

ESUCC  
Educational Resources Committee Meeting  
Wednesday, February 2, 2022, 1:45 PM  
ESU 7 plus Zoom, 2657 44th Ave, Columbus, NE 68601

Posted Locations:

Springview Herald  
Valentine Midland News  
Red Cloud Leader  
Ainsworth News  
ESUCC webpage  
NE Public Meetings

Posted Date: 01/26/22

Attendance Taken at 1:45 PM.

Gregg Robke (ESU 04):	Present
Corey Dahl (ESU 08):	Present
Greg Barnes (ESU 11):	Present
Dr. Laura Barrett (ESU 13):	Absent
Deb Paulman (ESU 16):	Present
Geraldine Erickson (ESU 17):	Present
Sarah Salem (ESU 18):	Absent
Fateama Fulmore (ESU 19):	Present

Attendance Update Taken at 1:54 PM.

Dr. Laura Barrett (ESU 13): Present

Attendance Update Taken at 2:17 PM.

Sarah Salem (ESU 18): Present

1. Call to Order
2. Roll Call
3. Agenda Item
  - 3.1. EHA presentation
  - 3.2. SEBL Update
  - 3.3. Special Populations

- 3.3.1. NDE Special Education Update
- 3.3.2. ESPD Report
- 3.3.3. Mental Health and Wellness
  - 3.3.3.1. NDE Mental Health Grant
- 3.3.4. ESSER - Preschool Program
- 3.3.5. UNL Psychology/Counselor Grant
- 3.3.6. SRS Staff Report
- 3.4. PDO (Professional Development Organization)
  - 3.4.1. High Quality Instructional Materials Support (HQ-IM)
  - 3.4.2. PDO Workgroups Rule 84 Updates
  - 3.4.3. SDA Report
  - 3.4.4. TLT Special Project and Social Studies Cadre
  - 3.4.5. PDO Meetings
  - 3.4.6. NDE Updates
  - 3.4.7. Monthly Talking Points
- 4. MSA 2022-2023
  - 4.1. ESPD Affiliate 2022-2023 Budget Requests
  - 4.2. SDA Affiliate 2022-2023 Budget Requests
  - 4.3. MSA PDO Fees
  - 4.4. SRS Fees/Tier Structure
- 5. Next Meeting Agenda Items
- 6. Adjournment

{{Name: Agenda Item Name}}  
{{Discussion: Agenda Item Discussion}}

{{Comments: Agenda Item Comments}}

{{Actions: Agenda Item Actions}}

# 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) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

**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) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met:

(i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity;

(ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act;

(iii) The governing body of a public power district having a chartered territory of more than one county in this state;

(iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state;

(v) An educational service unit;

(vi) The Educational Service Unit Coordinating Council;

(vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act;

(viii) A community college board of governors;

(ix) The Nebraska Brand Committee;

(x) A local public health department;

(xi) A metropolitan utilities district;

(xii) A regional metropolitan transit authority;

(xiii) A natural resources district; and

(xiv) The Judicial Resources Commission.

(b) The requirements for holding a meeting by means of virtual conferencing are as follows:

(i) Reasonable advance publicized notice is given as provided in subsection (1) of this section, including providing access to a dial-in number or link to the virtual conference;

(ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be provided if virtual conferencing was not used;

(iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and

(iv) Except as otherwise provided in this subdivision or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. 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, the organization may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing. 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 virtual conferencing if the governing body's quarterly meetings are not held by virtual conferencing.

(3) Virtual conferencing, 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 virtual conferencing. 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 to appear before the public body by means of virtual conferencing.

(7) (a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

(b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings.

(c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsections (5) and (6) of section 84-1413.

**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, a 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, including meetings held by virtual conferencing. 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 shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

(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 virtual conferencing available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than 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; and

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

(8) Public bodies shall make available at the meeting or the in-state location for virtual conferencing as required by subdivision (6)(c) of this section, 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, either in paper or electronic form. 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.

(7) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public web site the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the web site at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the web site at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public web site for at least six months.

**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  
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# Headspace & EHA Wellness



- In a study with university students, **3 weeks of Headspace resulted in 23% more compassionate behavior.\***
- In another study with students, **3 weeks of Headspace resulted in 57% less aggressive behavior.\***
- In a study examining Headspace impact on mind-wandering and distraction, **4 weeks of Headspace resulted in 14% increase in focus.\***
- **Headspace decreases stress.** An internal study that was published in the top mindfulness journal found that only **10 days of Headspace reduced stress by 14%.\***



# Headspace & EHA Wellness



- **Headspace can make people kinder to others.** Separate studies conducted by Northeastern University found that 3 weeks of Headspace increased compassion by 23% and reduced aggression by 57%.
  - In addition, an internal study found 10 days of Headspace reduced irritability by 27%.
  - **And, Headspace can make people kinder to themselves.** A study with health professionals found that only 10 days of Headspace improved self-compassion. \*
- **Headspace can make people happier overall.** A study with students found that just 10 days of Headspace increased positivity and well-being. \*

# Headspace & EHA Wellness



- **Free** subscription to Headspace
- Access from your Dashboard at [ehawellness.org](http://ehawellness.org)



headspace

Linda Kenedy



**EHA Wellness**  
An educators health alliance program



## Are there any studies that have looked at the impact of Headspace on health?

Yes! The Headspace science team is committed to studying the impact and efficacy of the app on various mental and physical health outcomes. Thus far, Headspace has been shown to reduce stress and symptoms of depression and anxiety among employed adults, and improve the quality of life for asthma and cancer patients, as well as caregivers. Currently underway are studies investigating the impact of Headspace on smoking cessation and outcomes in chronic disease populations.

### More information about the published pilot studies using Headspace:

- In a study with university students, 3 weeks of Headspace resulted in 23% more compassionate behavior.\*
- In another study with students, 3 weeks of Headspace resulted in 57% less aggressive behavior.\*
- In a study examining Headspace impact on mind-wandering and distraction, 4 weeks of Headspace resulted in 14% increase in focus.\*
- **Headspace decreases stress.** An internal study that was published in the top mindfulness journal found that only 10 days of Headspace [reduced stress by 14%](#).\*
- **Headspace can make people kinder to others.** Separate studies conducted by Northeastern University found that 3 weeks of Headspace increased compassion by 23% and reduced aggression by 57%. In addition, an internal study found 10 days of Headspace [reduced irritability by 27%](#). **And, Headspace can make people kinder to themselves.** A study with health professionals found that only 10 days of Headspace improved self-compassion.\*
- **Headspace can make people happier overall.** A study with students found that just 10 days of Headspace [increased positivity and well-being](#).\*

\*The Headspace science team is committed to conducting research on our product to ensure it delivers benefits to our users. While the research is in progress, it's important to note that Headspace is not intended to diagnose, treat, cure, or prevent any disease or medical condition. Check out [www.headspace.com/science](http://www.headspace.com/science) for more info on the research.

<https://www.headspace.com/science/meditation-research>

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## Published Research Examining the Impact of Headspace

- Bennike, I., Wieghorst, A., & Kirk, U. (2017). Online-based mindfulness training reduces behavioral markers of mind wandering. *Journal of Cognitive Enhancement*, 1(2), 172-181. doi: 10.1007/s41465-017-0020-9
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- Howells, A., Ivtzan, I., & Eiroa-Orosa, F.J. (2016). Putting the 'app' in happiness: a randomised controlled trial of a smartphone-based mindfulness intervention to enhance wellbeing. *Journal of Happiness Studies*, 17(1), 163-185. doi: 10.1007/s10902-014-9589-1
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- Kubo, A., Altschuler, A., Kurtovich, E., Hendlish, S., Laurent, C. A., Kolevska, T., . . . Avins, A. (2018). A pilot mobile-based mindfulness intervention for cancer patients and their informal caregivers. *Mindfulness*, 9(6), 1885-1894. doi:10.1007/s12671-018-0931-2
- Kubo, A., Kurtovich, E., McGinnis, M., Aghaee, S., Altschuler, A., Quesenberry, C., Jr, ... Avins, A. L. (2019). A randomized controlled trial of mHealth mindfulness intervention for cancer patients and informal cancer caregivers: A feasibility study within an integrated health care delivery system. *Integrative Cancer Therapies*, 18, 1534735419850634. doi:10.1177/1534735419850634
- Laurie, J. & Blandford, A. (2016). Making time for mindfulness. *International Journal of Medical Informatics*, 96, 38-50. doi: 10.1016/j.ijmedinf.2016.02.010

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Nebraska Part B and Part C  
State Performance Plan/Annual  
Performance Report (SPP/APR)  
Submitted

NECounts Risk Analysis  
Complete

LEA Focused Monitoring and  
PRT Spring 2022 Beginning

Equity Team:

Disproportionate Representation

Significant Disproportionality -  
Discipline

CEIS/CCEIS Reporting

[Equity in Special Education](#)



**Sustaining  
Compliance &  
Improvement**



**NEBRASKA**  
DEPARTMENT OF EDUCATION

**SPED**  
SPECIAL EDUCATION

**Implementation  
of Policies and  
Procedures**

GUIDANCE DOCUMENT

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**Developing Local Policies & Procedures  
Required for Implementation of Special  
Education Part B Regulations in Nebraska's  
Public Schools**



**Technical  
Assistance &  
Professional  
Development**

Future Planning -

NASES/NDE Joint Conference: February 17th  
and 18th, Lincoln, NE

- NDE: Journey to Inclusion

Continued work with ESUs in developing full  
understanding of NeMTSS

Summer -

Planning a ESU SPED/Superintendent Road-  
Show

## **NDE Mental Health Grant Scope of Work**

### **EXPECTATIONS:**

1. ESU will send at least one staff member to the School Mental Health Institute to become a trainer of the Comprehensive School-Based Mental Health Program Curriculum
2. ESU will plan for and host a School Mental Health Institute each project year for at least 2 schools/districts in their service area
3. ESU will recruit schools/districts in their service area to attend these Institutes
4. ESU will provide ongoing Technical Assistance to schools/districts participating in the School Mental Health Institutes
5. ESU will participate in data collection related to the grant

### **DELIVERABLES:**

1. At least one ESU staff member will participate in the virtual 3-day School Mental Health Institute, in its entirety, to become a trainer of the Comprehensive School-Based Mental Health Program Curriculum. This Institute is scheduled for September 28-30, 2021, from 8am-3pm Central Time.
2. Designated ESU staff member(s) will attend all scheduled Technical Assistance meetings with the State School Mental Health Team, school districts and/or Mid-America Mental Health Technology and Transfer Center (MHTTC). Dates and time for these meetings are to be determined, and should last approximately one hour.
3. Collect and report the data to the Project Evaluation Team. Data will be reported to the Project Evaluation Team at the conclusion of each School Mental Health Institute attended or hosted, and as requested.
4. By March 1, 2022, ESU will complete the SHAPE System Assessment and share results with the NDE School Mental Health Team
5. By March 1, 2022, ESU will submit a plan to host a School Mental Health Institute to the State Mental Health Team. The plan will include:
  - a. How many schools/districts will be invited to attend the Institute
  - b. The ESUs' plan for recruiting schools/district to attend the Institute
  - c. The proposed dates for the Institute
  - d. ESUs plan for providing ongoing Technical Assistance to schools/districts that participate in the Institute
6. By July 31, 2022, ESU will host a School Mental Health Institute for at least 2 districts/schools in their service area
7. Provide ongoing Technical Assistance to schools/districts participating in the School Mental Health Institutes

### **Financial Support for ESUs**

The NDE will provide financial support to ESUs to support this work in the following manner:

- Attend School Mental Health Institute hosted by the NDE and MHTTC - \$5,000 to be paid after attending the Institute in its entirety
- Attend all Technical Assistance calls hosted by the NDE and MHTTC - \$5,000 to be paid after completion of all Technical Assistance calls
- Create and submit to the NDE School Mental Health Team a plan for how and when ESU will host its own School Mental Health Institute - \$45,000 to be paid after submission of plan
- Host School Mental Health Institute for at least 2 school districts/buildings within service area - \$45,000 to be paid upon completion of Institute
  - ESU will be paid \$12,000 for each district/school that completes Institute

**Financial Support for School Districts**

The NDE will also provide financial support on a one-time basis to districts/schools who participate in an ESU hosted School Mental Health Institute. After completion of an ESU hosted School Mental Health Institute, the ESU will submit to the NDE School Mental Health Team the Action Plans and Budgets created by each district/school. The NDE will allocate funds needed for district/school to the ESU upon receipt of these documents. The ESU will then distribute these funds to the identified district/school.

The district/school participating in the School Mental Health Institute may choose up to 2 areas of financial support from the list provided below. Areas chosen must correspond with goals selected from the school/district’s Action Plan.

Stipends for school staff to attend training – to be paid after completion of School Mental Health Institute	\$150 per staff person on the team
Stipends for school staff to attend monthly Technical Assistance (TA) Meetings – to be paid after completion of all TA Meetings	\$150 per staff person to attend all TA Meetings
Universal Screener for students	Limited to \$5 per student that will be screened
Telehealth equipment	up to \$2,000
Evidence Based Curriculum to help support the work	up to \$10,000
FTE/contract position for Mental Health Therapist	up to \$30,000
Tier 2 interventions- small group intervention	up to \$10,000 for staff time
Development of Calm Corners	up to \$6,000

**Expectations for Districts that participate in School Mental Health Institutes**

Below are a set of expectations for each school district that participates in a School Mental Health Institute.

**The purpose of all activities or services is to:**

- Enhance the Local Education Agency's (LEA) ability to identify and immediately respond to the mental health needs of students
- Increase the continuum of school-based and community-based mental health services available to students at the LEA Site.

**The District will achieve these purposes by:**

1. Establishing a School Mental Health Team consisting of 3-7 members
  - a. At least 1 must be an administrator; other potential team members include school counselor, school social worker, school psychologist, teacher, school nurse and/or parent or family member
2. School Mental Health Team attending a School Mental Health Institute hosted by ESU. During this 3-day Institute, participants will learn how to develop a Comprehensive School-Based Mental Health Program, utilizing modules co-developed by the [Mental Health Technology Transfer Center](#) and the [National Center for School Mental Health](#);
3. Developing an Action Plan for creating a Comprehensive School-Based Mental Health Program at school/district and implement Action Plan throughout the upcoming school year
4. Maintaining the School Mental Health Team, which continues to meet on a regular basis to plan and implement the necessary infrastructure to achieve the goals established in the Site's Action Plan.
5. The School Mental Health Team participating in regularly scheduled Technical Assistance meetings with the ESU
6. Participating in data collection related to the grant, as requested by the Project Evaluation Team
7. Participating in site-specific technical assistance provided by the Project Evaluation Team, tailored to the types of questions the LEA Site seeks to answer through evaluation data.
8. Working collaboratively with the State Mental Health Team, local Educational Service Unit (ESU), University of Nebraska Public Policy Center and key project partners to coordinate the project's implementation.
9. Submitting a **Sustainability Plan** to maintain the LEA Site's Comprehensive School-Based Mental Health Program.

# SRS Staff Report

February, 2022

## 504 Plan Support

The SRS team is focused on completing the 504 plan support companion to SRS. Initial versions of the electronic 504 forms are available on a testing site for SRS advisory board members to review and test. On January 31, 2022, advisory board members met to walk through the forms and provide feedback to the development team. This was a very positive and constructive meeting and resulted in very precise changes to language and structure of the forms. From the comments at the meeting, we feel this will be a very useful tool for our member districts. We are aiming to complete work on the system and have it available for early adopters during the summer of 2022, with more extensive review and testing before then.

## SRS Cost Structure

We are proposing generally a 5% cost increase to the SRS cost structure as shown in this table:

<b><u>2022-2023 – no increase</u></b>	<b><u>2023-2024</u></b>	<b><u>Tier</u></b>
\$174	\$183	<100
\$452	\$475	100-249
\$901	\$946	250-499
\$2,705	\$2,840	500-999
\$3,607	\$3,787	1000-1999
\$4,508	\$4733	2000-3999
\$8,584	\$9013	4000-17999

It is also proposed that each ESU's portion of the cost be raised from \$5500 to \$5700 annually in the ESUCC-ESU master services agreement. The increase is needed due to routine increases in most operating expenses such as health insurance, salaries, and software licenses needed to develop, maintain and host the software. The 2022-2023 tier-based costs will be billed in May, 2022 and the 2023-2024 tier-based costs will be billed in May, 2023. The ESU flat-rate costs are billed in September of each year.

SRS is in a better place than it was 2-3 years ago. Helpdesk requests are caught up and answered normally within the same day. When problems are identified through your input or helpdesk requests, they are addressed quickly. Improved testing and quality control processes are in place to ensure that the SRS software continues to improve and perform as expected when updates are released. Looking forward, we are investing in optimizing the database and software code of SRS behind the scenes so that it performs at its best and is even more extensible into the future.

We are excited to complete and release the 504 plan companion to SRS and feel it will be of great value to our member school districts. It is our understanding that the cost of the 504 system will need to be accounted differently at all levels --- ESUCC, ESUs and school districts, to ensure that non-IDEA funds are used to develop and support it. We have invested in developing the initial version and will release it for early adopters at no cost for some period of time (to be discussed by this advisory board, probably the 2022-2023 school year). Around December, 2022, we will need to work together to project and establish a maintenance and improvement cost for the 504 system to keep it on a solid footing along with SRS.

CLIENT SERVICES AGREEMENT

#636

ESU Coordinating Council  
6949 So. 110th Street  
LaVista, NE 68128

and

INSTRUCTIONAL COACHING GROUP  
PO BOX 35  
North Loup, NE 68859

The Instructional Coaching Group looks forward to partnering with you! Please read this agreement in its entirety before signing.

THIS AGREEMENT is made and entered into by and between Instructional Coaching Group, LLC (Jim Knight or Individual Consultant and ESU Coordinating Council.

IT IS THE PURPOSE OF THIS AGREEMENT to provide ESU Coordinating Council with Instructional Coaching Professional Development.

This agreement supersedes all other agreements made between ESU Coordinating Council and the Instructional Coaching Group.

THEREFORE, IT IS MUTUALLY AGREED THAT:

STATEMENT OF WORK

Instructional Coaching Group, LLC, shall furnish the necessary personnel, equipment and/or service(s) and otherwise do all things necessary for or incidental to the performance of the work required in the provision of Instructional Coaching Professional Development.

All parties understand that the resources and training received are the intellectual property of Instructional Coaching Group and are not to be replicated in any way.

If the work referenced below is for offsite virtual training, Instructional Coaching Group will conduct each workshop through the Zoom platform. The sessions cannot be recorded and are the intellectual property of Instructional Coaching Group.

PERIOD OF PERFORMANCE

Subject to its other provision, the period of performance of this contract shall commence on November 8, 2022.

**SCHEDULED DATES ARE AS FOLLOWS:**

<b>DATE</b>	<b>SCOPE</b>	<b>PRESENTER</b>	<b>COST</b>
November 8, 2022	Coaching for Positive Classrooms (in-person)	Michelle Thomas	\$6,500

These dates can be amended with the agreement of both parties.

PAYMENT

The parties have determined that the cost of accomplishing the work herein will be \$6,500 (see above schedule.) This does not include the cost of resources. Payment for satisfactory performance of the work shall not exceed this amount unless the parties mutually agree in writing to a higher amount. Work will be invoiced following the first day of work listed above.

*Materials are not included in the above pricing.*

*Required Resources:*

Coaching for Positive Classrooms Workbook: \$20/per person

BILLING PROCEDURE

Instructional Coaching Group, LLC, will send invoice(s) to:

ESU Coordinating Council	Attn: Deb Hericks	dhericks@esucc.org
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Payment to the Instructional Coaching Group, LLC, for approved and completed work will be made within 30 days of the event. Invoices with unpaid balances that extend beyond 30 days will be charged an additional \$250 fee for every month it goes unpaid. Payment made before the engagement date is preferred, but not required. This policy will be enforced.

Please send all payments to:

Instructional Coaching Group

Attn: Ruth Ryschon

P.O. Box 35

North Loup, NE 68859

CONTRACT ALTERATIONS AND AMENDMENTS

This contract may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

TERMINATION

Either party may terminate this Contract or a scheduled event upon 40 days prior written notification to the other party. If this Contract is so terminated, the parties shall be liable only for the performance rendered or costs incurred in accordance with the terms of this Contract prior to the effective date of termination. If this contract is terminated within 20 days of the event date the party will have one calendar year to make up the contracted work. In the event of cancellation, all nonrefundable travel expenses incurred will be charged.

ICG associates/consultants will do everything within their power to get to their contracted commitments, but from time to time, travel cancellations do occur due to weather or mechanical issues that are beyond their control. In these instances, ICG is not responsible for any expenses that may have been incurred by the contractee. In an event of this nature, ICG will work with the contractee to reschedule the event as soon as possible, to the satisfaction of both parties. If any travel expenses have been incurred by the consultant (flight change fees, hotel stays), the contractee is responsible for reimbursing these costs. This policy will be enforced.

ALL WRITINGS CONTAINED HEREIN

This contract contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or to bind any of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Contract.

Instructional Coaching Group, LLC
_____
Emily Malatesta, COO
Date: _____

ESU Coordinating Council
_____
Date: _____