

ESUCC

Executive Committee Meeting

Wednesday, September 3, 2014, 12:00 PM

Educational Service Unit No. 10 76 Plaza Blvd Kearney, NE 68845, 6949 South 110th Street,
LaVista, NE 68128

Attendance Taken at 12:00 PM.

Beatty ESU 16: Present

Gegg ESU 05: Present

Jeff West (NE): Present

Dr Kraig Lofquist: Present

Radford ESU 17: Present

1. Call to Order

2. Roll Call

3. Agenda Item

3.1. Policy & Procedures Update

3.2. Statewide Technology Infrastructure

3.3. Vision

3.3.1. ESUCC

3.3.2. ESU PDO

3.4. Budget Protocol

3.5. Approve Harding & Shultz as Attorney for 2014-2015.

3.6. Staff Contracts

3.6.1. Executive Director

3.6.2. Approve Distance Education Director

3.6.3. ESUCC Staff Contracts

3.7. ESUCC Application Systems Analyst

4. Next Meeting Agenda Items

4.1. Budget Forms filed with APA on _____

4.2. Approve Policy and Procedures - final reading

4.3. Vision

4.3.1. ESUCC

4.3.2. ESU PDO

4.4. Executive Director Evaluation

5. Executive Session

6. Adjournment

{{Name: Agenda Item Name}}

{{Discussion: Agenda Item Discussion}}

{{Comments: Agenda Item Comments}}

{{Actions: Agenda Item Actions}}

Educational Service Unit Coordinating Council

Board Policies

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Public Relations and Administration – 1000

Category: Public Relations and Administration - 1000
Policy: Communication With The Public - 1001

The Educational Service Unit Coordinating Council (“ESUCC”) is committed to the principle of open, honest, responsible, two-way communication with its internal and external publics. In line with this commitment, the Board directs the Executive Director to conduct a comprehensive and ongoing community engagement program.

Adopted On:
Reviewed On:

Category: Public Relations and Administration - 1000
Policy: Relation With Private Schools - 1002

The ESUCC recognizes the need for and the worth of cooperative relationships with other schools, colleges and educational organizations, including private and parochial schools. It encourages members of the ESUCC to work with their counterparts in such organizations on educational matters within the framework established by the statutes, state regulations and Board policy.

Adopted On:
Reviewed On:

Category: Public Relations and Administration - 1000
Policy: Relation With Other State Government - 1003

The ESUCC intends that its positions on proposed legislation be effectively communicated to the Nebraska Legislature. The Board may also direct the Executive Director to prepare legislation for introduction on its behalf.

The Executive Director is responsible for relations with the Nebraska Legislature and will be designated to serve as the registered lobbyist for the ESUCC. The lobbyist will annually prepare a legislative work plan that will describe the procedures to be followed in carrying out the lobbying effort during the legislative session.

Adopted On:
Reviewed On:

Category: Public Relations and Administration - 1000
Policy: Concept of Administration - 1004

The ESUCC system is responsible for the direction, coordination and management of staff in their efforts to reach educational goals adopted by the ESUCC within the guidelines established by Board policy, law and employee agreements.

To demonstrate leadership, to resolve the inevitable problems, and to overcome obstacles which will arise both inside the ESUCC and in its relations with the community, the Board expects the administration to specialize in

1. decision making and communication;
2. planning, organizing, implementing and evaluating; and
3. coordinating and guiding the various centers of authority and responsibility within the ESUCC and the community so as to enable people to do things together for education that they might not be able to do separately.

Adopted On:

Reviewed On:

Category: Public Relations and Administration - 1000
Policy: ESUCC Executive Director - 1005

The administration of the ESUCC in all of its aspects, except as otherwise provided by law, is delegated to the Executive Director who shall carry out the executive and administrative functions in accordance with the policies adopted by the ESUCC. The execution of all decisions made by the Board concerning the internal operation of the ESUCC shall be delegated to the Executive Director.

Adopted On:
Reviewed On:

Category: Public Relations and Administration - 1000
Policy: Distance Education Director - 1006

The Board will appoint a distance education director or contract with an ESU to provide such services under the direction of the Board.

The general duties of the Distance Education Director shall be contained in the job description maintained by ESUCC.

Adopted On:
Reviewed On:

Category: Public Relations and Administration - 1000
Policy: Project Directors - 1007

The ESUCC shall have Project Directors organized and structured in such a way as to provide effective and efficient implementation of ESUCC policies, administrative rules and regulations. Project Directors may be appointed by the ESUCC or may be employed via contracting with ESUs.

Adopted On:
Reviewed On:

Category: Public Relations and Administration - 1000
Policy: ESUCC Staff - 1008

Every administrative position and all other staff positions shall have a written job description developed by the Executive Director, or at the direction of the Executive Director, in coordination with anyone the Executive Director deems appropriate. The Executive Director is responsible for maintaining updated job descriptions for all ESUCC staff members.

Adopted On:
Reviewed On:

Category: Public Relations and Administration - 1000
Policy: Line of Responsibility - 1009

The main operational line of organization for the ESUCC runs from the Executive Director's Office through the main projects, e.g., BlendEd; NE Coop Purchasing; Special Education/SRS, etc. If, for any reason, it is necessary to define an order of rank in the absence of the Executive Director, then the ESUCC Executive Committee will establish a line of responsibility and chain of command.

The ESUCC hereby delegates authority to the Executive Director and authorizes and directs that any actions to be taken or powers or duties to be exercised or performed by the Executive Director as required by or set forth in law, policy, regulation, handbook, may be delegated or assigned by the Executive Director to another ESU administrator, ESUCC staff member, or anyone else who in the Executive Director's discretion is deemed appropriate to perform the action, power, or duty as the Executive Director's designee.

Adopted On:
Reviewed On:

Category: Public Relations and Administration - 1000
Policy: Control and Communications System - 1010

The Executive Director is directed to establish and maintain a system for preserving and making accessible the policies adopted by the ESUCC and the administrative rules and regulations needed to put them into effect. An updated copy of all such policies, rules, and regulations shall be kept current in the office of the Executive Director and also maintained digitally.

Adopted On:
Reviewed On:

Category: Public Relations and Administration - 1000
Policy: Project Evaluation and Planning - 1011

The Executive Director shall implement a process of long-range planning and evaluation of Board and ESUCC goals, involving the Board, staff, and the public as appropriate. From time to time the Board will discuss its long-range planning and evaluate its goals in collaboration with the Executive Director.

Adopted On:
Reviewed On:

Projects – 2000

Category: Projects - 2000
Policy: ESUPDO and Affiliate Groups - 2001

The ESU Professional Development Organization (“ESUPDO”) provides statewide training for ESU employees statewide. ESUPDO consists of five affiliate groups comprised of ESU employees across the seventeen ESUs.

These groups are:

- Staff Development Affiliate (SDA)
- Technology Assistance Group (TAG)
- Network Operations Committee (NOC)
- Instructional Operations Committee (I-Mat)
- ESU Special Populations Directors (ESPD)

Adopted on:

Reviewed on:

Category: Projects - 2000
Policy: Distance Education - 2002

The Distance Education project works to build, improve and maintain the state's distance education network. As part of its statutory responsibilities, ESUCC is charged with the following tasks related to distance education:

- (1) Providing public access to lists of qualified distance education courses;
- (2) Collecting and providing school schedules for participating educational entities;
- (3) Facilitation of scheduling for qualified distance education courses;
- (4) Brokering of qualified distance education courses to be purchased by educational entities;
- (5) Assessment of distance education needs and evaluation of distance education services;
- (6) Compliance with technical standards as set forth by the Nebraska Information Technology Commission and academic standards as set forth by the State Department of Education related to distance education;
- (7) Establishment of a system for scheduling courses brokered by the council and for choosing receiving educational entities when the demand for a course exceeds the capacity as determined by either the technology available or the course provider;
- (8) Administration of learning management systems, either through the staff of the council or by delegation to an appropriate educational entity with the funding for such systems provided by participating educational entities; and
- (9) Coordination with educational service units and postsecondary educational institutions to provide assistance for instructional design for both two-way interactive video distance education courses and the offering of graduate credit courses in distance education.

The Educational Service Unit Coordinating Council shall only provide assistance in brokering or scheduling courses to educational entities that have access to Network Nebraska.

The ESUCC Board contracts with ESU 17 to provide staffing for Distance Education, which staffing includes a Distance Education Director. The Distance Education Director is the immediate supervisor of all other staff assigned to Distance Education and is charged with general operation of all programs of the Distance Education project. The Distance Education Director reports to the Executive Director and, ultimately, to the Board.

Adopted on:

Reviewed on:

Category: Projects - 2000
Policy: Instructional Materials (I-Mat) - 2003

The Instructional Materials (I-Mat) project provides statewide coordination for the purchase of media and other instructional materials. As technology moves forward so does the I-Mat project. Currently, videos are available in physical formats including VHS, DVD, and CD. Additionally, media materials are being digitized and made available as “media on demand” through Discovery Educations “Power Media Plus”. This digital format is opening up media materials, once difficult to obtain, to schools across the state. Additionally, the project works to match media to specific standards and is making media searchable for the most appropriate classroom use.

The ESUCC Board contracts with ESU 17 to provide staffing for I-Mat. Staff assigned to the I-Mat project report directly to the Executive Director.

Adopted on:

Reviewed on:

Category: Projects - 2000
Policy: Cooperative Purchasing - 2004

General. Nebraska ESU Cooperative Purchasing provides cooperating purchasing services to Educational Service Units and their member schools throughout the state of Nebraska. The service is offered by the Nebraska ESU Coordinating Council (the "ESUCC") and Nebraska's seventeen (17) ESUs in a joint effort.

Staffing and Supervision. The Board contracts with ESU No. 17 to provide staffing for Cooperative Purchasing, which staffing includes a Coop Director. The Coop Director is the immediate supervisor of all other staff assigned to the Coop and is charged with general operation of all Coop programs. The Coop Director reports to the Executive Director and, ultimately, to the Board.

Intent. The ESUCC intends to provide to each ESU and serviced school district the infrastructure to make Coop purchases at the local level, including ordering, payment, and receipt of goods and services directly from the vendor(s).

Role of ESUCC. ESUCC contracts for the "purchasing system," currently eSchoolMall, to allow school districts to make Coop purchases individually.

Role of Coop. The Coop lets, receives, and approves bids from vendors wishing to provide goods and services to ESUs and school districts. Those bids are then aggregated into local school district, ESU, and state-wide purchasing catalogs, either in print or digitally available to all entities purchasing through the Coop system.

Role of ESUs. ESUs, like school districts, may utilize the purchasing system to procure goods and services for the purpose of providing services to school districts. However, ESUs should not aggregate, place, receive, pay for, accept, decline, warehouse, or provide any other such services for Coop purchases made by school districts.

Role of School Districts. School districts are responsible for making their own purchases of goods and services through the purchasing system. This includes placing orders; paying; accepting or rejecting; storing; and using goods and services purchased through the purchasing system. School districts are

responsible for accepting conforming goods and services and rejecting nonconforming goods and services as permitted by law.

School districts exercise all rights guaranteed to them as a "Buyer" under the Nebraska Uniform Commercial Code and any other rights and protections guaranteed by state and federal law.

Adopted on:

Reviewed on:

Category: Projects - 2000
Policy: MyE Learning - 2005

LMS is a statewide project that makes an online learning management system available to educational service units, school districts, teachers, and students. The mission of MyE is “to implement an asynchronous web-based learning management system to ensure statewide accessibility to: 1) expanded educational opportunities for all K-12 students; and 2) timely delivery of staff development opportunities.”

The ESUCC Board contracts with ESU 17 to provide staffing for the MyE project. MyE staff report directly to the Executive Director.

Adopted on:
Reviewed on:

Category: Projects and Fiscal Agents - 2000
Policy: Special Education Projects - 2006

The ESUCC's SPED Project administers the software for the creation and management of special education forms and records. The SPED project also provides certain special education services and training for special education teachers and other staff members employed by educational institutions within the State of Nebraska.

The three projects under Special Education Projects are:

Student Records Systems (SRS)
Improving Learning for Children with Disabilities (ILCD)
Project PARA

Student Records System (SRS) is an online special education record keeping system. SRS's goal is to create electronic versions of all special education documents required by Rule 51, including IEP, MDT, IFSP and all required notices. The SRS is a highly secured system that organizes and stores documents and provides easy access to files from anywhere via the internet. SRS training is provided across the state for district staff and college and university staff.

Improving Learning for Children with Learning Disabilities (ILCD) is a state self-assessment Project that gathers information for federal reporting requirements. The ILCD Project utilizes parent, teacher and administration survey assessments. The survey results can be accessed via the ILCD Website. ESUCC project staff are charged with purchasing, distributing and scanning surveys. ESUCC staff also provide technical assistance for the ILCD website and survey design.

Project PARA is a web-based method for school districts to provide introductory training for their paraeducators. The Project assists schools in meeting the paraeducator training requirements of No Child Left Behind, Rule 11 and IDEA. Project PARA is a collaborative effort between the University of Nebraska, the Nebraska Department of Education and ESUCC.

The ESUCC Board contracts with ESU 17 to provide staffing for the SPED Project. Staff members assigned to the SPED Project report directly to the Executive Director.

Adopted on:
Reviewed on:

Business & Operations – 3000

Category: Business & Operations - 3000
Policy: Budget Document - 3001

The ESUCC Executive Director is responsible for assembling the annual budget document. The budget shall be prepared on printed forms as provided by the Nebraska Department of Education and the auditor of public accounts. The Board shall adopt the budget after the public hearing, and the Executive Director shall ensure that it is submitted to the proper authorities in accordance with Nebraska statute.

Adopted On:
Reviewed On:

Category: Business & Operations - 3000
Policy: Public Review of Budget - 3002

At a legally constituted meeting, the Board shall hold a public hearing on the budget statement subsequent to publication.

Notice shall include the place and time of the public hearing and a summary of the proposed budget statement. Distribution of the information will be made through posting at the office of the Executive Director, meeting host site, and ESUCC website.

Short forms or summaries of the budget document will be available to the public from the time of the official notice of the hearing until and including the hearing itself.

The proposed annual budget statement shall be presented to the public with recommended expenditures, anticipated receipts and a summary of significant changes from the previous budget. The public shall be given an opportunity to comment on the proposed budget.

Adopted On:
Reviewed On:

Category: Business & Operations - 3000
Policy: Budget Administration 3003

The ESUCC annual budget, as adopted, shall become the spending plan for the ESUCC. The Executive Director, ESU No. 17 Administrator, or designee is authorized to commit expenditures as approved by ESUCC policies, regulations and procedures and in accordance with the budget document. The Executive Director and/or ESU No. 17 Administrator are authorized to sign documents in the exercise of the necessary course of business activities.

Adopted On:
Reviewed On:

Category: Business & Operations - 3000
Policy: Grants - 3004

Project/Program administrators are responsible for establishing and maintaining financial records to ensure all grant requirements and ESUCC business practices are followed. It shall be the responsibility of the Administrative Assistant to provide support to the project/program administrator to ensure:

1. All financial records are documented and a complete audit trail is maintained;
2. All ESUCC accounting reports are submitted properly;
3. The ESUCC is requesting and receiving all the funds approved under the grant and that all financial reports are completed and submitted to the appropriate agency in a timely manner.

The project/program administrator is responsible for carrying out the program in accordance with the guidelines accompanying the special grant as well as all program reports.

All grants shall be reviewed by the Executive Director.

Adopted On:
Reviewed On:

Category: Business & Operations - 3000
Policy: Project/Program Contracts - 3005

Project/Program administrators are responsible for establishing and maintaining financial records to ensure all contract requirements and ESUCC business practices are followed. It shall be the responsibility of the Administrative Assistant to provide support to the project/program administrator to ensure all financial records are documented and a complete audit trail is maintained.

All contracts shall be reviewed by the Executive Director.

Adopted On:
Reviewed On:

Category: Business & Operations - 3000
Policy: Master Services Agreement - 3006

The ESUCC will determine annually the various services and rates that ESUs will be charged through the Master Service Agreement.

Adopted On:
Reviewed On:

Category: Business & Operations - 3000
Policy: Funds Management - 3007

The Board is responsible for the control of all funds of the ESUCC. Funds available to the Executive Director shall be carefully monitored by the Treasurer and the President to ensure that they are expended for the purposes for which they were appropriated and that the ESUCC receives an appropriate return for its expenditures. All receipts shall be accounted for and reported monthly to the Executive Director. Monthly financial reports shall be provided to and reviewed by the Board.

Any checks and other monetary instruments issued by ESUCC which remain outstanding after issuance shall be reviewed and assessed under the Nebraska Uniform Disposition of Unclaimed Property Act. The Executive Director will make a reasonable effort to resolve outstanding checks even if they are not subject to the Act.

Adopted on:

Reviewed on:

Category: Business & Operations - 3000
Policy: Financial Report - 3008

It is the responsibility of the treasurer, with the assistance of the Executive Director, to gather relevant data and present reports to the board monthly.

Adopted On:
Reviewed On:

Category: Business & Operations - 3000
Policy: Depository - 3009

The Business Manager of the ESUCC shall deposit funds in depositories designated from time to time by the ESUCC Board.

Adopted On:
Reviewed On:

Category: Business & Operations - 3000
Policy: Annual Financial Report - 3010

The Executive Director shall ensure that the Nebraska Department of Education annual financial report and all other financial reports are filed according to state law.

Adopted On:
Reviewed On:

Category: Business & Operations - 3000
Policy: Periodic Audit - 3011

The ESUCC shall retain a certified public accountant to perform an annual audit of all financial records which are maintained directly or indirectly in the administration or management of the ESUCC and its projects.

Due to the small size of ESUCC staff and economic constraints, the ESUCC does not fully comply with generally-accepted accounting principles (GAAP).

The ESUCC shall cause the original copy of each audit to be filed in the office of the Auditor of Public Accounts. The ESUCC shall also provide copies of audits to members of the Board.

Adopted on:

Reviewed on:

Category: Business & Operations - 3000
Policy: Purchasing - 3012

Purchase orders will be written solely under the direction of the Executive Director. The process and procedure of purchasing professional services for the ESUCC will be determined in the sole discretion of the Board or as delegated to the Executive Director.

1) Contract Signing Authority

The Executive Director is authorized to sign documents in the exercise of the necessary course of business activities to the full extent authorized by law.

2) Soliciting Prices

It shall be the general policy of the ESUCC to ask for bids or quotes on large orders of supplies and equipment, new construction, or repair and renovation, if such estimated amount shall exceed \$10,000, or as otherwise required by statute. When in the judgment of the ESUCC Board there is no apparent benefit in obtaining bids or quotes, the Board may waive the requirement as permitted by law. The bidding requirement shall not be waived for capital construction. Bids will be awarded to the lowest responsible bidder.

The ESUCC reserves the right to reject any or all bids. The Executive Director or his designee shall prepare a notice to be submitted to companies for bids on items of supplies and equipment. It shall also be the general policy of the ESUCC to review the needs for bids, quotations or prices periodically on all outside services or contracts.

3) Performance Guarantees

Vendors shall meet the specifications requested by the ESUCC which may include but are not limited to:

Functional requirements and performance guarantees;
Warranty; and
Required service.

Vendors not satisfactorily meeting requirements as established by the ESUCC may be removed from the vendor list indefinitely or for a period of time to be recommended by the Business Manager and approved by the Executive Director. Nothing in any ESUCC policy shall be construed to guarantee any contract with any vendor.

4) Requisitions

The Executive Director, in conjunction with any staff member the Executive Director deems appropriate, shall develop procedures and instructions by which staff will request goods and services. Requisitions for the purchase of goods or supplies shall be submitted to the Administrative Assistant.

All requests shall be made in writing or via an electronic submission unless they are of an emergency nature. If emergency situations arise, purchases may be initiated by verbal request. Written confirmation requisitions must follow all verbal requests.

Requisitions are to be sent to the Administrative Assistant who shall submit the requests to the Executive Director or the Executive Director's designee for purchase.

Adopted On:

Reviewed On:

Category: Business & Operations - 3000
Policy: Staff Members' Conflict of Interest - 3013

If a staff member has an interest in a business, or if the staff member has knowledge that his/her spouse, significant other, parent, or dependent child has an interest in a business which is bidding on a contract with the ESUCC, or one of the ESUCC's projects, and if the staff member is, or will be, making any recommendation to the Executive Director or the Board with regard to the contract, the staff member shall immediately notify the Executive Director. Thereafter, the staff member shall take no part in deciding which bid should be selected. If a staff member has an interest in a business or if the staff member has knowledge that his/her spouse, significant other, parent, or dependent child has an interest in a business, the staff member may not list the business as the suggested vendor on any requests for supplies, equipment or services.

Staff members who are unsure of their obligations under this policy should consult with the Executive Director immediately to ascertain what steps the staff member should take.

Adopted on:
Reviewed on:

Category: Human Resources - 4000
Policy: Purpose - 4001

In order to support the ESUCC and its mission to work toward statewide coordination to provide the most cost-effective services for the students, teachers, and school districts in each ESU. The Executive Director, in consultation with Board, will interview and recommend individuals for employment by ESU 17 for assignment to ESUCC projects. ESU 17 provides staffing services to ESUCC pursuant to contract and will serve as ESUCC's Human Resources Division.

ESU No. 17 provides leadership and coordination for the following functions:

1. Personnel;
2. Employee Benefits;
3. Risk Management; and
4. Employee Relations.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Employee Classifications - 4002

The ESUCC and ESU No. 17 classify employees into two general categories:

1. Certificated employees are employees performing duties requiring a certificate issued or license accepted by the Commissioner of Education.
2. Classified employees are employees with regular work assignments whose job classifications do not require a certificate issued by the Commissioner of Education. Classified employees are at-will employees, unless otherwise designated.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Job Descriptions - 4003

Job descriptions for the various employment positions are developed and maintained by the Executive Director and ESU No. 17.

Employees must maintain all licensure or certification required by the position as a condition of continued employment. The employee must immediately report the loss or suspension of licensure or certification to their immediate supervisor and the appropriate staff member in Human Resources.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Selection and Assignment of Employees - 4004

The process for the selection and assignment of staff is the responsibility of the ESUCC and ESU No. 17. It shall be the duty of the Executive Director and ESU No. 17 Administrator or designee to assure that all persons meet the qualifications established by law and the ESUCC for the position.

The selection procedure is uniformly applied to every candidate. There shall be no discrimination against any employee or applicant for employment by reason of race, color, national origin, religion, marital status, sex, age, disability.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Employment of Family Members - 4005

A member of the Board or an employee with supervisory responsibilities may employ, recommend, or supervise the employment of an immediate family member only if:

1. He or she does not abuse his or her official position. Abuse of an official position includes, but is not limited to, employing an immediate family member:
 - a. Who is not the most qualified for and able to perform the duties of the position;
 - b. For an unreasonably high salary; or
 - c. Who is not required to perform the duties of the position.
2. He or she makes a full disclosure to the Board by issuing a written disclosure to the Executive Director and Secretary of the Board; and
3. The Board approves the employment or supervisory position.

No immediate family member of a Board member or of an employee with supervisory responsibilities shall be employed by the ESUCC, or by ESU No. 17 for work contracted with ESUCC:

1. Without first having made a reasonable solicitation and consideration of applications for such employment;
2. Who is not qualified for and able to perform the duties of the position;
3. For an unreasonably high salary; and
4. Who is not required to perform the duties of the position.

Neither the Board nor an employee with supervisory responsibilities shall terminate the employment of an employee so as to make funds or a position available for the purpose of hiring an immediate family member.

This policy shall not apply to an immediate family member of a member of the Board or an employee with supervisory responsibilities who was previously employed in a position with the ESUCC prior to the election or appointment of the Board member or of the supervisory employee. Prior to or as soon as reasonably possible after the official date a Board member takes office or an employee assumes supervisory responsibilities, such Board member or employee shall make a full disclosure of any immediate family member employed in a position subject to this policy.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: At-Will Employees - 4006

The ESUCC contracts with ESU 17 for staffing services. The relationship between any ESUCC staff member and the ESUCC is at-will. The ESUCC can ask to have a staff member removed from an ESUCC project at any time, with or without cause, and with or without notice to the affected employee.

No employee or representative of the ESUCC has the power or authority to offer a staff member an employment contract for a specified period of time, to modify the nature of the staff member's relationship with ESUCC or ESU 17, or to make any agreements that are contrary to the policies of ESUCC or ESU 17.

Adopted on:

Reviewed on:

Category: Human Resources - 4000
Policy: Personnel Records – 4007

ESUCC staff members should consult the policies and employment handbooks of ESU 17 regarding access to and maintenance of personnel records.

Adopted on:

Reviewed on:

Category: Human Resources - 4000
Policy: Separation of Employment - 4008

The Executive Director and/or ESU No. 17 Administrator or designee will process all retirements, resignations, cancellations, contract amendments, non-renewals and terminations of employment. The ESUCC Executive Director and/or ESU No. 17 Administrator will make recommendations for appropriate action to the Board, if needed.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Resignation/Termination – 4009

1. Resignation

Staff members who wish to resign from the ESUCC must submit a letter of resignation to the Executive Director and ESU No. 17 Administrator.

Resignation of Certificated Employees

The ESUCC and ESU No. 17 may refuse to accept the resignation of a certificated employee, including a resignation given mid-year and a resignation given for the following school year or after execution of a contract or renewal letter.

Resignation of Classified

Classified employees are at-will employees. Classified employees are expected to give two weeks' notice to Executive Director and/or ESU No. 17 Administrator prior to resignation.

2. Termination from Assignment to ESUCC Projects

The Board and/or the Executive Director may terminate a staff member's assignment to ESUCC projects upon providing notice to ESU 17 pursuant to those parties' staffing services agreement. Staff members who are removed from ESUCC projects have no right to prior notice from the ESUCC or its Executive Director and are not entitled to a hearing before the Board or any form of due process related to their removal.

3. Termination of Employment

Any supervisor considering recommending employment termination shall consult with the Executive Director and ESU No. 17 Administrator or designee on procedural matters.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Compensation - 4010

Compensation of ESUCC employees may be established by the Board, Executive Director and/or ESU No. 17 Administrator pursuant to the staffing services agreement between ESUCC and ESU No. 17.

Employees required to work on an extended time basis may be compensated by taking corresponding amount of time off of their regular contracted time or by receiving financial remuneration, as selected by the board and permitted by contract. Financial remuneration shall be awarded on an hourly basis with the rate per hour being that which the employee receives per hour under the employee's contract. The length of the workday shall be considered as eight hours, or as otherwise assigned. The regular workweek will run from 12:00 AM Sunday through 11:59 PM Saturday.

ESUCC staff members who are "non-exempt" under the Fair Labor Standards Act and who work more than 40 hours in a workweek will be paid at the rate of time-and-one-half (1½) times their regular rate of pay for all overtime hours, or will be provided compensatory time. All overtime must be approved in advance by the Executive Director. Scheduled holidays, vacation days, time off for jury duty, and time off for sickness, emergencies or other personal reasons will not be considered hours worked for overtime purposes.

The ESUCC may grant compensatory time in lieu of overtime pay at a rate of one and one-half (1½) hours off for each hour of overtime the staff member worked. Staff members may accrue a maximum of 240 hours of compensatory time, which represents 160 hours of actual overtime worked. When a staff member has accrued 240 hours of compensatory time, the ESUCC shall pay him/her at the rate of one and one-half (1½) times his/her regular rate of pay for each additional hour of overtime. A staff member who asks to use compensatory time may be permitted to use it within a reasonable period after the request if its use does not unduly disrupt the operations of the ESUCC and its projects.

Upon termination of employment, an employee shall be paid for unused compensatory time at a rate of compensation not less than: (1) the average regular hourly rate paid to the employee during the last three years of his/her employment, or (2) the final regular hourly rate paid to the employee, whichever is higher. Compensatory time is paid at the higher of these regular rate computations and not at one and one-half the regular rate of pay.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Reimbursements – 4011

The ESUCC Board or its Executive Director may require a staff member to attend relevant professional meetings, training, and other such events as the Board deems appropriate. The Board may reimburse the staff member for his/her actual expenses incurred in attending such meetings as permitted by law and approved by the Board.

To receive reimbursement for travel or business related expenditures, ESUCC staff members must submit all forms required by the Executive Director or as established by policy and procedure. Requests for reimbursement shall be made as soon as reasonably possible after they are incurred, but the board may refuse to reimburse a staff member, as permitted by law, for expenses which were accrued more than six (6) months after submission for reimbursement. To the extent an individual staff member's contract states otherwise, the contract will control.

Payment for all expenditures outside of payroll will be issued on the first and third Wednesday of every month unless payment falls on a holiday in which event the payments will be issued the next working day of ESU No. 17. Travel reimbursement will be based on the IRS's mileage reimbursement allowance. An itemized receipt, meaning a receipt with totals for each reimbursable item and not just a receipt showing the total expenditure, must accompany all other reimbursements. No reimbursements will be issued for above the IRS per diem amount unless authorized by ESUCC Executive Director.

The following expenses will not be reimbursed:

- Alcoholic beverages
- Expenses for additional parties' travel
- Entertainment
- Damage to personal vehicles, clothing, or other items
- Towing charges, in the event such charges are incurred because of the fault or negligence of the ESUCC employee
- Services to gain entry to a locked vehicle

This list is not all-inclusive. Staff members should use prudent judgment and remember that all travel expenses are subject to public review and denial for reimbursement by ESUCC and should be able to sustain the test of public and ESUCC review.

Adopted on:

Reviewed on:

Category: Human Resources - 4000
Policy: Employee Benefits Compensation - 4012

The costs of the various employee benefits are borne by the ESUCC and/or ESU No.17, the employee, or jointly as determined by the applicable agreement.

ESU No. 17 serves as the official ESUCC representative with the insurance carriers and other benefit programs for employees employed pursuant to the staffing services agreement.

ESUCC employees may be entitled to the following benefit options based on their position within ESUCC and pursuant to the staffing services agreement:

1. Health
2. Dental
3. Disability
4. Vision
5. Accident
6. Flexible Benefit Plan
7. Retirement, so long as the employee meets the requirements of the Nebraska School Employees Retirement System
8. Early retirement incentives as may be established by ESU No. 17 or the Board applicable to the particular employee

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Leave Time - 4013

Employees must follow the ESU No. 17 handbook on acceptable leave procedures. Employees employed directly by the ESUCC are permitted leave time as decided by the Board.

The type and number of leave days for which an employee is eligible are denoted in each employee's yearly contract.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Workers' Compensation – 4014

Employees are required to report any work-related injury and/or work-related medical condition to the Executive Director and ESU No. 17 Administrator immediately and complete all appropriate paperwork.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Tort Claims - 4015

Tort claims must be filed with and received by the ESUCC Executive Director.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Outside Employment / Non-ESUCC Employment - 4016

Employees shall not perform duties unrelated to ESUCC employment during their regularly assigned schedule and duties. In addition, employees shall not engage in employment which conflicts with their duties for the ESUCC. Any ESUCC employee who takes employment outside of ESUCC must notify the Executive Director in writing and receive permission from the Executive Director before accepting such outside employment.

Employees who suffer a non-ESUCC work-related injury are required to notify the Executive Director of ESUCC and Administrator of ESU 17 of the injury.

Adopted On:
Reviewed On:

Category: Human Resources - 4000
Policy: Anti-Discrimination and Harassment - 4017

The ESUCC is committed to providing a workplace and learning environment free of discrimination and harassment for employees. Accordingly, discrimination or harassment is prohibited. In addition, the ESUCC will endeavor to protect employees from reported discrimination or harassment in the workplace by other non-employees. Discrimination or harassment based on a person's race, color, religion, national origin, sex, disability, age, marital status, veteran status is specifically prohibited.

Adopted On:
Reviewed On:

Category: Council Operating Procedures - 5000
Policy: Philosophy Statement - 5001

[ENTER PHILOSOPHY/MISSION STATEMENT HERE]

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Role of ESUCC - 5002

The ESUCC was created to coordinate statewide activities of Nebraska's ESUs. The governing body for the ESUCC consists of an administrator representative from each ESU. The statutory description of and the duties of the ESUCC can be found in Nebraska Revised Statutes Sections 79-1245 through 79-1249. According to Section 79-1246:

The ESUCC shall work toward statewide coordination to provide the most cost-effective services for the students, teachers, and school districts in each educational service unit. The council's duties include, but are not limited to:

- (a) Preparation of strategic plans to assure the cost-efficient and equitable delivery of services across the state;
- (b) Administration of statewide initiatives and provision of statewide services; and
- (c) Coordination of distance education.

Prior to the creation of the ESUCC, the legislature passed LB 1208 in 2006, which created the Distance Education Council (DEC). The duties and responsibilities of the DEC were transferred to the ESUCC in 2007.

In its current organizational form, the ESUCC uses a master services agreement to document each ESU's participation in the cooperative projects of the ESUCC. The ESUCC Board has direct control over each project, with ESU 17 providing staffing services for ESUCC through a staffing services agreement.

Adopted on:
Reviewed on:

Category: Council Operating Procedures - 5000
Policy: General Functions - 5003

General functions of the ESUCC include:

1. Set major directions reflecting guidelines of law, expectations of ESUs and Statewide projects.
2. Provide for financial resources necessary to provide projects/programs.
3. Provide for implementation and evaluation of the statewide projects/programs in terms of the Board's stated goals and to recommend initiation of desired or needed changes.

Adopted On:

Reviewed On:

Category: Council Operating Procedures - 5000
Policy: Specific Functions - 5004

Specific functions retained by the ESUCC Board include but are not limited to the following:

1. To work with ESU No. 17 on all appointments and dismissals of staff, to determine salaries and working conditions of employees, and to establish procedures for development of personnel policy.
2. To determine facility needs, as necessary to meet the working needs of all personnel working for the ESUCC.
3. To adopt an annual budget which provides a detailed plan of income and expenditures.
4. To work with Department of Education as stated in Rule 84 to collaborate the needs of statewide initiatives.

Adopted On:

Reviewed On:

Category: Council Operating Procedures - 5000

Policy: Authority of and Public Statements by Individual Members - 5005

ESUCC members have authority to take official action only when acting as a Board in legal session or as authorized by the Board in legal session.

All business of the Board will be conducted through its meetings. No committee of the Board, member of the Board, or staff member of the ESUCC shall have the power to act for the Board or to give the impression of acting on behalf of the Board or ESUCC without specific approval authorized by the Board.

The Board shall not be bound in any way by any action or statement on the part of any individual Board member or committee of the Board unless that person or committee is specifically authorized to bind the Board.

Adopted On:

Reviewed On:

Category: Council Operating Procedures - 5000
Policy: Members, Officers and Terms of Office - 5006

ESUCC members consist of one ESU administrator from each ESU. Each member shall serve on the Board during the duration of his/her employment as an ESU Administrator.

The officers of the ESUCC shall be the President, the Past-President, the President-Elect, the Treasurer and the Secretary, who shall be members of the Council/Board.

Adopted On:
Reviewed On:

Category: Council Operating Procedures - 5000
Policy: President, President-Elect, Past President - 5007

The Board will biennially elect one of its members to serve as its president. The President of the Board shall preside over all regular and special meetings of the ESUCC Board. He/she shall sign contracts or any other instruments, which the Board has authorized to be executed; and in general he/she shall perform all duties incident to the office of President and such duties as may be prescribed by the Board.

The Board will biennially elect one of its members to serve as its president-elect. In the absence of the President or in the event of his/her inability to act, the president-elect shall perform the duties of the president, and when so acting, shall have all the powers of and be subject to all the restrictions upon the president. The president-elect shall perform such other duties as, from time to time, may be assigned to him/her by the Board.

Past President of the ESUCC will mentor the President in his/her duties so that his/her transition into the position will go smoothly without any undue disorder. The Past President may perform the duties of the President in the absence of the President and the President-elect.

If the President, Past President and President-elect are absent from a meeting, the Board members present will designate the chair for the meeting.

Adopted on:
Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Treasurer - 5008

The Board will biennially elect one of its members to serve as its treasurer. His/her duties shall be:

1. Custodian of all funds of the ESUCC Board.
2. Attend or be represented at all meetings of the ESUCC Board.
3. Submit in writing a monthly report of the state of finances.
4. Ensure that money paid out by the ESUCC has been approved by the Board or appropriate staff member per policy or Board directive.

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Secretary - 5009

The Board will biennially elect one of its members to serve as its secretary.

The ESUCC Secretary may sign contracts or any other instruments, which the ESUCC Board has authorized to be executed and in general perform all duties incident to the office of ESUCC Secretary and such duties as may be prescribed by the ESUCC Board.

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Committees - 5010

Committees

Committees shall not have legislative or administrative functions, except as specifically authorized by the Board. All matters except those of routine or emergency nature may be referred to a committee before action by the Board.

The Board will have Standing Committees. The Board may have additional temporary, special, or ad hoc committees which shall be established by the President upon recommendation of the Board and/or Executive Director.

The President, upon recommendation of the Board members and/or Executive Director, shall appoint the members and chair of each committee.

Summaries of all committee meetings shall be reported to the Board for its information, recording and possible action, as directed by the Board.

Standing Committees

Executive Committee - Consists of President, Past-President, President-Elect, Treasurer, and Secretary.

Finance and Audit Committee – Review issues regarding the presentation and tracking of the General Fund Budget.

Technology Committee – Reviews any technology related issues including but not limited to BlendEd initiative and those PD affiliates (Technology affiliate Group (TAG) and Network Operations Committee (NOC)

Professional Development - Review efforts by Professional Development Organization (PDO) and other professional development issues.

Special Education Committee - Reviews statewide initiatives (SRS, Project para, ILCD) as well as other Special Education issues in state.

Legislative Committee – Review issues regarding federal, state, and local legislation or regulations, NSBA and NASB resolutions, and issues of interest regarding other governmental bodies.

Coop Committee - Reviews the progress and future needs of Nebraska Coop

Project.

Special Appointments

Members of the Board may be appointed to represent the Board on joint committees with other agencies or as advisors to other agencies. The President or Executive Director as designee will make such special appointments and may authorize the Committees or other administrative staff member to make appointments, unless otherwise designated by the Board.

Adopted On:
Reviewed On:

Category: Council Operating Procedures - 5000
Policy: Orienting New Council Members - 5011

The Executive Director and the Board will assist each new member in understanding the Board's functions, policies, procedures, and operation of the ESUCC.

Adopted on:
Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Board Member Employment and Conflicts of Interest - 5012

No member of the Board shall be employed the ESUCC.

Members of the Board shall comply with the rules and procedures set forth in the Nebraska Political Accountability and Disclosure Act (the "Act") and ESUCC policy in connection with employing family members, having an interest in a contract with the ESUCC, or otherwise having a conflict of interest with the ESUCC. The Act is the governing law and trumps any conflicts created by these policies. Any questions regarding conflicts of interest should be directed to the Executive Director, who may then confer with legal counsel and/or the Board.

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Formulation and Adoption of Policies - 5113

All Board policies shall be adopted or amended at a public meeting and recorded in the minutes of the Board. All current policies will be posted on the ESUCC website and updated as added or amended by the Board so that the public and employees may be notified of such changes.

At the direction of the Board, the Executive Director will prepare a policy in the wording and codification with which they are to be entered into the official policy manual and present them for the approval of the Board.

Adopted On:
Reviewed On:

Category: Council Operating Procedures - 5000
Policy: Formulation/Adoption of Administrative Regulations - 5014

The Board delegates to the Executive Director the authority to create specific regulations or procedures to guide ESUCC staff in the successful completion of their duties. These administrative regulations must be in every respect consistent with the policies adopted by the Board. The Board will formulate and adopt administrative regulations when specific state laws require Board adoption, and they may do so at any time or when the Executive Director recommends Board adoption.

Adopted on:
Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Suspension of Policies and Regulations - 5015

The Board may suspend any policy, regulation or procedure upon a vote of members of the Board.

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Control of Funds - 5016

The ESUCC will maintain fiscal operational procedures to ensure that public funds are expended for the purposes for which they were appropriated, in such manner that will ensure the greatest return toward the goals of the ESUCC.

Adopted On:
Reviewed On:

Category: Council Operating Procedures - 5000
Policy: Meetings – 5017

1. Open Meetings

The formation of policy is public business and will be conducted openly.

2. Types of Meetings

- a. The council shall generally hold its regular meetings as adopted in an annual schedule of meetings.
- b. Special and emergency meetings may be called as provided by law.
- c. Work sessions and retreats. The council may schedule informal work sessions between regular meetings in order to provide council members and administrators with the opportunity to plan, research, and engage in discussion without taking immediate action.

Topics for discussion and study will be announced publicly. Work sessions and retreats will be conducted in open session.

3. Notice

The council shall give reasonable advance publicized notice of the time and place of each of its meetings. Such notice shall be transmitted to all members of the council and to the public. Notice of regular and special meetings shall be posted (a) on the council's website, (b) on the premises of the administration office of the ESUCC and (c) on the official Nebraska government website, at least 48 hours before the announced beginning of the meeting. Such notice shall contain a statement that the agenda shall be readily available for public inspection at the administration office of the ESUCC during the normal business hours. In addition, the executive director is authorized, but not required, to publish the notice of any meeting on the website of any member ESU or in a newspaper of general circulation within the council and the educational service units if, in the opinion of the executive director, it is convenient and useful to do so.

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 that 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.

4. Minutes

- a. The council shall keep minutes of all meetings showing the time, place, members present and absent, 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 council 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 open to public inspection during normal business hours.

5. Committees

The provisions of this policy shall apply to Committee and Subcommittee meetings at which a quorum of the Board members attends, or if the committee or subcommittee holds hearings, makes policy or takes formal action on behalf of the Board.

Adopted on: April 4, 2013

Revised on: _____

Reviewed on: _____

Category: Council Operating Procedures - 5000
Policy: Time and Place of Meetings - 5018

Regular meetings ordinarily will be held on the first Wednesday of the month unless advertised differently. Date, time and place of meetings are at the discretion of the Board.

Official notification of meetings is by delivery of the agenda, but the Administrative Assistant will also keep a long-term schedule of future meetings.

Notice of special meetings must be delivered in writing to each member of the Board a reasonable time before the meeting. Notice by electronic means, such as e-mail or SMS/text messaging, shall constitute written notice pursuant to this policy. In case of emergency, the President shall have power to call a special meeting on less than 48-hours' notice.

A Board member shall be considered notified under this policy if the ESUCC has made reasonable effort to notify by delivering notice in writing via email to each Board member.

Adopted On:
Reviewed On:

Category: Council Operating Procedures - 5000
Policy: Participation by the Public - 5019

All meetings of the Board shall be held in accordance with the Nebraska Open Meetings Act.

The Board shall make available at the meeting, for examination by members of the public, at least one copy of all reproducible written material to be discussed or received in open session of the meeting.

The Board may make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, photographing, or recording its meetings. The Board may not forbid public participation at all meetings, but the Board is not required to allow citizens to speak at each meeting.

The Board shall not 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.

Individuals who wish to address the Board shall be governed by these and any other such rules and regulations adopted by the Board:

1. Fill out a Request to be Heard form and provide it to the person or persons designated to assist the Board in collection of such forms.
2. In seeking the floor, individuals will state their name and place of residence and indicate whether they speak for themselves or for an organization.
3. 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.

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Agenda Construction and Meeting Materials – 5020

The Executive Director, in cooperation with the President of the Board, shall prepare an agenda prior to each Board meeting. Individuals who wish to have items considered for addition to the agenda for a regularly-scheduled Board meeting must contact the President or Executive Director at least one week prior to the Board meeting with their request.

The regular order of business for ESUCC Board meetings shall generally be as follows, but the order may be amended at any time as deemed appropriate by the Board:

1. Roll Call
2. Approval of Minutes
3. Treasurer's Report
4. Executive Director Report
5. Project and Committee Reports
6. General Business & Discussion
7. Action Items
8. Other as necessary

Support Materials

In addition to the agenda, the Executive Director shall prepare such supplementary reports, summaries or other support materials which aid the Board in the conduct of its meeting or as required by the items to be addressed on the agenda. A copy of such materials will be available for public inspection at the meeting.

Display of Meeting Material

When space and technology permit and at the request of the Board, reports and other written material to be discussed may be conveniently displayed.

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Minutes - 5021

Minutes of each meeting will be approved with corrections as necessary at the next regular meeting of the ESUCC. Minutes, along with all reports or documents cited in the minutes, become the official record of the proceedings of the Board. A concise summary of the minutes and the list of claims will be published as required by law. A copy of all minutes will be maintained and available for public inspection in the office of the Executive Director.

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Annual Organizational Meeting - 5022

An organizational meeting of the ESUCC shall be held on the first Wednesday of May each year for the purpose of seating any new members and electing officers.

The following are procedures for election of officers and other business to take place at the annual organizational meeting of the Board:

1. After new members are sworn in by the Board's legal counsel or other designee, the Board will elect from its members a President, Vice President, Secretary, and Treasurer, all of whom will assume office at the organizational meeting.
2. The Board's legal counsel or other designee will act as chair for the election of a President.
3. The President will assume the chair immediately upon his or her election.

The Board may then consider items including, but not limited to:

1. The adoption of an order of business to guide in the preparation of future agendas and conduct of meetings.
2. Review of existing temporary committees or special appointments involving Board members.
3. Any other such items as have been properly noticed and placed on the agenda.

Adopted On:
Reviewed On:

Category: Council Operating Procedures - 5000
Policy: Meeting Conduct & Quorum - 5023

A majority of the Board shall constitute a quorum at any meeting of the Board. Action by the Board regarding the business of the ESUCC may be taken only when a quorum is in attendance.

The adjournment of a meeting may be executed without a quorum. An affirmative vote of a majority of the votes cast shall be sufficient to pass a motion, or take action, unless law or Board policy specifically requires a vote of a greater number. It is the responsibility of each Board member to attend Board meetings and notify the Board Secretary or Executive Director when they are unable to attend.

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Voting - 5024

Board members present shall vote on decisions requiring Board action based on the following:

1. All motions must be voted on with a roll call vote.
2. Each member present must vote on all matters unless excused by the chair or required to abstain because of possible conflict of interest.
3. Voting by proxy is not allowed.

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Minutes - 5025

It will be the duty of the Executive Director to make arrangements for the taking of minutes for Board meetings.

It will be that designee's duty to make sure they record the following actions of the meeting:

- Kind of meeting, "regular," "adjourned," "special," or otherwise stated
- Name of the organization or assembly
- Date, time and geographic location of meeting
- Time of Call to order
- Roll Call
- Changes to agenda (if any)
- Whether the minutes of the previous meeting were read and approved, or approved as corrected, and the date of the meeting if other than a regular business meeting
 - All action taken by the ESUCC Board, including the wording of all motions, and the roll call vote on each motion
 - The wording of the motion, time of entrance, and time of exit from any executive session of the Board
 - Time of adjournment

The minutes will be permanently kept on file with ESUCC Executive Director.

Adopted on:

Reviewed on:

Category: Council Operating Procedures - 5000
Policy: Budget Hearing – 5026

The ESUCC shall each year conduct a public hearing on its proposed budget statement.

Adopted on:

Reviewed on:

Copyrights and Patents

It is the intent of the Educational Service Units (ESUs) to adhere to the provisions of U.S. Copyright Law and the Patent Act. All parties, including administrators, staff members, teachers and students are prohibited from using, copying or transmitting materials not specifically allowed by fair use, copyright or patent law, licenses or contractual agreements or permission. All staff shall be responsible for informing themselves and reviewing relevant information pertaining to copyright and patent rules, fair use, ESU Coordinating Council licenses or contractual agreements and permissions. Anyone who disregards this copyright and patent policy is in violation, assumes all responsibility for infringement, including possible civil liability and criminal prosecution and may be subject to disciplinary action including termination from employment. The ESU Coordinating Council does not assume any legal responsibility for any infringement of copyrights, patents or other proprietary rights. Copyright and patent information will be provided to assist employees so that they can perform their duties within the intent of the law.

All staff shall also respect the copyright, patent and proprietary rights of any materials accessed through the Educational Service Unit's network system or technology resources. Staff may not use or duplicate copyrighted or patented materials, graphics, or other proprietary materials without permission from the copyright or patent holder, unless the use falls within fair use parameters, licenses or contractual agreements or permissions, whether for personal use or for the use of others. Persons who secure permission, licenses or other contractual agreements shall maintain adequate records regarding the use of copyrighted or patented materials.

Vision for Nebraska K-12 Technology Infrastructure Core

Draft September 2, 2014

Infrastructure Problems & Frustrations

- Uneven availability of technology & services
- Inconsistent or poor support of some services
- Centralized services not meeting needs
- Duplication of efforts
- Some services not sustainable
- Costs too much

Vision

To provide an enterprise-grade, efficient and economical technology platform through which applications and services are delivered to improve school academic and operational performance and learner outcomes.

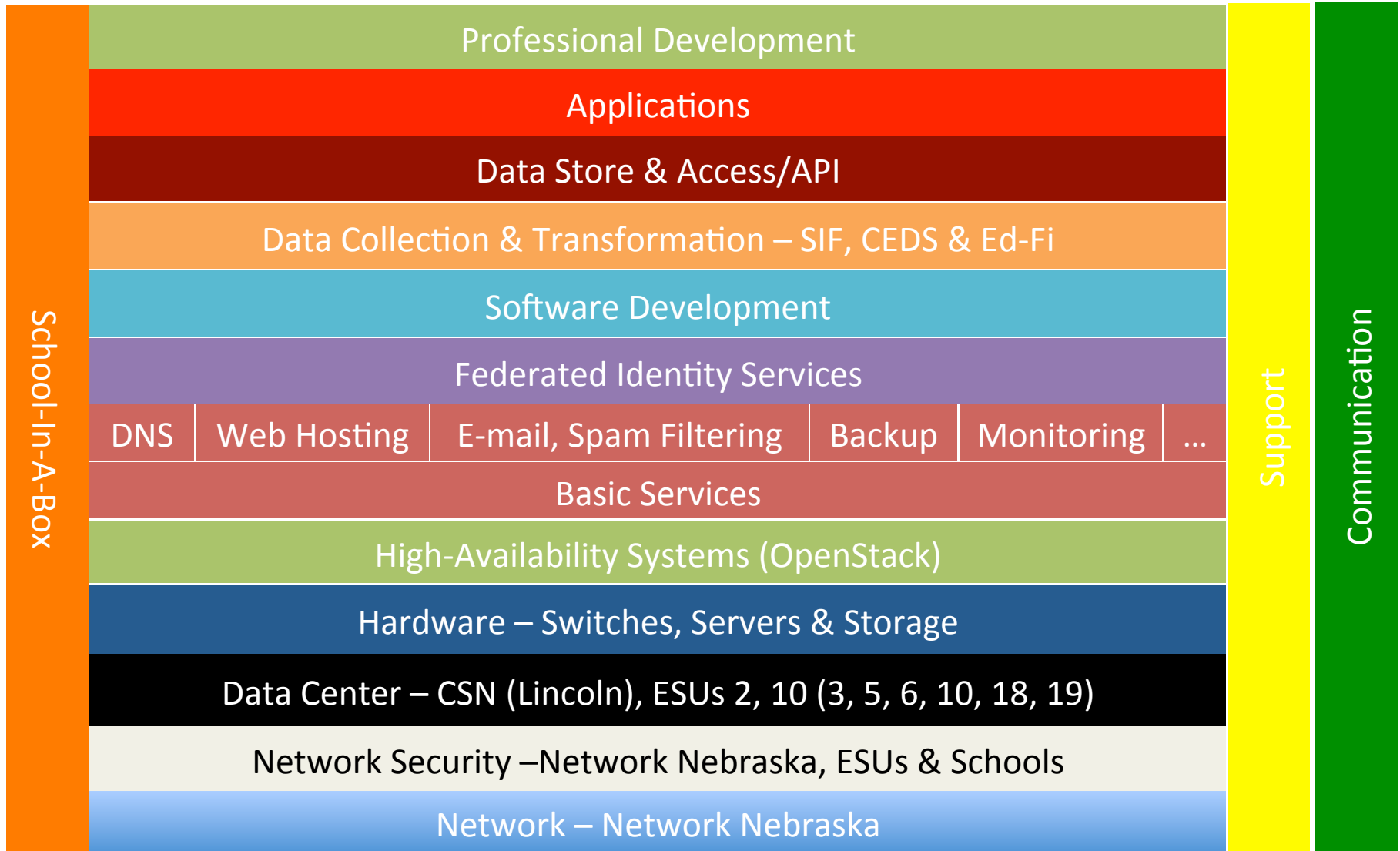
Goal

- Technology systems become like a transparent utility for all users.
- Users think of technology systems, data, applications and services as:
 - Ultra-reliable & a natural way to reach every student, every day, at any time and in any location
 - Reliable as electricity, water and phone service

What Changes?

- More technology services available statewide
- Increased choice – a la carte services
- Shared management and control
- Improved support expectations
- Services more efficient and sustainable
- Realignment of existing staff responsibilities, reducing duplication and inefficiencies

Infrastructure Layers



Suggested Beginning Steps (2014-15)

- Refine - collect ESU and school needs and feedback
- Communicate – statewide discussions of best practices, align efforts & practices
- Pilot the team approach with ESUCC systems support through contracted services
- Develop & implement more formal project plans

Develop & Implement Formal Project Plans (2014)

- Pool existing, available hardware (ESUCC, ESU 2, 10) & existing data centers
- Establish system-wide ticketing strategy/system
- Initiate rough documentation system
- Establish high-availability team and shared fabric
- Begin offering shared backup service & redundant VM hosting
- Begin migrating existing ESUCC, NNNC & GNENC VMs into shared environment
- Consider consolidating e-mail services (Zimbra: NNNC, LPC, ESU 9)

Intermediate Steps (2015)

- Determine partner interest & involvement (NDE, Network Nebraska, University of Nebraska, IlliniCloud)
- Build Identity team & project plans
- Build Software Development Team
- Engage w/NDE to enhance Data team & Ed-Fi Project w/SDS work
- Refine documentation, ticket systems, communications & processes
- Assess interest and priorities for remaining teams
- Seek startup funding (grants, partnerships) to implement priority projects, layers & teams

Shared Ownership, Governance & Control

- Pooled funding for hardware, data center/hosting costs, staff contracts
- Governed by participating ESUs & districts (through ESUCC board, committees and affiliates?)
- A strong linkage between needs expressed by participants, services delivered and evaluation of effectiveness & efficiency
- To the maximum possible extent, provide user/distributed administration controls for services (let participants provision, customize and control services they subscribe to)
- Technical teams cross ESU boundaries and all team members have administrative access/controls over systems within their team's scope
- Centralized auditing/logging of administrative access and activities & strict documentation expectations of all team members

Increased Choice/A la Carte

- Low barrier to entry – To the extent possible, participants may subscribe to services individually (i.e. DNS, backup, basic VM, or single application only)
- Service costs must factor in sustainability & lower-level infrastructure to support
- Some services may depend on others (data dashboard requires data store & collection)
- Catalog of available services

Support Expectations

- Support requests are acknowledged immediately
- Support requests are routed and worked quickly
- Timely progress updates and communications regarding the issue being worked
- Automated notifications of internally-initiated issues
- Confirmation that an issue is resolved
- Opportunity to provide feedback

Ticket System

- Universal ticket system – all teams use
- 3 Ways to request support:
 - E-mail
 - Phone call (1 number for all support requests)
 - Web ticket
- Dispatching & Monitoring – people assigned to ensure tickets are routed and worked according to expected response times and follow-up with assigned team member when they aren't
- Defined response intervals for each type & severity of issue
- Feedback encouraged by inviting user to provide feedback at close of each ticket
- Managerial review and follow-up of tickets not meeting expectations

Team Staffing Approach (1)

- Bring existing staff into specialized teams based on the infrastructure layers
- Change to horizontal focus on fewer layers vs. current vertical focus based on geography
- Team members selected for a team based on skill set, aptitude, fit and interest
- Perform tasks more efficiently in areas of specialty than in less familiar areas
- All staff on all teams need to practice excellent interpersonal & documentation skills and be open-minded to design and support solutions with other teams and team members

Team Staffing Approach (2)

- Teams have a standing or rotating primary on-call person, with one or more designated backups—No “one-man shows”
- Primary on-call member uses monitoring systems, takes and works tickets related to the team
- Primary or dispatcher may call on backup members for help in peak times or when exceptional problems arise
- Team members will maintain general understanding in many areas as well as specific expertise in their assigned areas of responsibility
- Members would commonly overlap – serve as primary on one team, potentially more as primary or backup, depending upon workload & expected needs

Documentation

- Centralized, database-driven documentation application(s), customized for easy use at all infrastructure layers
- Layer-sensitive entry screens (different for documenting physical cable connections vs. IP network address assignments vs. software configuration instructions)
- Connection to ticket system for FAQ/ Knowledgebase automation & easy device, connection and configuration lookup

Project Management

- Comprehensive and transparent project plans
- Clear next steps & expectations
- Coordination & alignment of project plans system-wide and across teams, including dependencies and user priorities
- Carefully contemplated and mutually agreed-upon timelines
- Accountability and support for all team members to achieve previously-agreed deliverable timelines

Change Management

- Established process for peer review of proposed changes to assess potential side-effects and impact of service interruptions
- Allow routine configurations to change without undue burden while catching and reviewing changes that are high-risk or high-impact
- Automated connections to ticket and documentation systems

Evaluation

- To what degree does each service meet participant needs and expectations?
- Are all team members fulfilling their responsibilities in a timely and professional manner?
- Does each service meet its budget expectations?
Is it self-sustaining?
- To what degree does each service improve ESU & school performance and learner outcomes?

Sustainability

- Each service will operate at break-even
- Include allowances for equipment and software maintenance, life cycles & replacement cost
- Long-term funding is a combination of:
 - Participation/usage-based fees
 - System-wide investment (for basic levels of service that benefit all)
 - Partnerships & outside investment

Startup & Initial Development Costs

- Infrastructure and services may require initial investments to begin operating
- Startup funding may include:
 - Setup fees paid by participants
 - System-wide investment (for basic levels of service that benefit all)
 - Partnerships & outside investment
 - One-time allocations (Legislature, NDE)
 - Grant funding

Wide-Area Network

- Network Nebraska operates core now (1.5 staff)
- Create/expand system-wide NOC (at Network Nebraska or ESUCC) to provision, monitor, test & diagnose NN-to-school, NN-to-ESU & ESU-to-school links
- Primary team member with cross-trained backups
- Remote access statewide to all participating head-end and edge WAN equipment
 - Schools & non-team have limited/read-only access to WAN devices

Network Security

- CISSP (standards-based) model
- Adherence to specifications of 10 CISSP domains
- Some Network Nebraska monitoring systems in place now
- Formalize monitoring duties & expand tools
- On-call team member & cross-trained backups
- Handle requests for firewall rule changes
- Diagnose & correct access problems
- Investigate & respond to security events, intrusions

Data Center

- Install, maintain, monitor & document system hardware and physical connections in the Data Center environment
 - Servers & disk storage
 - Network switches, firewalls & devices
 - Environmental – Power, generator, UPS, HVAC
- Primary on-site & cross-trained backup at each data center or in close proximity
- Initial location thoughts: Nebraska Hall (Lincoln), ESUs 2, 10, & 3
- Alternates & future possibilities: ESUs 6, 18, 19, College Park (Grand Island), Scottsbluff, UNO/UNMC

Hardware

- Team designs & specifies system-wide hardware to meet usage needs
- Develop installation procedures & documentation of hardware setup, pre-configure for installation in data center
- Available to help diagnose suspected hardware problems
- Few, common & interchangeable hardware components can be deployed and moved between data centers to simplify maintenance, repairs and parts management

High-Availability Systems – OpenStack

- Open, standards-based virtual machine management environment
- Team provides VMs to-spec for in-system use and use by ESUs and school districts for custom applications
- Automated, fast provisioning of new virtual machines as needed
- Multi-site redundancy and automatic failover of virtual machines
- Forecasts needs for hardware upgrades, replacement

Operating Systems & Basic Services

- Team specializes in installing & maintaining current and optimal operating system deployments for the environment
- Aim for consistency of versions & patch levels
- Sub-teams for Windows & Linux
- Strong support for user-managed basic services like DNS, web hosting, e-mail, backups, ...

Backup & Disaster Recovery

- Team establishes data “class” (static/OS, configuration, operational, archive) & appropriate backup intervals & storage
- Configures backup jobs to meet requirements
- Monitors backup jobs for success & resolves problems
- Tests backup system’s ability to restore data
- Performs or assists with data recovery when needed

Software Development

- Keep & bring software systems in-house or under fixed contract (SRS, COOP, Data Collection, Dashboard, Portal, Identity, NVIS)
- Standardization of:
 - Development methods, environments, languages & documentation
 - Application hosting
 - Look, feel
 - Integration with identity & other services
- Ability to share development staff between projects

Identity & Access Management

- Centralized identity provider (IdP) service
- Ubiquitous, delegated account management system
- Support for district, ESU and regional IdPs
- Operates a Nebraska K-12 Identity federation
- Gateways to 3rd party providers such as Google
- Inter-federation with other K-12 federations and InCommon for broad access to worldwide resources
- With connection to Data Store & Collection system, allow districts & ESUs to automate most account provisioning tasks

Data Store & Collection

- Education data drawn securely from source systems in real-time and made available to user-facing applications to personalize learning
- Data stored securely in Nebraska in a scalable database environment for controlled, easy access when needed (Secure Data Store)
- Education data = course enrollments, attendance, gradebook, formative and summative assessments, etc.
- Source systems = SIS, LMS, assessments & online student learning activities

Data Transformation

- Support for open, widely-adopted standard data models (SIF, CEDS, Ed-Fi)
- Agents and API facilitate smooth transfer of data between Secure Data Store, data sources and applications
- SIF = Schools Interoperability Framework
- CEDS = Common Education Data Standards
- Ed-Fi Data Standard = aligns with CEDS and provides additional data detail

Data Access

- Secure, modular API
- Applications “plug-in” to data easily
- Granular per-user access-control
- Easy to build & deploy applications in the environment

Applications

- Dashboard front-ends
- Automate state reporting tasks
- Student learning activities & assessments feed formative data back to data store
 - FasttMath
 - DIBELS
 - NWEA MAP
- Nebraska-built SIS becomes possible

Applications

- SRS
- COOP Purchasing
- NVIS
- LMS
- Learning Object Repository
- Portal

School-In-A-Box

- Small, rack-mountable server to be easily deployed in a school district
- Hosts local (in-district) applications and data
- Participates in the system-wide OpenStack fabric, providing enhanced remote support, backup, disaster-recovery and redundancy options

LAN & Wireless Support

- Team provides a combination of remote and on-site support for network issues on school and ESU premises
- Relies on remotely-manageable switches, wireless gear and monitoring capabilities
- Emphasis on efficient remote diagnosis and resolution
- Training of district contacts in techniques for last-foot troubleshooting
- On-site network design and support when needed

Professional Development

- Teams design and distribute the work of preparing training materials & modules and facilitating training activities
- Leverages LMS, LOR and BlendEd delivery of professional development content to extend reach of on-site, in-person workshops
- Cultivates & shares specialized expertise in PD topic/focus areas so topic-area content is delivered by experts while also reducing duplication of efforts

Professional Development

- Team members receive regular opportunities for training in their areas of specialty
- Are expected to present more general training to other teams in the system for their familiarization and general knowledge
- Badges, professional certifications and continuing education are recognized and valued

DRAFT

ESUPDO: Purpose; Direction, Core Beliefs and Outcome Measures

Purpose: Why?

Provide visionary leadership for a statewide system of staff development and service delivery.

Direction: What?

Leading and facilitating the coordination of shared resources and services to build capacity for an effective statewide educational system.

Core Beliefs: How?

Coordination and Consistency

Partnerships and Relationships

Collaboration and Communication

Leadership and Accountability

Research Based and Data Driven

Unified and One Voice

Outcome Measures

Common Understanding and Fidelity

Equity and Efficiency

Personalized and Seamless

Systemic and Integrated

ESUCC Lines of Communication

Procedures for Submitting Statewide Proposals

Revised Draft: July 30, 2014

Principle: to allow sufficient time for broad input, careful consideration and multiple levels of approval for new proposals before statewide initiatives are enacted. A proposal may be tabled/dropped at any step prior to final ESUCC board approval.

1. Any affiliate or advisory group having a recommendation for statewide action should consider the effects, side-effects, advantages and disadvantages.
2. The affiliate or advisory group(s) should discuss the recommendation and decide if further action is needed.
3. If the affiliate or advisory group chooses to advance the recommendation, a vote should be taken in the course of a scheduled meeting and be reflected in the affiliate group's minutes.
4. The initiator should draft a written proposal and supporting documents (see below) and choose one or more of the ESUPDO affiliate groups to present and discuss the idea.
5. Once a proposal has obtained approval of the affiliate group(s), the chair or liaison of the affiliate should submit the proposal to the ESUCC Executive Director for discussion and action.
 - a. Agencies outside the ESU system may discuss proposals with the ESUCC Executive Director. In those cases, the Executive Director will gather input from an affiliate or advisory group (separate path for input)
6. The Executive Director will offer feedback to the affiliate group(s) submitting the proposal and may choose to assign it to (an) ESUCC standing committee(s) for further action.
7. The Executive Director and affiliate group liaison will present the proposal and supporting documents to the ESUCC standing committee and to each ESU administrator for local and collective discussion and possible action by the committee.
8. If the standing committee chooses to advance the proposal, it will offer an information item for the ESUCC board meeting.
9. The ESUCC board will discuss and consider the proposal at a minimum of two meetings, first as an information item for discussion and the second or subsequent as an action item.
10. The ESUCC board may take action to approve the proposal.
11. The Executive Director will work with the affiliate liaison, proposal sponsor and appropriate team members to implement the approved action or project.

If there is a declared emergency, the ESUCC board may choose to take action more quickly. It is the intent that sponsors of any statewide proposal make every effort to plan ahead, avoiding emergency or deadline situations whenever possible.

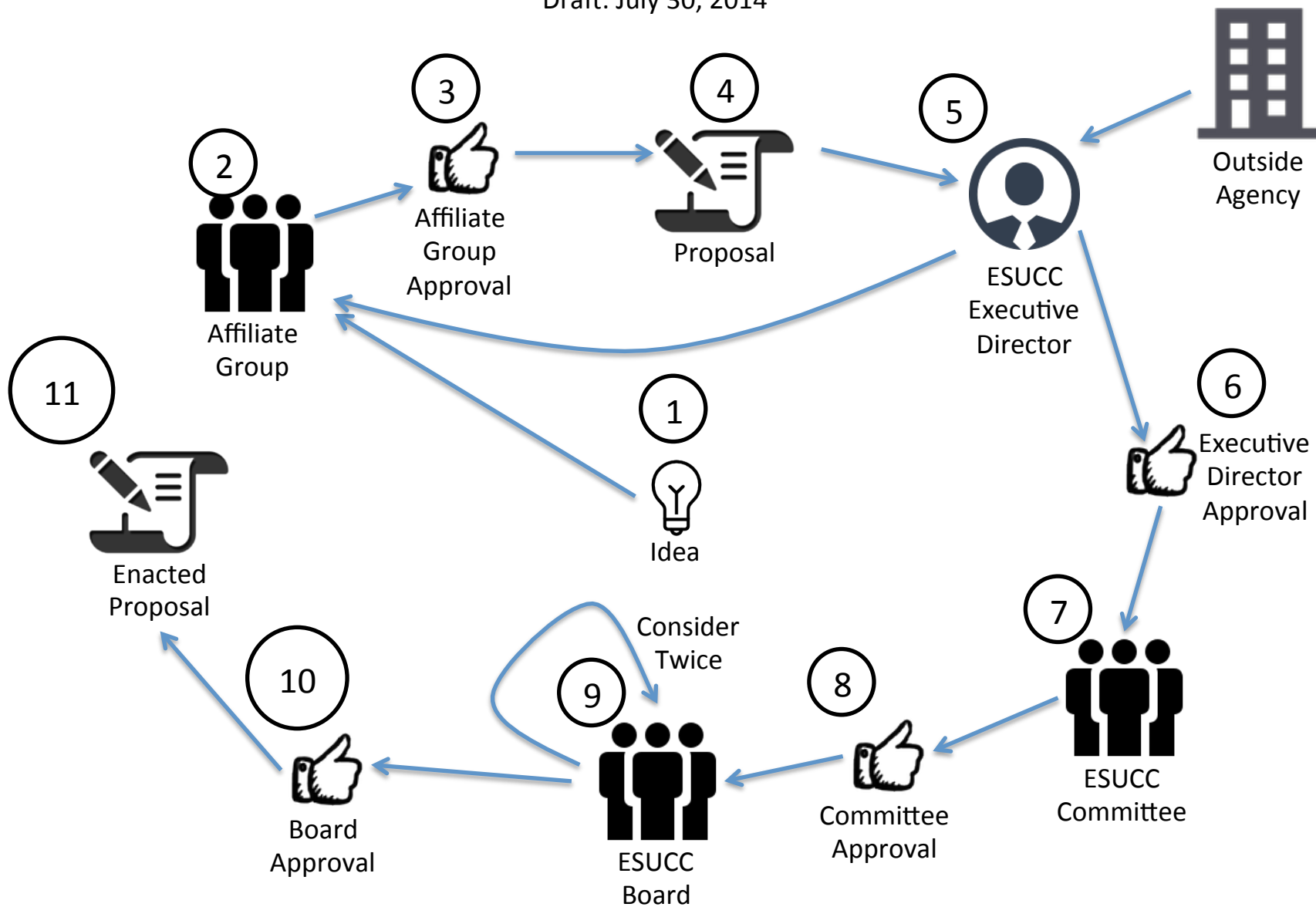
Written Proposal Items:

Name of Group submitting the proposal
Proposal

Connection to Statewide Initiatives, Research, Data & Needs
Indication of Statewide Impact
Plan & Steps/Timeline for Statewide implementation
Funding sources for the proposal
Plans for Sustainability

ESUCC Board Action / Statewide Proposal Protocol

Draft: July 30, 2014



800 Lincoln Square
121 So. 13th Street
P.O. Box 82028
Lincoln, NE 68501-2028

**HARDING
& SHULTZ**
P.C., L.L.O.

firm@hslegalfirm.com
www.hslegalfirm.com
402.434.3000
Fax 402.434.3030

August 19, 2014

David M. Ludwig, Executive Director
Educational Service Unit Coordinating Council
6949 S. 110th
LaVista, NE 68128

Re: *Representation Agreement*

Dear Dave:

I am delighted to confirm our agreement to continue our service as legal counsel for Educational Service Unit Coordinating Council. I would like to take this opportunity to review the way our firm bills for legal services.

We will charge our attorneys' normal hourly rates in connection with all of the work performed on your behalf. We send statements each month to the board in care of the Executive Director. Our statements are due and payable each month. It is our firm's practice to record time in increments of one-tenth of an hour. In all likelihood, Kelley Baker, Steve Williams, Bobby Truhe and I will perform the majority of the legal services for you. My current hourly rate is \$290; Kelley's current hourly rate is \$295; Steve's current rate is \$250 and Bobby's current rate is \$175. To the extent possible, we endeavor to utilize the services of legal assistants and law clerks who have lower hourly rates. If services are performed by any other firm personnel, one of the attorneys in the education law section will directly supervise their work.

When our firm incurs various expenses such as photocopying, postage, and mileage, we also include those costs in our monthly statements.

Please give me a call if you have any questions about this engagement letter. Though some attorneys are reluctant to discuss the method of charging fees with a client at the outset of an engagement, our firm has found it helpful to do so. Largely as a result of this practice, our firm has many long-standing client relationships. We have been proud to count the ESUCC as a client since the organization's inception, and we look forward to representing you and the Council.

August 19, 2014
Page 2

So that our file will be complete, please sign and return a copy of this letter indicating your understanding and acceptance of the arrangements described above.

Yours very truly,

HARDING & SHULTZ, P.C., L.L.O.



Karen A. Haase

khaase@hslegalfirm.com

KAH/

Approved and agreed to this ___ day of _____, 2014.

Executive Director of ESUCC

**DISTANCE EDUCATION'S DIRECTOR'S APPOINTMENT
BY THE
EDUCATIONAL SERVICE UNIT COORDINATING COUNCIL**

THE EDUCATIONAL SERVICE UNIT COORINDATING COUNCIL hereby appoints Gordon Rothemeyer as its "Distance Education Director." The ESUCC agrees to appoint the Distance Education Director and the Distance Education Director agrees to accept such appointment subject to the terms and conditions set forth herein.

Section 1. Employment Terms. The Distance Education Director shall be an employee of Educational Service Unit 17 and shall be employed pursuant to the employment agreement attached hereto as Exhibit A.

Section 2. Salary. The ESUCC hereby sets the Distance Education Director's salary for the 2014-2015 contract year at \$84129 + \$18751 annually.

Section 3. Distance Education Director's Duties. The Distance Education Director's duties shall be as prescribed by statute and by ESUCC policies, rules, regulations and directives. The Distance Education Director's ultimate supervisor will be the Executive Director of the ESUCC.

Section 4. Cancellation or Mid-Term Amendment. The ESUCC may cancel or amend this appointment during at any time for any conduct that substantially interferes with the Distance Education Director's continued performance of his duties.

Motion to adopt appointment of Gordon Rothemeyer on the terms outlined above by _____, Second by _____

For Such Appointment: _____

Against Such Appointment: _____

The above Appointment, having been consented to by a majority of the members of the Education Service Unit Coordinating Council, was declared passed and adopted by the Board President at a duly held and lawfully convened meeting in full compliance with the Nebraska Public Meetings Law.

Dated this _____ day of _____, 2014.

EDUCATION SERVICE UNIT
COORDINATING COUNCIL

BY: _____
Council President

ATTEST: _____
Council Secretary

I accept the appointment as the Distance Education Director this ____ day of September, 2014.

Gordon Rothemeyer

I:\566\27\001\118 Distance Ed Director appointment 14-15.doc

**Educational Service Unit Coordinating Council (ESUCC)
Employee Roster**

	Title	Emails	Address	City	Zip	Phone	Cell Phone	Fax
ESUCC								
David Ludwig	ESUCC Executive Director	dludwig@esucc.org	6949 So. 110th Str.	Omaha	68128	402-597-4915	402-380-8571	
Deb Hericks	Executive Assistant	dhericks@esucc.org	6949 So. 110th Str.	LaVista	68128	402-597-4843	402-880-7673	402-597-4808

BlendEd								
Gordon Roethemeyer	DL Project Manager	groethem@esucc.org	P.O. Box 850 76 Plaza Blvd.	Kearney	68848	308-865-5664 ext 294	308-440-0706	
Rhonda Eis	IMAT Project Manager	reis@esucc.org	900 West Court Str.	Beatrice	68310	402-223-5277		402-223-5279
	MEL Project Manager		6949 So. 110th Str.	LaVista	68128			402-597-4808
Scott Isaacson	Technology Project Manager	sisaacson@esucc.org	6949 So. 110th Str.	LaVista	68128	402-597-4866	402-657-2887	402-597-5808

Ne Coop Purchasing								
Kip Schneider	Project Manger	kschneider@esucc.org	6949 So. 110th Str.	LaVista	68128	402-597-4841	402-416-5788	402-597-5808
Brenda Konkoleski	Programs Assistant	bkonkoleski@esucc.org	1292 East 4th Str.	Ainsworth	69210	402-387-1245		402-387-2530
Priscilla Quintana	Business Manager	pquintana@esucc.org	1292 East 4th Str.	Ainsworth	69210	402-387-1245		402-387-2530

SpEd SRS								
Wade Fruhling	Project Manager	wfruhling@esucc.org	1301 Stockwell Str, Ste 200	Lincoln	68502-	402-261-9401	402-429-7771	
Dawn Litt	Trainer/Support Specialist	dlitt@esucc.org	1301 Stockwell Str, Ste 200	Lincoln	68502-	402-261-9403	402-304-9078	

ESU #17								
Dennis Radford	ESU 17 Administrator	dradford@esu17.org	207 North Main Str.	Ainsworth	69210	402-387-1420		402-387-1028
Jan Foster	ESU 17 Business Manager	janfoster@esu17.org	207 North Main Str.	Ainsworth	69210	402-387-1420		402-387-1028



7-9-14

Eric Smith

Eric V. Smith
5723 S 164th St
Omaha, NE 68135
503.468.2009
smithervi@gmail.com

Payment of Salary & Benefits,
as per Haase & Ludwig, through
7-31-14 due to security
reasons. (i.e. logins, passwords,
codes)

July 9, 2014

Mr. Smith inquired about the
acquisition of his dated computer.
As per Haase & Ludwig, the computer
was included in the agreement.

Dave Ludwig
Executive Director
ESUCC
6949 S 110th St
LaVista, NE 68128

Dear Mr. Ludwig:

Please accept this letter as formal notification that I am resigning my position of LMS Project Director with ESUCC to be effective on August 1, 2014.

The last 7 years with the ESUCC have been years of service that I will always appreciate and look back on with pride. I'd like to thank you and the ESU administrators for the opportunities and growth I have experienced during my time with the organization. I wish all of you nothing but continue success into the future. Please let me how I may assist the organization during this time of transition.

Sincerely,

Eric V. Smith

7-9-14



Omaha Office
6949 So 110th Street
Omaha, NE 68128

Ainsworth Office
1292 East 4th Street
Ainsworth, NE 69210

July 9, 2014

To Whom It May Concern:

I, David M. Ludwig, am the Executive Director for the Educational Service Unit Coordinating Council (ESUCC) beginning July 1, 2014. Scott Isaacson is serving as the Technology Project Manager beginning May 2013 in addition to the Transition Project Coordinator from January 1, 2014 to June 30, 2014. It is within this capacity that Mr. Isaacson and I are submitting a joint letter of recommendation on behalf of Eric Smith.

Eric Smith has been employed for the Educational Service Unit Coordinating Council for the past seven years. As a System Administrator during his initial tenure and as the current Project Director for the Learning Management System, Mr. Smith has been involved in statewide projects with ESU's and School Districts, Project Teams both within the Educational Service Unit Coordinating Council as well as the ESUCC Affiliates, and Partner Development projects to include the Nebraska Department of Education, Intel Teach Elements (web-based professional development series), and the National Repository of On-line Courses (NROC), to name a few.

Through his calm demeanor, Mr. Smith has demonstrated creative problem solving skills in addition to his experienced, technical skills to include Systems and Network Administration, Database Administration, Learning Management Systems and technical support for both end-users and other technical staff. Within the Systems and Network Administration, Mr. Smith's skill sets include Windows servers, active directory, web application services and application load balancing. Database Administration includes Microsoft SQL server with his experience in Learning Management Systems to include concepts, System Administration, classroom application, Angel/Blackboard applications, and interoperability.

As indicated in the previous paragraphs, Eric Smith has a calm demeanor that enhances his problem solving ability in addition to his experience and skill sets within the Technology arena. Mr. Smith is highly personable and is most knowledgeable in his area of expertise. We wish Mr. Smith continued success in his future career endeavors. If you should have any questions, please contact either Mr. Isaacson or Mr. Ludwig at (402) 597-4843.

Take care,

David M. Ludwig
Educational Service Unit Coordinating Council
Executive Director

Scott Isaacson
Educational Service Unit Coordinating Council
Technology Project Manager

RESIGNATION AGREEMENT

THIS AGREEMENT is made this 9th day of July 2014, by and between Eric Smith and David Ludwig, the Executive Director of the Nebraska Educational Service Unit Coordinating Council ("ESUCC").

WHEREAS, Mr. Smith is employed as an at-will employee of ESUCC; and

WHEREAS, Mr. Smith wishes to explore other personal and professional opportunities and ESUCC wishes to end Mr. Smith's employment on the best terms possible; and

WHEREAS, the parties wish to execute this Settlement Agreement and Release of Claims ("Agreement") which will constitute a full and complete settlement of all questions and a release settling all claims regarding the ending of Mr. Smith's employment relationship with ESUCC.

NOW, THEREFORE, in consideration of the agreements contained herein, the parties agree as set forth below.

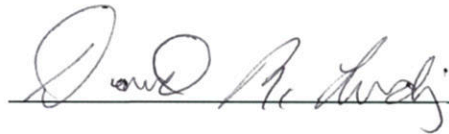
- 1. Resignation of Employment.** Mr. Smith resigns his employment and all contractual relations with ESUCC effective August 1, 2014. A copy of Mr. Smith's letter of resignation is attached hereto and incorporated herein by this reference as Exhibit "A."
- 2. Paid Administrative Leave.** ESUCC will allow Mr. Smith to take leave with pay beginning July 9, 2014 and continuing through July 31, 2014.
- 3. Additional Payment.** In addition to the payment of salary and benefits during Mr. Smith's paid administrative leave, ESUCC will pay Mr. Smith his per diem rate for all vacation which he had accrued as of July 8, 2014. ESUCC will also allow Mr. Smith to retain the laptop computer which ESUCC had provided to Mr. Smith for the performance of his work-related duties. Mr. Smith will provide the laptop to ESUCC staff to allow staff to wipe the laptop and reset it to factory settings. This payment is in consideration for Mr. Smith's resignation and waiver of claims, and is in addition to compensation owed to him for his services to ESUCC. It shall be made on the regular payment date for the payment of staff of ESUCC in August, 2014 and shall be reduced by legally required deductions including, but not limited to, state and federal income tax withholding, FICA and FUTA. Mr. Smith consents to the withholding of such sums.
- 4. Letter of Recommendation.** Executive Director Ludwig has provided a letter of recommendation for Mr. Smith, a copy of which is attached to this Agreement as Exhibit "B." Executive Director Ludwig and ESUCC will use this letter for use upon inquiry by prospective employers of Mr. Smith. Any other

recommendations, associated forms, or verbal recommendations, shall not be inconsistent with the letter identified as Exhibit "B."

- 5. Mr. Smith's Release of Claims.** In consideration of the promises and payments specified in this Agreement, Mr. Smith releases ESUCC and its officers, board members, administrators, employees, agents, representatives, successors, and assigns from all claims, demands, and actions, past, present, and future, known or unknown, arising out of and/or related in any way, either directly or indirectly, to his employment with ESUCC, the ending of his employment, and/or any actions or occurrences taking place up to and including the date of execution of this Agreement, including but not limited to claims or rights under Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act, the Civil Rights Act of 1866 and 1871, or any other Civil Rights Acts as amended, claims or rights under 42 U.S.C. § 1981, through and including 42 U.S.C. § 1988, the Americans with Disabilities Act, § 504 of the Rehabilitation Act, the Family Medical Leave Act of 1993, the Nebraska Act Prohibiting Unjust Discrimination Because of Age, all claims or rights relating to discrimination on the basis of age, race, color, religion, sex, disability, handicap, or national origin before the federal Equal Employment Opportunity Commission, the Nebraska Equal Opportunity Commission, and any state or federal court under any state or federal constitution, law, rule, or regulation, or claims or rights of whatever nature arising under any other state, federal, or local constitution, executive order, statute, regulation, or ordinance arising from his employment or contractual relations with ESUCC or his resignation of employment. Mr. Smith represents that no claims have now been filed against the Employer. Mr. Smith acknowledges that nothing in this agreement prohibits him from filing a Complaint with the Equal Employment Opportunity Commission or any other similar state agency, the Occupational Safety and Health Administration, the Secretary of Labor or otherwise participating in matters pending before those agencies. However, in the event Mr. Smith files such a charge or complaint, he shall be entitled to no relief, no reinstatement, no remuneration, no damages, no back pay, no front pay and no compensation whatsoever from ESUCC as a result of such charge or complaint, since he has released and extinguished any right to such relief under this agreement. Mr. Smith also releases all contract, tort, and common law claims, and claims for attorney's fees, costs and expenses. He covenants not to institute any complaints or proceedings against ESUCC or any of the above-mentioned persons in the future with respect to any of the claims, demands, causes of action, or rights hereby released.
- 6. Binding Nature of Agreement.** This Agreement shall be forever binding on ESUCC and on Mr. Smith, his heirs, executors, administrators, and assigns.
- 7. No Admission of Liability.** This Agreement is not to be construed as an admission of liability on the part of either party.

8. **Entirety of Agreement.** This Agreement contains the parties' entire agreement. Its terms and release are contractual and not a mere recital.
9. **Nebraska Law.** This Agreement shall be construed in accordance with the laws of the State of Nebraska. Any dispute arising hereunder shall be submitted only to a state court or federal court of competent jurisdiction in Nebraska to whose jurisdiction all parties hereto consent.
10. **Construction of Agreement.** Whenever possible, each provision of this Agreement shall be interpreted so that it is valid. If any provision is determined to be invalid to any extent under applicable law, the remaining provisions of the Agreement will continue to be valid, and the entire Agreement will continue to be valid in other jurisdictions.
11. **Acknowledgment of Understanding.** The parties confirm that they have read this Agreement in full; are fully apprised of its contents; understand its meaning and implications, specifically with regard to the fact that it includes the waiver of rights and that it precludes each party from bringing any claim or cause of action against the other for matters occurring or arising at any time before the date of its execution; and have executed it voluntarily.


Eric Smith


Executive Director David Ludwig,
Executive Director, ESUCC

Dated this 9th day of July, 2014

Dated this 9th day of July, 2014

Attachments

I:\566\27\001\127 - resignation agreement.docx

**Application Systems Analyst (Position Timeline)
Educational Service Unit Coordinating Council
September 2014**

The following timeline has been established for the employment of an Application Systems Analyst:

September 15-October 3, 2014	Position Announcement
October 6-10, 2014	Review of Applications Development of Interview Questions
October 13-24, 2014	Interview Top Five Candidates
November 10, 2014	Recommendation for Employment and Candidate Contact
November 18-19, 2014	Ratification of Employment (ESUCC Meeting)
December 1, 2014	First Day of Employment

Job Description: Application Systems Analyst
Educational Service Unit Coordinating Council
September 2014

Department: ESUCC

Job Title: Application Systems Analyst

Education Level: 2 or 4-year degree in Computer Science, Management Information Systems or related field

Certification/Licensure: Zend Certification preferred

Knowledge & Experience:

1. Ability to participate in a collaborative team environment
2. Active listening and responsiveness to team, partner and user questions and concerns
3. A friendly, cooperative, professional attitude of service
4. Effective personal communication skills
5. Ability to research and develop logical and creative solutions to problems with team members
6. Detail-oriented
7. Programming experience and general programming skills in more than one development environment

Essential Functions of Position:

1. Collaborate, consult and communicate effectively with Technology and Project directors, advisory groups and partners to develop clear system specifications, design documents, goals and priorities.
2. Develop and maintain application algorithms, processes and code that are efficient and effective at meeting system specifications.
3. Write and maintain thorough documentation of all work within code and through supporting documents.
4. Implement and utilize an organization-wide revision control system to assist in tracking and documenting system revisions.
5. Research and recommend system changes to keep applications in stable, current and supported technologies.
6. Deliver, design, modify, develop, write, implement and maintain highest quality software applications for the company.
7. Design, build, test, debug, troubleshoot, tune and re-factor new and existing code within Eclipse or Zend Studio and using PHP 5.x, Zend framework, JavaScript, jQuery, PHP Unit and Selenium.
8. Develop PHP applications in a UNIX/Linux environment.
9. Administer databases using PostgreSQL.
10. Use JQuery, Ajax, JavaScript, HTML, JSON, XML and CSS as development tools to provide the desired user experience.
11. Provide project plans and level-of-effort estimates regarding completion for all projects and commit to plans
12. Ensure that deployed applications are properly maintained throughout their lifecycle
13. Provide technical-level application support to troubleshoot issues and work with the appropriate resources/parties to resolve them

Physical Requirements: (Place an "X" in the column pertinent to your job duties)

	Never 0%	Occasional 1-32%	Frequent 33-66%	Constant 67% +
Standing		X		
Walking		X		
Sitting				X
Bending/Stooping		X		
Reaching/Pushing/Pulling		X		
Climbing	X			
Driving		X		
Lifting (50# max)		X		
Carrying (25 feet)		X		
Manual Dexterity Tasks (using telephone, computer, adding machines, copiers, printers, other office equipment, etc.)				X