

ESUCC

Executive Committee Meeting

Wednesday, October 8, 2014, 11:30 AM

Country Inn & Suites 5353 N 27th Street Lincoln, NE 68521, 6949 South 110th Street, LaVista,
NE 68128

Attendance Taken at 11:31 AM.

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. Budget Forms filed with APA on September 9, 2014

3.2. Approve Policy and Procedures - final reading

3.3. Vision

3.3.1. ESUCC

3.3.2. ESU PDO

3.4. Executive Director Evaluation

3.5. Review ESUCC Timeline

3.6. Hearings

3.6.1. LB 1103

3.6.2. LB 497

3.7. Coop Review

3.7.1. Schneider Resignation

4. Next Meeting Agenda Items

5. Executive Session

6. Adjournment

{{Name: Agenda Item Name}}
{{Discussion: Agenda Item Discussion}}
{{Comments: Agenda Item Comments}}
{{Actions: Agenda Item Actions}}

**2014-2015
STATE OF NEBRASKA
EDUCATIONAL SERVICE UNIT BUDGET FORM**

ESU # CC

This budget is for the Period September 1, 2014, 2014 through August 31, 2014, 2015

Contact Information	
Auditor of Public Accounts	
Telephone: (402) 471-2111	FAX: (402) 471-3301
Website: www.auditors.nebraska.gov	
Questions - E-Mail: Deann.Haefner@nebraska.gov	

Submission Information - Adopted Budget Due by 9-20-2014
1. Auditor of Public Accounts - PO Box 98917 - Lincoln, NE 68509 Submit Electronically using Website: http://www.auditors.nebraska.gov/
2. County Board (SEC. 13-508), C/O County Clerk

The Undersigned Administrator/Board Member Hereby Certifies:

The following **PERSONAL AND REAL PROPERTY TAX** is requested for the ensuing year:

\$ -	Property Taxes for Non-Bond Purposes
\$ -	Principal and Interest on Bonds
\$ -	Total Personal and Real Property Tax Required

Outstanding Bonded Indebtedness as of September 1, 2014, 2014

Principal	\$ -
Interest	\$ -
Total Bonded Indebtedness	\$ -

\$ -	Total Certified Valuation (All Counties)
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(Certification of Valuation(s) from County Assessor MUST be attached)

Report of Joint Public Agency & Interlocal Agreements

Was this Subdivision involved in any Interlocal Agreements or Joint Public Agencies for the reporting period of July 1, 2013 through June 30, 2014?

If YES, Please submit Interlocal Agreement Report by December 31, 2014.

YES NO

ADMINISTRATOR/BOARD MEMBER:

Signature: 

Report of Trade Names, Corporate Names & Business Names

Did the Subdivision operate under a separate Trade Name, Corporate Name, or other Business Name during the period of July 1, 2013 through June 30, 2014?

If YES, Please submit Trade Name Report by December 31, 2014.

YES NO

Printed Name & Title: David M. Ludwig, ESUCC Executive Director

Mailing Address: 6949 S. 110th Street

City, Zip: LaVista, NE 68128

Phone Number: 402-597-4843

E-Mail Address: dludwig@esucc.org

County Clerk's Use ONLY

Line No.	TOTAL ALL FUNDS	Actual 2012 - 2013 (Column 1)	Actual/Estimated 2013 - 2014 (Column 2)	Adopted Budget 2014 - 2015 (Column 3)
1	Beginning Balances, Receipts, & Transfers:			
2	Net Cash Balance	\$ 1,948,672.00	\$ 1,639,436.00	\$ 865,546.00
3	Investments	\$ -	\$ -	\$ -
4	County Treasurer's Balance	\$ -	\$ -	\$ -
5	Subtotal of Beginning Balances (Lines 2 thru 4)	\$ 1,948,672.00	\$ 1,639,436.00	\$ 865,546.00
6	Personal and Real Property Taxes (Columns 1 and 2 - See Preparation Guidelines)	\$ -	\$ -	\$ -
7	Federal Receipts	\$ 83,482.00	\$ 113,102.00	\$ 736,500.00
8	State Receipts: Motor Vehicle Pro-Rate	\$ -	\$ -	\$ -
9	State Receipts: Aid for Core Services & Technology Infrastructure	\$ -	\$ -	\$ -
10	State Receipts: Other	\$ 565,593.00	\$ 565,593.00	\$ 565,593.00
11	State Receipts: Property Tax Credit	\$ -	\$ -	\$ -
12	Local Receipts: Nameplate Capacity Tax	\$ -	\$ -	\$ -
13	Local Receipts: In Lieu of Tax	\$ -	\$ -	\$ -
14	Local Receipts: Other	\$ 6,438,632.00	\$ 1,228,675.00	\$ 3,889,955.00
15	Transfers In Of Surplus Fees	\$ -	\$ -	\$ -
16	Transfer In Other Than Surplus Fees (Should agree to Transfers Out on Line 28)	\$ -	\$ -	\$ -
17	Total Resources Available (Lines 5 thru 16)	\$ 9,036,379.00	\$ 3,546,806.00	\$ 6,057,594.00
18	Disbursements & Transfers:			
19	Operating Expenses	\$ 7,383,294.00	\$ 2,640,665.00	\$ 5,473,414.00
20	Capital Improvements (Real Property/Improvements)	\$ -	\$ -	\$ -
21	Other Capital Outlay (Equipment, Vehicles, Etc.)	\$ 13,649.00	\$ 40,595.00	\$ 55,000.00
22	Debt Service: Bond Principal & Interest Payments	\$ -	\$ -	\$ -
23	Debt Service: Payments to Retire Interest-Free Loans (Public Airports)			
24	Debt Service: Payments to Bank Loans & Other Instruments (Fire Districts)			
25	Debt Service: Other	\$ -	\$ -	\$ -
26	Judgments	\$ -	\$ -	\$ -
27	Transfers Out of Surplus Fees	\$ -	\$ -	\$ -
28	Transfers Out Other Than Surplus Fees (Should agree to Transfers In on Line 16)	\$ -	\$ -	\$ -
29	Total Disbursements & Transfers (Lines 19 thru 28)	\$ 7,396,943.00	\$ 2,681,260.00	\$ 5,528,414.00
30	Balance Forward/Cash Reserve (Line 17 - Line 29)	\$ 1,639,436.00	\$ 865,546.00	\$ 529,180.00
31	Cash Reserve Percentage			10%
PROPERTY TAX RECAP		Tax from Line 6 County Treasurer's Commission at 0% of Line 6 Delinquent Tax Allowance Total Property Tax Requirement		\$ - \$ - \$ - \$ -

CORRESPONDENCE INFORMATION

BOARD CHAIRPERSON

Jeffery West

(Name of Board Chairperson)

4215 Avenue I

(Mailing Address)

Scottsbluff, NE 69361

(City & Zip Code)

308-635-3696

(Telephone Number)

jeffwest@esu13.org

(E-Mail Address)

PREPARER

David M Ludwig, ESUCC Executive Director

(Name and Title)

ESU Coordinating Council (ESUCC)

(Firm Name)

6949 South 110th Street

(Mailing Address)

LaVista, NE 68128

(City & Zip Code)

402-597-4915

(Telephone Number)

dludwig@esu13.org

(E-Mail Address)

For Questions on this form, who should we contact
(please check one): *Contact will be via e-mail if supplied.*

Board Chairperson

Preparer

Other Contact

OTHER CONTACT

(Name and Title)

(Firm Name)

(Mailing Address)

(City & Zip Code)

(Telephone Number)

(E-Mail Address)

NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 4 day of September 2014, at 9:30 o'clock A.M., at ESU 10 76 Plaze BLV, Kearney, NE for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.

	Clerk/Secretary
2012-2013 Actual Disbursements & Transfers	\$ 7,396,943.00
2013-2014 Actual/Estimated Disbursements & Transfers	\$ 2,681,260.00
2014-2015 Proposed Budget of Disbursements & Transfers	\$ 5,528,414.00
2014-2015 Necessary Cash Reserve	\$ 529,180.00
2014-2015 Total Resources Available	\$ 6,057,594.00
Total 2014-2015 Personal & Real Property Tax Requirement	\$ -
Unused Budget Authority Created For Next Year	\$ -

Breakdown of Property Tax:

Personal and Real Property Tax Required for Non-Bond Purposes	\$ -
Personal and Real Property Tax Required for Bonds	\$ -

NOTICE OF SPECIAL HEARING TO SET FINAL TAX REQUEST

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1601.02, that the governing body will meet on the NA day of NA 2014, at NA o'clock NA, at NA for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

2013-2014 Property Tax Request	\$ -
2013 Tax Rate	-
Property Tax Rate (2013-2014 Request/2014 Valuation)	-
2014-2015 Proposed Property Tax Request	\$ -
2014 Proposed Tax Rate	-

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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:



**ESUCC Executive Director
Annual Appraisal
2013-2014**

For: Matt Blomstedt

List and describe three priority initiatives for the ESUCC Executive Director. For each priority initiative list one or more measurable goals or task to be accomplished during the year. Develop the measures to be observed or documented for each goal.

- *Additional documentation can be attached as a component of the appraisal document.*

Priority Initiative I

Priority Initiative I:

Continue to improve ESUCC Administrative Processes and Procedures

Goals /Task:

- Review financial audit and identify areas for improvement and document review
 - Lead staff to successfully implement new accounting software (e-finance plus)
 - Coordinate 2012-13 audit with the State APA
 - Review policies and make recommendations to the ESUCC for adoption or revision with special attention to the Cooperative Purchasing project.
 - Establish a master calendar for ESUCC decisions, functions, and meeting activities for an annual.
- Lead ESUCC staff to implement recommended policy and procedure changes

Observations/Measures/Documents:

- Written recommendations to ESUCC
- Updated procedures or working documents on policies
- State audit process and related documentation
- Observation of executive committee members
- Staff documents/communications and successful implementation of processes

Priority Initiative II

Priority Initiative II:

Lead the implementation of the new Cooperative Purchasing Software and systems

Goals /Task:

- **Establish a working plan for the ESUCC Executive Committee, ESUCC staff, and create a Cooperative Purchasing Advisory Committee**
- **Recommend a vision for the Cooperative Purchasing project**
- **Identify proper goals and roles for the Cooperative Purchasing Director, Cooperative Purchasing Staff, and each ESU.**
- **Work with Coop Director and ESM Solutions to lead software revisions and implementations**
- **Work with internal and external stakeholder groups**
- **Report progress to the Executive Committee, Cooperative Purchasing Committee, and Technology Committee**

Observations/Measures/Documents:

- **Committee meetings and documents**
- **Written plans and recommendations**
- **Staff project written plans and implementation goals**
- **Communications with internal and external stakeholders including the Coop Committee, local coop coordinators, staff, and ESM Solutions staff.**

Priority Initiative III

Priority Initiative III:

Improve statewide ESU Professional Development Organization efforts and coordinate with NDE and other partners and stakeholders

Goals /Task:

- **Organize an annual plan for ESUCC Professional Development Committee with committee chairs**
- **Integrate professional development efforts with NDE and ESUCC joint planning goals**
- **Implement 2012-13 approved structure for PDO and statewide professional development efforts**

Observations/Measures/Documents:

- **Revised policies and procedures**
- **Organize professional development goals and communicate those with NDE and other stakeholders.**
- **Work with Professional Development committee and present written recommendations to ESUCC**

Priorities Approved For Annual Appraisal:

_____ Date _____
President

_____ Date _____
Executive Director

Other Areas Reviewed

Instructions:

Each additional area identified to be reviewed will be identified by the following rating scale.

- **E** - Exceeds acceptable performance.
- **M** - Meets and frequently demonstrates acceptable performance.
- **NI** - Occasionally falls below acceptable performance.
- **U** - Does not meet acceptable performance.
- *Performance standards indicated below are identified with a check representing the rating exceeds, meets, needs improvement or unsatisfactory in the Performance Rating Box.*

Professional Work Force

- Maintains a strong relationship with staff.

Exceeds Meets N/I Unacceptable

Comments:

- Develops and maintains efficient and effective office/work routines.

Exceeds Meets N/I Unacceptable

Comments:

- Interprets, disseminates and implements ESUCC policies, practices and assure compliance with State regulations and laws.

Exceeds Meets N/I Unacceptable

Comments:

- Establish and maintain an internal communication system.

Exceeds Meets N/I Unacceptable

Comments:

- Informs staff of their role, responsibilities and the expectations prior to any evaluation of performance. Assures evaluations of all staff assigned to ESUCC respective manager and completed annually

Exceeds Meets N/I Unacceptable

Comments:

- Communicates and collaborates with other government agencies and the general public about the programs and services of the ESUCC.

Exceeds Meets N/I Unacceptable

Comments:

Effective and Efficient Use of ESU and ESUCC Resources

- Organizes, supervises, and evaluates ESUCC activities.

Exceeds Meets N/I Unacceptable

Comments:

- Oversees all accounting and auditing of ESUCC accounts.

Exceeds Meets N/I Unacceptable

Comments:

Completed and Approved as Annual Appraisal:

_____ **Date** _____
President

_____ **Date** _____

Executive Director

DRAFT

RESIGNATION AGREEMENT

THIS AGREEMENT is made this 16th day of September 2014, by and between Kip Schneider and Dr. David Ludwig, the Executive Director of the Nebraska Educational Service Unit Coordinating Council ("ESUCC").

WHEREAS, Mr. Schneider is employed as an at-will employee of ESUCC and ESU 17; and

WHEREAS, Mr. Schneider wishes to explore other personal and professional opportunities and ESUCC and ESU 17 wish to end Mr. Schneider'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. Schneider's employment relationship with ESUCC and ESU 17.

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


- 1. Resignation of Employment.** Mr. Schneider resigns his employment and all contractual relations with ESUCC and ESU 17 effective October 31, 2014. A copy of Mr. Schneider's letter of resignation is attached hereto and incorporated herein by this reference as Exhibit "A."
- 2. UnPaid Administrative.** Mr. Schneider will be placed on unpaid administrative leave beginning September 15, 2014 and continuing through October 31, 2014.
- 3. Additional Payment.** In addition to the payment of salary and benefits during Mr. Schneider's unpaid administrative leave, ESUCC and ESU 17 will pay Mr. Schneider his per diem salary rate for forty (40) vacation days as of October 31, 2014. ESUCC will arrange to continue Mr. Schneider with the same health insurance coverage which he currently receives on the ESU 17 group health insurance plan through October 31, 2014 at ESUCC's expense. ESUCC will also allow Mr. Schneider to be reimbursed \$3,322.48, which represents the amount of all appropriate ESUCC-related expenses for which Mr. Schneider has submitted adequate documentation, despite those reimbursement requests being submitted outside the fiscal year in which they were incurred by Mr. Schneider. This payment is in consideration for Mr. Schneider'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 November, 2014. All payments made to Mr. Schneider pursuant to this agreement shall be reduced by legally required deductions including, but not


limited to, state and federal income tax withholding, FICA and FUTA. Mr. Schneider consents to the withholding of such sums.

- 4. Letter of Recommendation.** Dr. Ludwig has provided a letter of recommendation for Mr. Schneider, a copy of which is attached to this Agreement as Exhibit "B." Dr. Ludwig and ESUCC will use this letter for use upon inquiry by prospective employers of Mr. Schneider. Any other recommendations, associated forms, or verbal recommendations, shall not be inconsistent with the letter identified as Exhibit "B."
- 5. Mr. Schneider's Release of Claims.** In consideration of the promises and payments specified in this Agreement, Mr. Schneider releases ESUCC, ESU 17 and both entities' 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 and ESU 17, 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 and ESU 17 or his resignation of employment. Mr. Schneider represents that no claims have now been filed against the Employer. Mr. Schneider 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. Schneider 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 or ESU 17 as a result of such charge or complaint, since he has released and extinguished any right to such relief under this agreement. Mr. Schneider 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. Schneider, his heirs, executors, administrators, and assigns.
7. **Consultation with Legal Counsel.** Mr. Schneider has been represented by an attorney at law who has advised him of his rights and who has reviewed and approved this Agreement. Mr. Schneider has acted voluntarily and upon his own best judgment in executing this Agreement.
8. **No Admission of Liability.** This Agreement is not to be construed as an admission of liability on the part of either party.
9. **Entirety of Agreement.** This Agreement contains the parties' entire agreement. Its terms and release are contractual and not a mere recital.
10. **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.
11. **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.
12. **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.


Kip Schneider


Dr. David Ludwig, Executive Director,
ESUCC

Dated this 16th day of September, 2014

Dated this ___ day of September, 2014

Attachments

Kip Schneider
3118 Lisaje Street
Ashland, NE 68003
402-416-5788
kipschneider@gmail.com

9/16/2014

David Ludwig
Executive Director
Educational Service Unit Coordinating Council
6949 South 110th Street

Dear Mr. Ludwig,

I am writing to notify you that I'm resigning from my position as Director of Cooperative Purchasing of the Educational Service Unit Coordinating Council.

My last day of employment will be 10/31/2014.

I appreciate the opportunities I have been given at ESUCC Cooperative Purchasing. I wish you and the ESUCC success in your future endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kip A. Schneider', with a large, sweeping flourish extending to the right.

Kip A. Schneider