances of project efficiency, continuity, and multiple public benefits.</i> <i>Describe any trade unions with whom you are working or describe how workers and trainees will have free and fair access to join a union.</i></p> <p><b>3.2.3 Diversity, Equity, Inclusion, and Accessibility (DEIA)</b> <i>Describe how diversity, equity, inclusion, and accessibility (DEIA) objectives will be incorporated into the project. Detail how you will partner with underrepresented businesses, educational institutions, and training organizations that serve workers who face barriers to accessing quality jobs, and/or other project partners to help address DEIA.</i> <i>The following is a non-exhaustive list of potential DEIA actions that could be included in a Plan. This list is offered to provide guidance to applicants and is not intended to be comprehensive or mandatory.</i></p> <ul style="list-style-type: none"><li>• Commitment to partner with Minority Business Enterprises, Minority Owned Businesses, Women Owned Businesses, and Veteran Owned Businesses for contractor support needs; and</li><li>• To fill open positions for the DOE-funded project, partner with workforce training organizations serving under-represented communities and those facing systemic barriers to quality employment such as those with disabilities, returning citizens, opportunity youth, and veterans.</li></ul> <p><b>3.2.4 Justice40 Initiative</b></p> <p><b>3.2.4.1 Benefit Delivery Plan</b> <i>A description of how and when anticipated benefits are expected to flow to disadvantaged communities. For example, will the benefits be provided directly within the disadvantaged communities identified in the Justice40 Initiative action, or are the benefits expected to flow in another way? Further, will the benefits flow during project development or after project completion, and how will applicant track benefits delivered?</i></p> <p><b>3.2.4.2 Anticipated and Existing Environmental Impacts</b> <i>A discussion of anticipated negative and cumulative environmental impacts on disadvantaged communities. Are there anticipated negative or positive environmental impacts associated with the project, and how will the applicant mitigate any negative impacts? Within the context of cumulative impacts created by the project, applicants should use Environmental Protection Agency EISCREEN tool to quantitatively discuss existing environmental impacts in the project area.</i></p>

# Full Application – Budget Workbook SF-424A

Applicant Name: \_\_\_\_\_ Control Number: \_\_\_\_\_

## Budget Information - Non Construction Programs

OMB Approval No. 0348-0044

### Section A - Budget Summary

Grant Program Function or Activity  (a)	Assistance Listing Number  (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal  (c)	Non-Federal  (d)	Federal  (e)	Non-Federal  (f)	Total  (g)
1. Budget Period 1	81.086			\$611	\$5	\$616
2. Budget Period 2	81.086			\$0		\$0
3. Budget Period 3	81.086			\$0		\$0
4. Budget Period 4	81.086			\$0		\$0
5. Budget Period 5	81.086			\$0		\$0
6. Totals		\$0	\$0	\$611	\$5	\$616

7. Object Class Categories	Grant Program, Function or Activity					Total (5)
	Budget Period 1	Budget Period 2	Budget Period 3	Budget Period 4	Budget Period 5	
a. Personnel	\$616					\$616
b. Fringe Benefits						\$0
c. Travel						\$0
d. Equipment						\$0
e. Supplies						\$0
f. Contractual						\$0
g. Construction						\$0
h. Other						\$0
i. Total Direct Charges (sum of 7a-7h)	\$616	\$0	\$0	\$0	\$0	\$616
j. Indirect Charges						\$0
k. Totals (sum of 7i-7j)	\$616	\$0	\$0	\$0	\$0	\$616
8. Program Income						\$0

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SF-424A (Rev. 4-92)

DE-FOA-0002756

# Appendix B – Buy America Requirements

In accordance with Section 70914 of the BIL, none of the project funds (includes federal share and recipient cost share) may be used for a project for infrastructure unless:

- 1** all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- 2** all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- 3** all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

# Replies to Reviewer Comments (IV.E)

DOE will provide applicants with reviewer comments following the evaluation of all eligible Full Applications. Applicants have a brief opportunity to prepare a short Reply to Reviewer Comments (Reply). **The Reply must not exceed three (3) pages. If a Reply is more than three (3) pages in length, DOE will review only the first three (3) pages and disregard any additional pages.** Applicants may use the Reply to respond to one or more comments or to supplement their Full Application. The Reply may include text, graphs, charts, or data.

DOE will post the reviewer comments in EERE Exchange. The expected submission deadline is on the cover page of the FOA; however, it is the applicant's responsibility to monitor EERE Exchange in the event that the expected date changes. The deadline will not be extended for applicants who are unable to timely submit their Reply due to failure to check EERE Exchange or relying on the expected date alone. Applicants should anticipate having approximately three (3) business days to submit a Reply.



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## V. Application Review Information

# Review Criteria - Concept Papers (V.A.i)

Concept Papers are evaluated based on consideration of the following factors. All sub-criteria are of equal weight.

## **Concept Paper Criterion: Overall FOA Responsiveness and Viability of the Project (Weight: 100%)**

This criterion involves consideration of the following factors:

The proposed work, if successfully accomplished, would clearly meet the objectives as stated in the FOA including:

- Facility/Facilities demonstrate a **facility needs assessment**;
- Facility/Facilities serve a community considered high-need;
- Applicant demonstrates a large discrepancy between facility need and fiscal capacity;
- Proposed energy improvements will likely result in significant energy cost savings;
- Proposed energy improvements will likely result in health and safety improvements;
- Project represents an innovation and scalability of technology packages partnership structures and/or financing options; and
- Applicant articulates a feasible plan to execute and maintain improvements.

# Review Criteria – Full Application(V.A.ii)

For Full Applications, applications will be evaluated against the technical review criteria shown below. All sub-criteria are of equal weight.

## Criterion 1: Need (20%)

- Degree to which the school facility demonstrates a high need for renovation, repair or improvement due to lack of capital funding;
- Extent to which the project demonstrates a large discrepancy between facility needs and fiscal capacity and ability to fund improvements; and
- Degree to which the project is based in and serves a community of high need (e.g. rural, high percentage of students qualifying for free and reduced priced lunch, tribal, disadvantaged communities (DAC), etc.).

Applications will be evaluated against the technical review criteria shown below. All sub-criteria are of equal weight.

## Criterion 2: Benefits and Impact (40%)

- Degree to which the proposed project will likely result in significant energy and cost savings;
- Degree to which the proposed project will likely result in health and safety benefits;
- Degree to which the proposed project will likely result in significant greenhouse gas emissions reductions;
- Degree to which the proposed project will likely result in improvements to student learning and growth; and
- Extent to which applicant’s Community Benefits Plan illustrates project viability and social risk mitigation through community and labor engagement; investment in the American workforce; diversity, equity, inclusion and accessibility (DEIA) goals, and “Justice 40 Initiative” benefits to DAC.

Applications will be evaluated against the technical review criteria shown below. All sub-criteria are of equal weight.

## Criterion 3: Innovation and Scalability (20%)

- Extent to which the proposed technology, process, or project is innovative;
- Extent to which the project is scalable both within the applicants LEA as well as how this could be replicable in other LEAs; and
- Extent to which the project leverages additional funds.

Applications will be evaluated against the technical review criteria shown below. All sub-criteria are of equal weight.

## Criterion 4: Qualifications and Workplan (20%)

- The capability of the Project Manager(s) and the proposed team to address all aspects of the proposed work with a high probability of success;
- The qualifications, relevant expertise, and time commitment of the individuals on the team;
- Adequacy, reasonableness, and soundness of the project schedule, as well as annual Go/No-Go decisions prior to a budget period continuation application, interim milestones, and metrics to track process;
- Soundness of a plan to expeditiously address environmental, siting, and other regulatory requirements for the project, including evaluation of resilience to climate change;
- The likelihood that the partnering local educational agency or eligible entity will maintain, in good condition, any school and school facility that is the subject of improvements.

# Evaluation and Selection Process (V.D.i)



The evaluation process consists of multiple phases; each includes an **initial eligibility review** and a **thorough technical review**. Rigorous technical reviews of eligible submissions are conducted **by reviewers that are experts** in the subject matter of the FOA.

The Selection Official may consider the technical merit, the Federal Consensus Board's recommendations, **program policy factors**, and the amount of funds available in arriving at selections for this FOA.

DE-FOA-0002756

## VI. Award Administration Information

# Registration Requirements (VI.B.i)

There are several one-time actions before submitting an application in response to this FOA, and it is vital that applicants address these items as soon as possible. **Some may take several weeks, and failure to complete them could interfere with an applicant's ability to apply to this FOA, or to meet the negotiation deadlines and receive an award if the application is selected.** These requirements are as follows:

## 1. EERE Exchange

Register and create an account on EERE Exchange at <https://eere-Exchange.energy.gov>. This account will then allow the user to register for any open EERE FOAs that are currently in EERE Exchange.

On July 29, 2022\*, eXCHANGE was updated to integrate with Login.gov. As of September 29, 2022\*, potential applicants are required to have a Login.gov account to access EERE eXCHANGE. As part of the eXCHANGE registration process, new users will be directed to create an account in [Login.gov](https://login.gov). Please note that the email address associated with Login.gov must match the email address associated with the eXCHANGE account. For more information, refer to the Exchange Multi-Factor Authentication (MFA) Quick Guide in the [Manuals section](#) of eXCHANGE.

- Applicants must designate primary and backup points-of-contact in EERE eXCHANGE with whom EERE will communicate to conduct award negotiations
- It is imperative that the Applicant/Selectee be responsive during award negotiations and meet negotiation deadlines

# Registration Requirements (VI.B.i)

## 2. System for Award Management (SAM)

Register with the SAM at <https://www.sam.gov>. Designating an Electronic Business Point of Contact (EBiz POC) and obtaining a special password called a Marketing Partner ID Number (MPIN) are important steps in SAM registration. Please update your SAM registration annually.

## 3. FedConnect

Register in FedConnect at <https://www.fedconnect.net>. To create an organization account, your organization's SAM MPIN is required. For more information about the SAM MPIN or other registration requirements, review the FedConnect Ready, Set, Go! Guide at [https://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect\\_Ready\\_Set\\_Go.pdf](https://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect_Ready_Set_Go.pdf).

## 4. Grants.gov

Register in Grants.gov (<http://www.grants.gov>) to receive automatic updates when Amendments to this FOA are posted. However, please note that Letters of Intent, Concept Papers, and Full Applications will not be accepted through Grants.gov.

Registration Requirement	Website
SAM	<a href="https://www.sam.gov">https://www.sam.gov</a>
FedConnect	<a href="https://www.fedconnect.net">https://www.fedconnect.net</a>
Grants.gov	<a href="http://www.grants.gov">http://www.grants.gov</a>

# VII. Conclusion



Amendments to this FOA will be posted on the [EERE Exchange](#) website and the [Grants.gov](#) system. However, you will only receive an email when an amendment or a FOA is posted on these sites if you register for email notifications for this FOA in Grants.gov. DOE recommends that you register as soon as possible to ensure you receive timely notice of any amendments or other FOAs.

# Teaming Partner List (I.A.iii)

DOE is continuing to gather information for the “Teaming Partner List,” first presented in the Notice of Intent (DE-FOA-0002858), in order to facilitate the formation of new project teams for this FOA. The Teaming Partner List allows organizations who may wish to participate on an application to express their interest to other applicants and to explore potential partnerships.

Updates to the Teaming Partner List will be available on the EERE Exchange website under this funding opportunity. The Teaming Partner List will be regularly updated to reflect new teaming partners who provide their organization’s information.

**SUBMISSION INSTRUCTIONS:** Any organization that would like to be included on this list should submit the following information: Organization name, generic organization contact email, generic contact phone, organization type, geographical area of interest, area of technical expertise (bulleted list less than 25 words), and brief description of capabilities (less than 100 words). Interested parties should email the information to [SchoolsFOA@doe.gov](mailto:SchoolsFOA@doe.gov) with the subject line “Teaming Partner Information.”

**DISCLAIMER:** By submitting a request to be included on the Teaming Partner List, the requesting organization consents to the publication of the above-referenced information. By facilitating the Teaming Partner List, DOE is not endorsing, sponsoring, or otherwise evaluating the qualifications of the individuals and organizations that are self-identifying themselves for placement on this Teaming Partner List. DOE will not pay for the provision of any information, nor will it compensate any applicants or requesting organizations for the development of such information.

# Key Submission Reminders

1

## Check entries in EERE eXCHANGE

Submissions could be deemed ineligible due to an incorrect entry

2

## DOE strongly encourages Applicants to submit 1-2 days prior to the deadline to allow for full upload of application documents and to avoid any potential technical glitches with EERE eXCHANGE

3

## Make sure you click the “submit” button

Any changes made after you hit submit will un-submit your application and you will need to click the submit button again

4

## For your records, **print out the EERE eXCHANGE page at each step**, which contains the application’s Control Number

Concept Papers must be submitted by **5pm ET**

**January 26<sup>th</sup>, 2023**

(Note – Concept Papers are required in order to submit for a full application)

Full Application must be submitted by **5PM ET**

**April 21<sup>st</sup>, 2023**

# Questions (VII)

Upon the issuance of a FOA, DOE personnel are prohibited from communicating (in writing or otherwise) with applicants regarding the FOA except through the established question and answer process as described below.



Specifically, questions regarding this FOA must be submitted to: [schoolsFOA@doe.gov](mailto:schoolsFOA@doe.gov). Questions must be submitted not later than 3 business days prior to the application due date and time. Please note, feedback on individual concepts will not be provided through Q&A.



All questions and answers related to this FOA will be posted on EERE Exchange at: <https://eere-exchange.energy.gov>. You must first select this specific FOA Number to view the questions and answers specific to this FOA. DOE will attempt to respond to a question within 3 business days, unless a similar question and answer has already been posted on the website.

Questions related to the registration process and use of the EERE Exchange website should be submitted to: [EERE-ExchangeSupport@hq.doe.gov](mailto:EERE-ExchangeSupport@hq.doe.gov).

# Q&A Spreadsheet

ADMINISTRATIVE QUESTION AND ANSWER LOG					
DE-FOA-0002756 - Bipartisan Infrastructure Law Section 40541. Energy Improvements at Public K-12 School Facilities - Renew America's Schools Grant Program					
Question Type	Question	Date Submitted	Topic	Question	Answer
DOE	DOE 1.1	N/A	Project Elig	What types of projects are eligible?	<p>See FOA Section I.B.</p> <p><b>Topic Area 1 – High-Impact Energy Efficiency and Health Improvements</b> Proposals contemplated under this topic area will include energy improvements that result in direct reduction to school energy costs, increase energy efficiency, and lead to improvements in teacher and student health, including indoor air quality. Energy cost savings may be realized by reduced loads and/or by demand flexibility and demand response approaches. These high-impact energy improvements may take the form of repairs, renovations, or installations to the facility envelope, air conditioning system, ventilation system, heating system, domestic hot water heating system, compressed air system, distribution system, lighting system, power system, and/or controls of a building. Applicants are encouraged to package multiple improvements for deeper savings and carbon reductions. (Section I.B.Topic Area 1)</p> <p><b>Topic Area 2 - Innovative Energy Technology Packages</b> Proposals contemplated under this topic include innovative energy technology packages. Applicants may include any improvement, repair, or renovation to a school that incorporates two or more of the following energy improvements. -Energy efficiency measures e.g. HVAC, building envelope improvements, lighting retrofits, sensors and controls -Installation of renewable energy technologies e.g. rooftop solar or micro wind turbines -Alternative fueled vehicle infrastructure on school grounds -Purchase or lease of alternative fueled vehicles to be used by a school (Section I.B.Topic Area 2)</p>
DOE	DOE 1.2	N/A	Project Elig	Where can we receive guidance on the types of projects that are appropriate to our buildings, and which would strengthen our applications?	<p>For a general overview of application expectations, see FOA Section V.A. The proposed work, if successfully accomplished, would clearly meet the objectives as stated in the FOA including: -Facility/Facilities demonstrate a facility needs assessment; -Facility/Facilities serve a community considered high-need; -Applicant demonstrates a large discrepancy between facility need and fiscal capacity; -Proposed energy improvements will likely result in significant energy cost savings; -Proposed energy improvements will likely result in health and safety improvements; -Project represents an innovation and scalability of technology packages partnership structures and/or financing options; and -Applicant articulates a feasible plan to execute and maintain improvements IV.C.Facility Needs Assessment and Section (Section V.A.i)</p> <p>To identify site-specific impacts of specific upgrades, see School Needs and Benefits Assessment Resources page: DOE has compiled a variety of tools that can be used to assess needs and benefits, which can be found on the <a href="#">School Needs and Benefits Assessment Resources page</a></p>
					<p>See FOA Section I.B. For further information, see FOA Section V, Application Review Information.</p> <p><b>Topic Area 1 – High-Impact Energy Efficiency and Health Improvements</b> Proposals contemplated under this topic area will include energy improvements that result in direct reduction to school energy costs, increase energy efficiency, and lead to improvements in teacher and student health, including indoor air quality. Energy cost savings may be realized by reduced loads and/or by demand flexibility and demand response approaches. These high-impact energy improvements may take the form of repairs, renovations, or installations to the facility envelope, air conditioning system, ventilation system, heating system, domestic hot water heating system, compressed air system, distribution system, lighting system, power system, and/or controls of a building. Applicants are encouraged to package multiple improvements for deeper savings and carbon reductions. (Section I.B.Topic Area 1)</p> <p><b>Topic Area 2 - Innovative Energy Technology Packages</b> Proposals contemplated under this topic include innovative energy technology packages. Applicants may include any improvement, repair, or renovation to a school that incorporates two or more of the following energy improvements. -Energy efficiency measures e.g. HVAC, building envelope improvements, lighting retrofits, sensors and controls</p>

<https://eere-exchange.energy.gov/Default.aspx#Foald06985843-f32c-494e-880a-cb5db6d787a4>

DE-FOA-0002756

# THANK YOU

## Renew America's Schools – FOA Webinar

U.S. Department of Energy (DOE)  
Office of State and Community Energy Programs (SCEP)

FOA Webinar

DE-FOA-0002756

December 6, 2022

## **3053 Nondiscrimination**

The School District does not discriminate on the basis of prohibited factors in employment and educational programs/activities. The School District affirmatively strives to provide equal opportunity for all as required by:

Title VI of the Civil Rights Act of 1964 - prohibits discrimination on the basis of race, color, religion, or national origin

Title VII of the Civil Rights Act of 1964 as amended - prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin

Title IX of the Education Amendments of 1972 - prohibits discrimination on the basis of sex

Age Discrimination in Employment Act of 1967 (ADEA) as amended - prohibits discrimination on the basis of age with respect to individuals who are at least 40

The Equal Pay Act of 1963 as amended - prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment

Section 504 of the Rehabilitation Act of 1973 - prohibits discrimination against the disabled

Americans with Disabilities Act of 1990 (ADA) - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications

The Family and Medical Leave Act of 1993 (FMLA) - requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons

The Pregnancy Discrimination Act of 1978 - prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions

The Uniformed Services Employment and Reemployment Rights Act (USERRA) - provides job protections and reemployment rights to military reservists and National Guard members called to active duty

The Boy Scouts of America Equal Access Act which prohibits discrimination against groups that wish to access district facilities

The Nebraska Fair Employment Practice Act (FEPA) – prohibits employment discrimination on the basis of race, color, national origin, religion, sex (including pregnancy), disability, marital status, and retaliation

Nebraska Age Discrimination in Employment Act (Age Act) – prohibits employment discrimination on the basis of age for those individuals who are over 40 years of age

The Equal Pay Act of Nebraska – prohibits discriminatory wage practices based on sex

The Nebraska Equal Opportunity in Education Act – prohibits discrimination on the basis of sex (including pregnancy) by any educational institution

Veterans Preference Law (NEB. REV. STAT §§ 48-225 to 48-231) - stipulates categorical preferences for employment for military veterans and for the spouses of disabled veterans

Additional School Board policies prohibit harassment and/or discrimination against students, employees, or patrons on the basis of sex, race, color, ethnic or national origin, religion, marital status, disability, age, pregnancy, and any other legally prohibited basis. Retaliation for engaging in a protected activity is also prohibited.

Any person who believes she or he has been discriminated against, denied a benefit, or excluded from participation in any district education program or activity may file a complaint using the district's complaint procedures.

Inquiries regarding compliance with any of the laws referred to in this policy may be directed to the superintendent or to the district's Title IX and/or Section 504/ADA Coordinator.

Adopted on: 10-8-2018

Revised on: 6-10-2019

Reviewed on: \_\_\_\_\_

**2002**  
**Organization of the Board, Board Officers, Check Signing, and**  
**Committees**

1. Membership, Term and Election

- a. The Board of Education shall be comprised of six members who will be elected at large.
- b. Those who wish to serve on the board shall file, be elected, and serve terms of office on the board according to law.

2. Internal Organization and Officers

a. President

- i. At the regular January meeting, the board shall elect from among its members a president who shall serve in that capacity for one year.
- ii. The president shall preside at all board meetings, and shall perform such other duties as may be prescribed by law or by action of the board.

b. Vice President

- i. At the regular January meeting, the board shall elect from among its members a vice president who shall serve in that capacity for one year.
- ii. The vice president shall preside in the absence of the president, and shall perform such other duties as are assigned by the board.

c. Secretary

- i. At the regular January meeting, the board shall elect a secretary who need not be a member of the board. The secretary shall serve in that capacity for one year. If the secretary is a member of the board, an assistant secretary may be named and his or her duties and compensation set by the board.

- ii. The secretary shall see that an accurate record of the proceedings of the board is kept, that a copy of the proceedings is provided to each board member and to the superintendent, and that a concise summary of each month's meeting is published along with a list of all approved claims. The secretary shall perform such other duties as are prescribed by law and assigned by the board.

d. Treasurer

- i. At the regular January meeting, the board shall elect, employ, or appoint a treasurer who need not be a member of the board if permitted by law. The treasurer shall serve in that capacity for one year, unless the board designates a longer term for the treasurer.
- ii. The treasurer may be designated to sign checks and certain other documents. The treasurer is the custodian of the monies of the district.
- iii. The treasurer shall give bond or equivalent insurance coverage payable to the district as prescribed by law with the cost of the bond being paid by the district.
- iv. The treasurer shall issue no warrant of payment of claim against the district until such claim has been duly authorized.

3. Signing and Authorizing Checks, Warrants, and other Instruments.

- a. Unless otherwise delegated by the board, the president and secretary of the board shall sign checks, warrants, and other instruments of the district.
- b. The board may delegate another person to sign and validate any checks, warrants, and other instruments. Facsimile signatures of board members may be used.
- c. The board delegates that the vice president or treasurer may sign any warrant in the absence of either the president or the secretary.

#### 4. Board Officer Voting and Tie Breakers

- a. The vote to elect board officers may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.
- b. In the event any officer cannot be elected by a majority after 10 votes; no votes occur after ten motions fail for lack of a "second,"; or no member volunteers to serve as an officer for a particular position, the tie will be broken by the applicable method:
  - i. If the board is split between two members, the officer will be determined by coin flip. The winning member will be the officer for the upcoming year unless the position changes by action of the board.
  - ii. If the board is split between more than two members who wish to serve as the officer, any member wanting to serve as the officer will put his or her name into a drawing. The name drawn out will be the officer for the upcoming year unless the position changes by action of the board.
  - iii. If no member is willing to serve as an officer for a position which is required to be a member of the board, all non-officers' names will be put into a drawing. The name drawn out will be the officer for the upcoming year unless the position changes by action of the board.

#### 5. Committees

- a. The board shall authorize such special committees as it deems necessary. The board president shall appoint members to the committee, and designate its function, tasks it is to perform, and a completion date for its work.
- b. On or before the beginning of each calendar year, the board shall appoint three members to form a Committee on American Civics. The committee's duties shall be those prescribed by Nebraska statutes, which include:
  - i. Hold no fewer than two public meetings annually, at least one where public testimony is accepted;

- ii. 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;
- iii. Examine and ensure that the social studies curriculum used in the district is aligned with the social studies standards adopted pursuant to section 79-760.01 and teaches foundational knowledge in civics, history, economics, financial literacy, and geography;
- iv. 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 as set forth in sections 79-719 to 79-723 in order to instill a pride and respect for the nation's institutions and not be merely a recital of events and dates;
- v. 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;
- vi. Ensure that the district develops and utilizes formative, interim, and summative assessments to measure student mastery of the social studies standards adopted pursuant to section 79-760.01;
- vii. Ensure that the social studies curriculum in the district incorporates one or more of the following for each student:
  - 1. Administration of a written test that is identical to the entire civics portion of the naturalization test used by United States Citizenship and Immigration Services prior to the completion of eighth grade and again prior to the completion of twelfth grade with the individual score from each test for each student made available to a parent or guardian of such student; or
  - 2. Attendance or participation between the commencement of eighth grade and completion of twelfth grade in a meeting of a public body as defined by section 84-1409 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 such attendance or participation; or

3. 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 a holiday listed in section 79-724(6) or on a topic related to such person or persons or event;
- viii. 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.

## 6. Vacancies

- a. A vacancy on the board of education shall exist when any one of the following occurs:
  - i. A member submits his or her formal resignation from the board.
  - ii. A member removes himself or herself from the district or is absent from the district for a continuous period of sixty days.
  - iii. A member misses more than two consecutive regular board meetings unless excused by a majority of the remaining members.
  - iv. Such other reasons as are set forth in Nebraska statutes.
- b. The board shall make note the vacancy in its minutes and shall give notice of the date the vacancy occurred, the office vacated, and the length of the unexpired term to (1) the election commissioner or county clerk, and (2) the public by published notice in a newspaper of general circulation in the district.
- c. Vacancies shall be filled in the manner set forth in Nebraska statutes.

Adopted on: 7-9-2018  
Revised on: 6-8-2020  
Reviewed on: 2-10-2020

## **3002 Deposits**

The board of education shall designate the depository or depositories for all school funds. All funds received by the district shall be deposited promptly in the proper account of each such depository. All funds shall be insured by the Federal Deposit Insurance Corporation or a surety bond approved by the board on securities of the United States government pledged by joint custody receipt.

Funds collected by district representatives shall be receipted, accounted for, and directed without delay to the proper depository. Funds exceeding \$5,000 shall not be left overnight in school buildings, except in safes provided for the safekeeping of valuables.

Adopted on: 8-13-2018

Revised on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_

## **2008 Meetings**

The formation of policy is public business and will be conducted openly in accordance with the Nebraska Open Meetings Act.

### 1. Types of Meetings

- a. The board shall hold its regular meetings on or before the third Monday of each month.
- b. Special and emergency meetings may be called as provided by law.
- c. The board may schedule work sessions and retreats in order to provide board members and administrators with the opportunity to plan, research, and engage in discussion.

### 2. Notice

The board shall give reasonable advance publicized notice of the time and place of each of its meetings, which generally will be 48 hours or more in advance of the meeting. Such notice shall be transmitted to all members of the board and to the public. Notice of regular and special meetings shall be published in a newspaper of general circulation within the district and, if available, on the newspaper's website. Newspapers of general circulation in the district include, but are not necessarily limited to, the Fairbury Journal-News, Lincoln Journal Star, or the Omaha World-Herald. Such notice shall contain a statement that the agenda shall be readily available for public inspection at the administration office of the school during the normal business hours. In addition, the superintendent is authorized, but not required, to publish the notice of any meeting on the school district's website, posting in three prominent places within the school district, or by any other appropriate method designated by the board.

When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes of the meeting, and any formal action taken in such meeting shall pertain only to the emergency. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public no later than the end of the next regular business day.

### 3. Weather Delays

In the event of inclement weather which makes it dangerous or unreasonable for board members or members of the public to attend a meeting for which notice has already been given, such meeting may be postponed by the board president. The board will communicate the delay to members of the public by posting it on the district's website and by following the same communication protocol that the district follows when student attendance at school is called off due to inclement weather. When possible, the board president and superintendent will attempt to communicate the information to local media members and business owners to assist in notifying the public of the delay. Notice of the date, time, and location of the postponed meeting will be advertised as required in the "Notice" section above.

### 4. Minutes

- a. The board shall keep minutes of all meetings showing the time, place, members present and absent, the method(s) and date(s) of the meeting notice, and the substance of all matters discussed.
- b. Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the board in open session, and the record shall state how each member voted, or if the member was absent or not voting.
- c. The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public record and shall be published on the school district's website within ten working days of the last meeting or prior to the next convened meeting, whichever occurs earlier. The minutes shall be available on the website for at least six months.

Adopted on: 7-9-2018  
Revised on: 6-13-2022  
Reviewed on: 1-10-2022

**2014**  
**Relationship with District Legal Counsel**

The board will engage legal counsel to assist it and the administration in dealing with legal issues. When the district faces circumstances in which legal counsel may be needed between board meetings, the board president or superintendent may engage legal counsel on the board's behalf.

The superintendent and the board president shall have the authority to contact the school's legal counsel on behalf of the district. The superintendent may give other members of the administration permission to contact the district's legal counsel on an as-needed basis. Individual board members other than the president may not contact the district's legal counsel on behalf of the board without the approval of the board president or a majority of the board.

Any board member who contacts the district's legal counsel without board approval may be personally responsible for any legal fees incurred as a result of the unapproved contact.

The superintendent will, to the extent permitted by law, keep the board informed of matters in which the district's legal counsel is involved.

Adopted on: 7-9-2018  
Revised on: 6-10-2019  
Reviewed on: 2-10-2020

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Revised on: 6-13-2022  
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- v. 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;
- vi. Ensure that the district develops and utilizes formative, interim, and summative assessments to measure student mastery of the social studies standards adopted pursuant to section 79-760.01;
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  - 1. Administration of a written test that is identical to the entire civics portion of the naturalization test used by United States Citizenship and Immigration Services prior to the completion of eighth grade and again prior to the completion of twelfth grade with the individual score from each test for each student made available to a parent or guardian of such student; or
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project or paper in which each student demonstrates or discusses the personal learning experience of such student related to such attendance or participation; or

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- viii. 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.

## 6. Vacancies

- a. A vacancy on the board of education shall exist when any one of the following occurs:
  - i. A member submits his or her formal resignation from the board.
  - ii. A member removes himself or herself from the district or is absent from the district for a continuous period of sixty days.
  - iii. A member misses more than two consecutive regular board meetings unless excused by a majority of the remaining members.
  - iv. Such other reasons as are set forth in Nebraska statutes.
- b. The board shall make note the vacancy in its minutes and shall give notice of the date the vacancy occurred, the office vacated, and the length of the unexpired term to (1) the election commissioner or county clerk, and (2) the public by published notice in a newspaper of general circulation in the district.
- c. Vacancies shall be filled in the manner set forth in Nebraska statutes.

Adopted on: 7-9-2018  
Revised on: 6-8-2020  
Reviewed on: 2-10-2020

## **2005 Conflict of Interest**

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

1. Definitions. For purposes of this policy:

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

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

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

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

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

2. Contracts with the School District.

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

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

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

### 3. Contracts with Board Member's Immediate Family.

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

### 4. Employing Members of the Immediate Family.

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

b. The board has not terminated the employment of another employee so as to make funds or a position available for the purpose of hiring an immediate family member.

5. Gifts, Loans, Contributions, Rewards, or Promises of Future Employment

a. No board member shall offer or give to the following persons anything of value, including a gift, loan, contribution, reward, or promise of future employment, based upon an agreement that a vote, official action, or judgment would be influenced thereby:

(1) a public official, public employee, or candidate.

(2) a member of the immediate family of an individual listed in Subparagraph 'a' above.

(3) a business with which an individual listed in Subparagraph (1) or (2) above is associated.

b. No board member shall solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action, or judgment of the board member would thereby be influenced.

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

d. A board member shall not use personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain.

6. Conflict of Interest Relating to Campaigning or Political Issues

a. Except as provided below, the board shall not authorize the use of personnel, property, resources, or funds under its jurisdiction for the purpose of campaigning for or against the nomination or

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

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

## 7. Conflict of Interest Statement

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

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

#### 8. Recordkeeping

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

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

Adopted on: 7-9-2018  
Revised on: 6-14-2021  
Reviewed on: 1-10-2022

## **2006 Complaint Procedure**

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

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

### **Complaint and Appeal Process.**

1. The first step is for the complainant to speak directly to the person(s) with whom the complainant has a concern. For example, a parent who is unhappy with a classroom teacher should initially discuss the matter with the teacher. However, the complainant should skip the first step if complainant believes speaking directly to the person would subject complainant to discrimination or harassment.
2. The second step is for the complainant to speak to the building principal, Title IX/504 coordinator, superintendent of schools, or president of the board of education, as set forth below.
  - a) Complaints about the operation, decisions, or personnel within a building should be submitted to the principal of the building.
  - b) Complaints about the operations of the school district or a building principal should be submitted in writing to the superintendent of schools.

- c) Complaints about the superintendent of schools should be submitted in writing to the president of the board of education.
  - d) Complaints involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age may also be submitted, at any time during the complaint procedure to the School District's Title IX/504 coordinator. Complaints involving discrimination or harassment may also be submitted at any time to the Office for Civil Rights, U.S. Department of Education: by email at [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov); by telephone at (816) 268-0550; or by fax at (816) 268-0599.
3. When a complainant submits a complaint to an administrator or to the Title IX/504 coordinator, the administrator or Title IX/504 coordinator shall promptly and thoroughly investigate the complaint, and shall:
- a) Determine whether the complainant has discussed the matter with the staff member involved.
    - 1) If the complainant has not, the administrator or Title IX/504 coordinator will urge the complainant to discuss the matter directly with that staff member, if appropriate.
    - 2) If the complainant refuses to discuss the matter with the staff member, the administrator or Title IX/504 coordinator shall, in his or her sole discretion, determine whether the complaint should be pursued further.
  - b) Strongly encourage the complainant to reduce his or her concerns to writing.
  - c) Interview the complainant to determine:
    - 1) All relevant details of the complaint;
    - 2) All witnesses and documents which the complainant believes support the complaint;
    - 3) The action or solution which the complainant seeks.

- d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 calendar days after the administrator or Title IX/504 coordinator received the complaint.
4. If either the complainant or the accused party is not satisfied with the administrator's or the Title IX/504 coordinator's decision regarding a complaint he or she may appeal the decision to the superintendent.
- a) This appeal must be in writing.
  - b) This appeal must be received by the superintendent no later than ten (10) calendar days from the date the administrator or Title IX/504 coordinator communicated his/her decision to the complainant.
  - c) The superintendent will investigate as he or she deems appropriate. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
  - d) Upon completion of this investigation, the superintendent will inform the complainant in writing of his or her decision. If the complaint involved discrimination or harassment, the superintendent shall submit the decision within 180 calendar days after the superintendent received complainant's written appeal.
5. If either the complainant or the accused party is not satisfied with the superintendent's decision regarding a complaint he or she may appeal the decision to the board.
- a) This appeal must be in writing.
  - b) This appeal must be received by the board president no later than ten (10) calendar days from the date the superintendent communicated his/her decision to the complainant.
  - c) This policy allows, but does not require the board to receive statements from interested parties and witnesses relevant

to the complaint appeal. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.

- d) The board will notify the complainant in writing of its decision. If the complaint involved discrimination or harassment, the board shall submit its decision within 180 calendar days after it received complainant's written appeal.
  - e) There is no appeal from a decision of the board.
6. When a formal complaint about the superintendent of schools has been filed with the president of the board, the president or his or her designee shall promptly and thoroughly investigate the complaint, and shall:
- a) Determine whether the complainant has discussed the matter with the superintendent.
    - 1) If the complainant has not, the board president or designee will urge the complainant to discuss the matter directly with the superintendent, if appropriate.
    - 2) If the complainant refuses to discuss the matter with the superintendent, the board president shall, in his or her sole discretion, determine whether the complaint should be pursued further.
  - b) Strongly encourage the complainant to reduce his or her concerns to writing.
  - c) Determine, in his or her sole discretion, whether to place the matter on the board agenda for consideration at a regular or special meeting.
  - d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 calendar days after the president received the complaint.

**No Retaliation.** The school district prohibits retaliation against any person for filing a complaint or for participating in the complaint procedure in good faith.

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

Complaints about the educational services provided a student with a disability, including but not limited to services provided to a student with an IEP, access to curricular and extracurricular activities, and educational placement must be submitted to the school district's Director of Special Education. The Director of Special Education will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of IDEA Parental Rights promulgated by the Nebraska Department of Education.

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

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

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

Adopted on: 7-9-2018  
Revised on: 8-10-2020  
Reviewed on: 1-10-2022

## **2012 Board Code of Ethics**

The board recognizes that collectively and individually, all members of the board must adhere to an accepted code of ethics in order to improve public education. Board members must conduct themselves professionally and in a manner fitting of their position.

Each board member shall:

1. Attend all regularly scheduled board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
2. Endeavor to make policy decisions only after full discussion at publicly held board meetings;
3. Render all decisions based on the available facts and his or her independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
4. Encourage the free expression of opinion by all board members, and seek systematic communication between the board and students, staff and all elements of the community;
5. Work with other board members to establish effective board policies and to delegate authority to the superintendent to administer the school district;
6. Communicate expressions of public reaction to the board policies and school program to other board members and the superintendent;
7. Learn about current educational issues by individual study and through participation in seminars and programs, such as those sponsored by the state and national school board associations;
8. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
9. Avoid being placed in a position of conflict of interest, and refrain from using the board member's position on the board for personal or political gain;

10. Refrain from discussing the confidential business of the board in any setting except a board meeting;
11. Refrain from micro-managing the affairs of the school district;
12. Recognize the superintendent as the executive officer of the board;
13. Work constructively and collegially with the other members of the board, students, staff and patrons.
14. Refer complaints to the superintendent or building principal, as appropriate;
15. Always be mindful of his/her fiduciary obligation to the school district, including duties of loyalty and care, by placing the interests of the district above the board member's personal interests.
16. Remember that a board member's first and greatest concern must be the educational welfare of the students attending this district's schools.

Adopted on: 7-9-2018

Revised on: \_\_\_\_\_

Reviewed on: 1-10-2022



**ITEM 4 PERSONS WHO MAY RECEIVE FINANCIAL BENEFIT OR DETRIMENT**

You

Member of your Immediate Family: \_\_\_\_\_  
NAME

Business With Which You

Are Associated (See Definitions) \_\_\_\_\_  
NAME OF BUSINESS

**ITEM 5 NATURE OF FINANCIAL BENEFIT OR DETRIMENT**

**ITEM 6 CONTINUATION**

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(DATE)

## General Information - Filing Requirements

**I. What is a Potential Conflict of Interest?** - A public official has a potential conflict of interest if he or she is faced with taking an official action or making an official decision which may result in a financial benefit or a financial detriment to the public official; a member of his or her immediate family; or a business with which he or she is associated. The financial effect of the action or decision must be distinguishable from the financial effect on the general public or a broad segment of it.

### II. Who Must File:

- A. An official of a city or village holding elective office who has a potential conflict of interest. An official of the cities of Lincoln or Omaha holding elective office who has a potential conflict of interest should not file this form, but instead should use Form C-2.
- B. An official of a school district holding elective office who has a potential conflict of interest.
- C. An elective office is a public office normally filled by an election. A person appointed to fill a vacancy in a public office normally filled by election holds an elective office.

### III. When and Where to File:

- A. This form should be filed as soon as the person holding elective office is aware that he or she may have a potential conflict of interest and prior to the time that the action is to be taken or the decision made.

- B. This form should be filed with the person who normally keeps records for the governing body of the official holding elective office. For example, the person who keeps records for a city or village may be the city clerk or village clerk. **This form does not need to be filed with the Commission.**
- C. The person filing the form should abstain from participating in or voting on the matter in which he or she has a potential conflict of interest. However, if the person wants an opinion from the Commission as to whether he or she has an actual conflict of interest requiring abstention or non-participation, he or she may send a copy of the form to the Commission along with request for an opinion.

**Disclosure of Contractual Interests by Local Officers.** If you are a local elected official disclosing an interest in a contract or an open account in which a local governing body on which you serve is a party, use NADC Form C-3, Contractual Interest Statement.

**Disclosure of the Employment of Immediate Family Members.** If you are disclosing the employment of an immediate family member, use NADC Form C-4, Employment of Immediate Family Members Disclosure Statement.

## Definitions

Immediate family shall mean a child residing in your household, your spouse or an individual claimed by you or your spouse as a dependent for federal income tax purposes.

Business shall mean any corporation, partnership, limited liability company, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint-stock company, receivership, trust, activity, or entity. NOTE: The definition includes for profit and non-profit entities.

Business with which you are associated shall mean a business: (1) of which you are the sole proprietor; (2) or in which you are a partner, director, or officer; (3) or in which you or a member of your immediate family is a stockholder of closed corporation stock worth \$1,000 or more at fair market value or which represents more than a 5 percent equity interest, or is a stockholder of publicly traded stock worth \$10,000 or more at fair market value or which represents more than a 10 percent equity interest.

Elective office shall mean a public office filled by an election, except for federal offices. A person who is appointed to fill a vacancy in a public office which is ordinarily elective holds an elective office.

Person means a business, individual, proprietorship, firm partnership, joint venture, syndicate, business trust, labor organization, company, corporation, association, committee, or any other organization or group of persons acting jointly.

Statutory Authority: Section 49-1499.03 Revised Statutes of Nebraska.



**ITEM 4 | FOR NEWLY ELECTED OR APPOINTED PUBLIC OFFICIALS AND EMPLOYEES**

List members of your immediate family who were employed before your election or appointment and who are now employed or supervised by you.

A. Name \_\_\_\_\_ Relationship \_\_\_\_\_

Position \_\_\_\_\_ Employer \_\_\_\_\_  
(IDENTIFY CITY, COUNTY OR DISTRICT)

Date Hired \_\_\_\_\_

B. Name \_\_\_\_\_ Relationship \_\_\_\_\_

Position \_\_\_\_\_ Employer \_\_\_\_\_  
(IDENTIFY CITY, COUNTY OR DISTRICT)

Date Hired \_\_\_\_\_

(Use ITEM 5, CONTINUATION, if necessary)

**ITEM 5 | CONTINUATION**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

## General Information - Filing Requirements

A public official or public employee of a political subdivision may employ, recommend the employment of, or supervise the employment of an immediate family member if:

- 1) he or she does not abuse his or her official position; and
- 2) makes a written disclosure with the person in charge of keeping records for the governing body or a disclosure on the record to the governing body; and
- 3) he or she has first made a reasonable solicitation and consideration of applications for such employment:

NOTE: Examples of abuse of one's position could include, but are not limited to, (1) providing an unreasonably high salary, (2) not requiring the employee to actually perform the duties of his or her position, (3) terminating another employee to make a position available for an immediate family member, (4) hiring an immediate family member who is not qualified to hold the position.

### I. Who Must File:

- A. Public officials and employees of political subdivisions employing, recommending employment, or supervising the employment of an immediate family member must make a disclosure to the person in charge of keeping records for the governing body of the entity. Where applicable the disclosure may be made on the record to the governing body of the entity in lieu of a written disclosure.
- B. Public officials and employees who currently employ or supervise an immediate family member(s) employed prior to the election or appointment of the public official or public employee.

### II. When to File:

- A. Public officials and employees must file prior to employing, recommending employment, or supervising the employment of an immediate family member.

**Governing body** means the village board of a village, the city council of a city, the board of commissioners or board of supervisors of a county, the board of directors of a public power district, or any body with the ultimate power to determine the entity's policies and control its activities.

- B. Newly elected or appointed public officials or employees shall file prior to or as soon as reasonably possible after the official date of taking office.

### III. Where to File:

This form or other written disclosure should be filed with the person in charge of keeping records for the governing body of the entity served. (i.e., officials and employees of public power districts file with the district office; county officials and employees file with the county clerk; city of village officials or employees file with the city or village clerk; officials and employees of natural resource districts file with the office of the district manager; school district officials and employees file with the district superintendent or secretary of the school board. **Disclosure need not be made to the Nebraska Accountability and Disclosure Commission.**

**Disclosure of Contractual Interests by Local Officers.** If you are disclosing an interest in a contract to which a local governing body on which you serve is a party, use NADC Form C-3, Contractual Interest Statement.

**Disclosure of Potential Conflict of Interest by Officials, Employees, and Others Required to file Statements of Financial Interests.** If you are disclosing a potential conflict of interest use NADC Form C-2, or NADC Form C-2A Potential Conflict of Interest Statement.

**NOTE:** This form should not be used by State officials or State employees. See §49-1499.07 of the Nebraska Revised Statutes or contact the Commission.

### Definitions

**Immediate Family Member** means a child residing in an individual's household, a spouse of an individual, or an individual claimed by the public official or employee or his or her spouse as a dependent for federal income tax purposes.

Statutory Authority: Section 49-1499.04 Revised Statutes of Nebraska.