

MINUTES  
BOARD OF EDUCATION

April 13, 2020

7:30 PM

President Dave Zimmerman called the meeting to order at 7:30 PM with the following members in attendance:

I. Call Meeting to Order

A. Roll Call

B. Notice of Nebraska Open Meetings Act Posted

II. Approval of Minutes from the March 19, 2020, Special Board Meeting

Motion to approve minutes from the March 19, 2020, Special Board Meeting. This motion, made by Betsy Frerichs and seconded by Jim Zvolanek, passed.

Betsy Frerichs: yes, Angela Meyer: yes, Carol Pralle: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 6, no: 0

III. Communications, Audiences, and Recognitions

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

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

A. Approval of Bills

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

Motion to approve the general fund, special building fund, depreciation fund, and qualified capitol purpose undertaking fund claims. This motion, made by Emily Shockley and seconded by Angela Meyer, passed.

Betsy Frerichs: yes, Angela Meyer: yes, Carol Pralle: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 6, no: 0

## 2. Lunch & Activity Claims

### V. Support Service

#### A. Facility Update

#### B. Personnel Items

### 1. Hiring Recommendation

#### 1. Shannon Mick - 1.0 FTE - 7-12 Mathematics Teacher for the 2020-2021 School Year

Motion to approve Shannon Mick, 1.0 FTE, as a 7-12 mathematics teacher for the 2020-2021 school year. This motion, made by Emily Shockley and seconded by Carol Pralle, passed.

Betsy Frerichs: yes, Angela Meyer: yes, Carol Pralle: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 6, no: 0

#### C. Technology Update

### VI. Administrative and Committee Reports

#### A. Student Board Member Report

#### B. Elementary Principal's Report

#### C. Secondary Principal's Report

#### D. Superintendent's Report

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

#### A. Special Education Services Contracted with ESU 5 for the 2020-2021 School Year

Motion to approve the special education services contracted with ESU 5 for the 2020-2021 school year. This motion, made by Jim Zvolanek and seconded by Betsy Frerichs, passed.

Betsy Frerichs: yes, Angela Meyer: yes, Carol Pralle: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 6, no: 0

#### B. Approve a Resolution Declaring the COVID-19 Pandemic as an Emergency under the Nebraska Emergency Management Act

Motion to approve a resolution declaring the COVID-19 pandemic as an emergency under the Nebraska Emergency Management Act. This motion, made by Carol Pralle and seconded by Betsy Frerichs, passed.

Betsy Frerichs: yes, Angela Meyer: yes, Carol Pralle: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 6, no: 0

C. Safety and Security Building Upgrades

Motion to approve the safety and security building upgrades. This motion, made by Jim Zvolanek and seconded by Betsy Frerichs, passed.

Betsy Frerichs: yes, Angela Meyer: yes, Carol Pralle: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 6, no: 0

D. 9 Month & 10 Month Employee Pay During the Closure

Motion to approve 9/10 month staff for their usual working hours for the rest of the 2019-2020 school year with no overtime benefits, pending they sign a return to work agreement. This motion, made by Emily Shockley and seconded by Angela Meyer, passed.

Carol Pralle: no, Betsy Frerichs: yes, Angela Meyer: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 1

E. Declare the Old High School Basketball Hoops as Surplus for Immediate Sale or Disposal

Motion to declare the old high school basketball hoops as surplus for immediate sale or disposal. This motion, made by Jim Zvolanek and seconded by Angela Meyer, passed.

Betsy Frerichs: yes, Angela Meyer: yes, Carol Pralle: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 6, no: 0

F. Option Enrollment Applications

VIII. Adjournment

Motion to adjourn the meeting at 8:41 p.m. This motion, made by Emily Shockley and seconded by Betsy Frerichs, passed.

Betsy Frerichs: yes, Angela Meyer: yes, Carol Pralle: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 6, no: 0

BY

President of the Board of Education

Of this School District

ATTEST

Secretary of the Board of Education

of this School District

**Notice of Regular Board Meeting**  
**April 13, 2020, at 7:30 p.m.**  
**Southern School District #1**

Notice is hereby given of a meeting of the Board of Education, Southern School District #1 on April 13, 2020, at 7:30 p.m. at Southern Jr./Sr. High School Gym in Wymore. A current agenda is also available at the office of the Superintendent.

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

Southern Elementary School  
Southern Jr./Sr. High School  
U.S. Post Office in Wymore

- I. Call Meeting to Order
  - A. Roll Call
  - B. Notice of Nebraska Open Meetings Act Posted
- II. Approval of Minutes from the March 19, 2020, Special Board Meeting
- III. Communications, Audiences, and Recognitions
  - A. Public comments will not be received after this period of time. Public comment period is limited to 5 minutes per person and a total of 30 minutes overall.
- IV. Financial Statement: Item for Discussion, Consideration, and/or Action
  - A. Approval of Bills
  - B. General Fund, Special Building Fund, Depreciation Fund, and Qualified Capitol Purpose Undertaking Fund Claims
  - C. Lunch and Activity Claims
- V. Support Service
  - A. Facility Update
  - B. Personnel Item
  - C. Technology Update
- VI. Administrative and Committee Reports
  - A. Student Board Member Report
  - B. Elementary Principal's Report
  - C. Secondary Principal's Report
  - D. Superintendent's Report
- VII. Items for Discussion, Consideration, and/or Action
  - A. Special Education Service Contract with ESU 5 for the 2020-2021 School Year
  - B. Approve a Resolution Declaring the COVID-19 Pandemic as an Emergency under the Nebraska Emergency Management Act
  - C. Safety and Security Building Upgrades
  - D. 9 Month & 10 Month Employee Pay During the Closure
  - E. Declare the Old High School Basketball Hoops as Surplus for Immediate Sale or Disposal
  - F. Option Enrollment Applications
- VIII. Adjournment

The next Regular Board meeting is scheduled for 7:30 p.m., May 11, 2020, at Southern Jr./Sr. High School Gym in Wymore. The Board of Education will usually adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to amend the agenda as deemed necessary.

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**NEBRASKA OPEN MEETINGS ACT**

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**84-1407. Act, how cited.**

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

**Source:** Laws 2004, LB 821, § 34.

**84-1408. Declaration of intent; meetings open to public.**

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

**Source:** Laws 1975, LB 325, § 1; Laws 1996, LB 900, § 1071; Laws 2004, LB 821, § 35.

**Annotations**

- Nebraska's public meetings laws do not apply to school board deliberations pertaining solely to disputed adjudicative facts. *McQuinn v. Douglas Cty. Sch. Dist. No. 66*, 259 Neb. 720, 612 N.W.2d 198 (2000).
- The primary purpose of the public meetings law is to ensure that public policy is formulated at open meetings. *Marks v. Judicial Nominating Comm.*, 236 Neb. 429, 461 N.W.2d 551 (1990).
- The public meetings law is broadly interpreted and liberally construed to obtain the objective of openness in favor of the public, and provisions permitting closed sessions must be narrowly and strictly construed. *Grein v. Board of Education of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- A county board of equalization is a public body whose meetings shall be open to the public. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

**84-1409. Terms, defined.**

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or

advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

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

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

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

**Source:** Laws 1975, LB 325, § 2; Laws 1983, LB 43, § 1; Laws 1989, LB 429, § 42; Laws 1989, LB 311, § 14; Laws 1992, LB 1019, § 124; Laws 1993, LB 635, § 1; Laws 1996, LB 1044, § 978; Laws 1997, LB 798, § 37; Laws 2004, LB 821, § 36; Laws 2007, LB296, § 810; Laws 2011, LB366, § 2.

#### **Annotations**

- A township is a political subdivision, and as such, a township board is subject to the provisions of the public meetings laws. *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- A county agricultural society is a public body to which the provisions of the Nebraska public meetings law are applicable. *Nixon v. Madison Co. Ag. Soc'y*, 217 Neb. 37, 348 N.W.2d 119 (1984).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).

- As an administrative agency of the county, a county board of equalization is a public body. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- The electors of a township at their annual meeting are a public body under the Open Meetings Act. *State ex rel. Newman v. Columbus Township Bd.*, 15 Neb. App. 656, 735 N.W.2d 399 (2007).
- The meeting at issue in this case was a "meeting" within the parameters of subsection (2) of this section because it involved the discussion of public business, the formation of tentative policy, or the taking of any action of the public power district. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).
- Informational sessions in which the governmental body hears reports are briefings. *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (1993).

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

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

- (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;
- (b) Discussion regarding deployment of security personnel or devices;
- (c) Investigative proceedings regarding allegations of criminal misconduct;
- (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;
- (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or
- (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

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

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

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

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

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

**Source:** Laws 1975, LB 325, § 3; Laws 1983, LB 43, § 2; Laws 1985, LB 117, § 1; Laws 1992, LB 1019, § 125; Laws 1994, LB 621, § 1; Laws 1996, LB 900, § 1072; Laws 2004, LB 821, § 37; Laws 2004, LB 1179, § 1; Laws 2006, LB 898, § 1; Laws 2011, LB390, § 29; Laws 2012, LB995, § 17.

**Annotations**

- There is no absolute discovery privilege for communications that occur during a closed session. *State ex rel. Upper Republican NRD v. District Judges*, 273 Neb. 148, 728 N.W.2d 275 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- The public interest mentioned in this section is that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities. *Grein v. Board of Education*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Hearing in closed executive session was contrary to this section since there was no showing of necessity or reason under subdivision (1)(a), (b), or (c), but did not result in reversal of board decision. *Simonds v. Board of Examiners*, 213 Neb. 259, 329 N.W.2d 92 (1983).
- Negotiations for the purchase of land need not be conducted at an open meeting but the deliberations of a city council as to whether an offer to purchase real estate should be made should take place in an open meeting. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Public meeting law was not violated where the Board of Regents of the University of Nebraska voted to hold a closed session to consider the university president's resignation, and also discussed the appointment of an interim president during such session. *Meyer v. Board of Regents*, 1 Neb. App. 893, 510 N.W.2d 450 (1993).

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

(1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes. Such notice shall be transmitted to all members of the public body and to the public. Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or (b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal

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

- (a) Reasonable advance publicized notice is given;
- (b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;
- (c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;
- (d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and
- (e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or
- (ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing.

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

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public

power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if:

- (a) The territory represented by the educational service unit, member educational service units, community college board of governors, public power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county;
- (b) Reasonable advance publicized notice is given which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section;
- (c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or entity or pool or at a place which will accommodate the anticipated audience;
- (d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;
- (e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;
- (f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site;
- (g) The telephone conference call lasts no more than five hours; and
- (h) No more than one-half of the board's, council's, governing body's, committee's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that:
- (i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by

telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and

(ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call.

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

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

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

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

**Source:**Laws 1975, LB 325, § 4; Laws 1983, LB 43, § 3; Laws 1987, LB 663, § 25; Laws 1993, LB 635, § 2; Laws 1996, LB 469, § 6; Laws 1996, LB 1161, § 1; Laws 1999, LB 47, § 2; Laws 1999, LB 87, § 100; Laws 1999, LB 461, § 1; Laws 2000, LB 968, § 85; Laws 2004, LB 821, § 38; Laws 2004, LB 1179, § 2; Laws 2006, LB 898, § 2; Laws 2007, LB199, § 9; Laws 2009, LB361, § 2; Laws 2012, LB735, § 1; Laws 2013, LB510, § 1; Laws 2017, LB318, § 1; Laws 2019, LB212, § 5.

**Effective Date: September 1, 2019**

#### **Cross References**

- **Intergovernmental Risk Management Act**, see section 44-4301.
- **Interlocal Cooperation Act**, see section 13-801.
- **Joint Public Agency Act**, see section 13-2501.
- **Municipal Cooperative Financing Act**, see section 18-2401.

#### **Annotations**

- Under subsection (1) of this section, the Legislature has imposed only two conditions on the public body's notification method of a public meeting: (1) It must give reasonable advance publicized notice of the time and place of each meeting and (2) it must be recorded in the public body's minutes. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- An emergency is "(a)ny event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition." *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- An agenda which gives reasonable notice of the matters to be considered at a meeting of a city council complies with the requirements of this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- When notice is required, a notice of a special meeting of a city council posted in three public places at 10:00 p.m. on the day preceding the meeting is not reasonable advance publicized notice of a meeting as is required by this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Teacher waived right to object to lack of public notice in board of education employment hearing by voluntary participation in the hearing without objection. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- A county board of commissioners and a county board of equalization are not required to give separate notices when the notice states only the time and place that the boards meet and directs a citizen to where the agendas for each board can be found. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- A county board of equalization is a public body which is required to give advanced publicized notice of its meetings. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Notice of recessed and reconvened meetings must be given in the same fashion as the original meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- True notice of a meeting is not given by burying such in the minutes of a prior board proceeding. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- An agenda notice which merely stated "work order reports" was an inadequate notice under this section because it did not give interested persons knowledge that plans for a 345 kv transmission line through the district was going to be discussed and voted upon at the meeting. Inadequate agenda notice under this section meant there was a substantial violation of the public meeting laws; however, later actions by the board of directors cured the defects in notice, and such actions were in substantial compliance with the statute. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Source:** Laws 1975, LB 325, § 5; Laws 1983, LB 43, § 4; Laws 1985, LB 117, § 2; Laws 1987, LB 324, § 5; Laws 1996, LB 900, § 1073; Laws 2001, LB 250, § 2; Laws 2004, LB 821, § 39; Laws 2006, LB 898, § 3; Laws 2008, LB962, § 1.

**Annotations**

- To preserve an objection that a public body failed to make documents available at a public meeting as required by subsection (8) of this section, a person who attends a public meeting must not only object to the violation, but must make that objection to the public body or to a member of the public body. *Stoetzel & Sons v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003).

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

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

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

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

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

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

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

**Source:** Laws 1975, LB 325, § 6; Laws 1978, LB 609, § 3; Laws 1979, LB 86, § 9; Laws 1987, LB 663, § 26; Laws 2005, LB 501, § 1; Laws 2009, LB361, § 3; Laws 2015, LB365, § 2; Laws 2016, LB876, § 1.

**Annotations**

- If a person present at a meeting observes and fails to object to an alleged public meetings laws violation in the form of a failure to conduct rollcall votes before taking actions on questions or motions pending, that person waives his or her right to object at a later date. *Hauser v. Nebraska Police Stds. Adv. Council*, 264 Neb. 944, 653 N.W.2d 240 (2002).
- Subsection (2) of this section does not require the record to state that the vote was by roll call, but requires only that the record show if and how each member voted. Neither does the statute set a time limit for recording the results of a vote, after which no corrections of the record can be made. If no intervening rights of third persons have arisen, a board of county commissioners has power to correct the record of the proceedings had at a previous meeting so as to make them speak the truth, particularly where the correction supplies some omitted fact or action and is done not to contradict or change the original record but to have the record show that a certain action was taken or thing done, which the original record fails to show. *State ex rel. Schuler v. Dunbar*, 214 Neb. 85, 333 N.W.2d 652 (1983).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).
- There is no requirement that a public body make a record of where notice was published or posted. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

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

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

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

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

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

**Source:** Laws 1975, LB 325, § 9; Laws 1977, LB 39, § 318; Laws 1983, LB 43, § 5; Laws 1992, LB 1019, § 126; Laws 1994, LB 621, § 2; Laws 1996, LB 900, § 1074; Laws 2004, LB 821, § 40; Laws 2006, LB 898, § 4.

**Annotations**

- The Legislature has granted standing to a broad scope of its citizens for the very limited purpose of challenging meetings allegedly in violation of the Open Meetings Act, so that they may help police the public policy embodied by the act. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010).
- Any citizen of the state may commence an action to declare a public body's action void. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- The reading of ordinances constitutes a formal action under subsection (1) of this section. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).

- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- Under the Public Meetings Act, a county lacks capacity to maintain an action to declare its official conduct "void" for noncompliance with the act. *County of York v. Johnson*, 230 Neb. 403, 432 N.W.2d 215 (1988).
- When a petitioner under this section is successful in the district court, that court may allow attorney fees. *Tracy Corp. II v. Nebraska Pub. Serv. Comm.*, 218 Neb. 900, 360 N.W.2d 485 (1984).
- Informal discussions between the Tax Commissioner and the State Board of Equalization in which instructions were clarified, with such clarification leading to the amendment of hearing notices, did not constitute a public meeting subject to the provisions of this section. *Box Butte County v. State Board of Equalization and Assessment*, 206 Neb. 696, 295 N.W.2d 670 (1980).
- The right to collaterally attack an order made in contravention of the Public Meeting Act must occur within a period of one year as is specifically provided by this section. *Witt v. School District No. 70*, 202 Neb. 63, 273 N.W.2d 669 (1979).
- Statutory change, requiring "publicized notice" for board of education employment hearings, occurring between dates meeting scheduled and conducted, held not to void proceedings. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. Once a meeting has been declared void pursuant to Nebraska's public meetings law, board members are prohibited from considering any information obtained at the illegal meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Actions by the board of directors were merely voidable under this section, and not void. Pursuant to subsection (3) of this section, the plaintiffs were awarded partial attorney fees because they were successful in having the court declare that the board of directors was in substantial violation of the statute, even though the plaintiffs did not get the relief requested of having the board's actions declared void. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

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Source: [http://nebraskalegislature.gov/laws/display\\_html.php?begin\\_section=84-1407&end\\_section=84-1414](http://nebraskalegislature.gov/laws/display_html.php?begin_section=84-1407&end_section=84-1414)

Date: July 2019

MINUTES  
BOARD OF EDUCATION  
March 19, 2020  
7:00 PM

I. Call Meeting to Order

President Dave Zimmerman called the meeting to order at 7:00 p.m. and the following members were present: Angela Meyer, Betsy Frerichs, Carol Pralle, Dave Zimmerman, and Emily Shockley. The following administrator was present: Christopher Prosocki.

Reasonable advance publicized notice of the meeting was given according to law by publishing, a designated method for giving notice of the school district. Reasonable advance notice was simultaneously given to board members and a copy of their acknowledgement of receipt of notice and the agenda attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

I.A. Roll Call

I.B. Motion to excuse Jim Zvolanek

Motion to excuse Jim Zvolanek. This motion, made by Carol Pralle and seconded by Angela Meyer, passed.

yes: 5, no: 0, Absent: 1

I.C. Notice of Nebraska Open Meetings Act Posted

President Dave Zimmerman announced that a complete copy of the Nebraska Open Meetings Act is posted on the Jr./Sr. High School gym wall.

II. Approval of Minutes from the March 9, 2020, Regular Board Meeting

Motion to approve minutes from the March 9, 2020, Regular Board Meeting. This motion, made by Angela Meyer and seconded by Betsy Frerichs, passed.

yes: 5, no: 0, Absent: 1

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

III.A. Food Services During a Closure

Motion to approve the food service program. This motion, made by Carol Pralle and seconded by Betsy Frerichs, passed.

yes: 5, no: 0, Absent: 1

Starting on Monday, March 23, Southern Public Schools will be offering free meals for children, ages 1-18, during the school closing as a result of COVID-19 virus. The meals will be available at both the Elementary School building and the Jr./Sr. High School building from 11:30 a.m. -

12:15 p.m. on Monday, Wednesday, and Friday. On Mondays and Wednesday, it will include 2 breakfasts and 2 lunches, and on Friday, it will include 1 breakfast and 1 lunch. Free meals will be served to all children ages 1-18 until school resumes. Children must be present when the meal is handed out and meals will be available on a first come, first serve basis.

Jim Zvolank arrived at the meeting at 7:23 p.m.

### III.B. 9 Month & 10 Month Employee Pay During a Closure

Motion to approve pay, 100% of their wages and no overtime, for all 9/10 month until April 9. This motion, made by Emily Shockley and seconded by Betsy Frerichs, passed.

Carol Pralle: no, Betsy Frerichs: yes, Angela Meyer: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 1

The school board will pay all 9/10-month classified employees 100% of their usually working wages until April 9 (3 weeks and 1 day) and they will make a more informed decision at the April 13 board meeting (Easter break on 4/10 & 4/13). No overtime will be paid and all 9/10-month classified employees will need to sign a return to work agreement to ensure they will receive these wages. If school resumes before April 9, they will not be paid for any days after school resumes.

### III.C. Addendum to the 2019-2020 Negotiated Agreement Regarding Sick Leave for Teachers

Motion to approve two weeks of paid leave until December 31, 2020 related to the COVID-19. This motion, made by Jim Zvolanek and seconded by Angela Meyer, passed.

yes: 6, no: 0

An emergency plan was established for both hourly staff (A maximum of 80 hours of emergency leave) and certified staff pending SEA approval. Teachers can only use this emergency plan when they are back to regular working hours. Recognizing the potential for increased time off by employees during the current COVID-19 national health crisis, will implement the following temporary Emergency Leave Allowance.

Emergency Leave will provide employees leave to:

Quarantine or seek a diagnosis or preventive care for coronavirus;

Care for a family member for such a purpose;

Care for a child whose school has closed and;

Care for a child if the childcare provider is unavailable due to the coronavirus.

The Emergency Leave Allowance is defined below:

Full-time employees are entitled to a maximum of 80 hours and;

Part-time employees are entitled to hours in the amount the employee normally works on average, in a two-week period.

The one-time temporary Emergency Leave will expire December 31, 2020, and will not be available for carry-over or for uses not related to the current COVID-19 health crisis.

### III.D. Emergency Declaration for the Purpose of Delegating Greater Authority to the Superintendent to Address Business Operations of the School during a Coronavirus Outbreak and School Closure

Motion to approve an emergency declaration for the purpose of delegating greater authority to the superintendent to address business operations of the school during a coronavirus outbreak

and school closure. This motion, made by Emily Shockley and seconded by Betsy Frerichs, passed.  
yes: 6, no: 0

This emergency resolution allows the superintendent to authorize payroll and make other claims in the event that three board members are hospitalized and cannot approve these items at the monthly board meeting which is required by law. Dr. Prosocki noted that this resolution will act as an insurance policy for the district.

### III.E. Review, Consider, and Award the Bid for the Press Box Project

Motion to approve the bid from Goes Construction for the press box project in the amount of \$196,418.71. This motion, made by Emily Shockley and seconded by Betsy Frerichs, passed. Betsy Frerichs: yes, Angela Meyer: yes, Carol Pralle: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes  
yes: 6, no: 0

Based on Policy 3003: Bidding for Construction, Remodeling, Repair, or Site Improvement, the school board has to award the bid to the lowest, responsible, and responsive bidder whose bid meets the bid specifications.

The school board decided to not add an alternative HVAC for the second floor in the amount of \$12,450 and they said this could always be added later. Dr. Prosocki noted that the press box will be paid for by the \$150,000 grant from the Thomas Foundation and the QCPUF Bond proceeds (Legally, the QCPUF bond proceeds can only be used for the press box project and not to cover payroll costs).

III.F. Review, Consider, and Take Action on a Construction Contract for the Press Box Project  
Motion to approve the AIA, A101, A101 Exhibit A, A201 contracts, all attachments with Goes Construction, and authorize and direct the superintendent and/or board president to execute those documents and all other documents contemplated thereby on behalf of the school district. This motion, made by Jim Zvolanek and seconded by Carol Pralle, passed.  
yes: 6, no: 0

### III.G. Executive Session

#### IV. Adjournment

Motion to adjourn the meeting at 7:53 p.m. This motion, made by Emily Shockley and seconded by Betsy Frerichs, passed.  
yes: 6, no: 0

The next Regular Board meeting is scheduled for 7:30 p.m., April 13, 2020, at Southern Jr./Sr. High School Board Room in Wymore. The Board of Education will usually adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to amend the agenda as deemed necessary.

BY  
President of the Board of Education  
Of this School District

ATTEST  
Secretary of the Board of Education  
of this School District

## **PUBLIC PARTICIPATION**

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

- **Getting Started:** When you have been recognized, please stand and state your name.
- **Time Limit:** The board will generally allow a total of 30 minutes for the presentation of all public comments. Individuals may speak only one time, and must limit comments to around 5 minutes. If there are more than 6 individuals who wish to address the board, the 30 minutes will be divided equally between the number of speakers. These time limits may be changed by a majority vote of the board members in attendance to extend the time for a specific item or speaker.
- **Personnel or Student Topic:** If you are planning to speak about a personnel or a student matter involving an individual, please understand that the district has a complaint policy and/or procedures to resolve such complaints and concerns. The Board requests that you follow the policy and procedures before addressing these matters with the Board. Board members will generally not respond to any questions you ask or comments about individual staff members or students.
- **General Rules:** This is a public meeting for the conduct of business. Comments from the audience while others are speaking will not be tolerated. Lewd, obscene, profane, slanderous, threatening and hostile conduct or statements and fighting words (words whose mere utterance entails a call to violence) will not be tolerated.
- **No Action by the Board:** The board will not act on any matter unless it is on the published agenda.

## **Southern Welcomes a New Mathematics Teacher for 2020-2021**

My name is Shannon Mick I have been teaching 7-12 math for 15 years, the last 14 years have been at Beatrice High School. I have taught all levels of high school math including College Algebra, Calculus and Probability & Statistic as dual credit through Peru State College. I have a Masters in Curriculum and Instruction from Peru as well as my undergraduate degree. I am married with three children and live near Oketo, Kansas. I have been married to my husband Rich for 15 years our children are Daniel, Dasha, and Richelle. Daniel received his Master and is now the director of the Fort Campbell, Kentucky library, Dasha is in 9<sup>th</sup> grade and Richelle is in 7<sup>th</sup> grade, both attend school in Marysville, KS.





# Southern Public Schools

## Continuity of Learning Plan

*(April 7 – until students report back)*

School Roles and Responsibilities	
Superintendent	<ul style="list-style-type: none"> <li>● Provide regular communication to all stakeholders</li> <li>● Provide support to school administrators and teachers implementing the Enrichment Learning Plan (ELP)</li> </ul>
Technology Department	<ul style="list-style-type: none"> <li>● Support faculty and students/families shifting to an ELP</li> <li>● Provide written/video support to assist faculty with using district identified resources</li> </ul>
Principals	<ul style="list-style-type: none"> <li>● Monitor communication between teachers and their students through monthly logs</li> <li>● Support faculty and students/families shifting to an ELP</li> <li>● Provide weekly Zoom meetings/email updates</li> <li>● Help teachers implement ELP</li> <li>● Monitor students on 504 plans and provide assistance as needed</li> </ul>
Core Teachers	<ul style="list-style-type: none"> <li>● Collaborate with other members of your team or department to design enrichment learning experiences for your students</li> <li>● Use district curriculum and resources to communicate and deliver content</li> <li>● Make sure parents are aware which resources your students may access. Include information on how to access the resources.</li> <li>● Communicate with students and provide weekly feedback</li> <li>● Communicate with parents, as necessary</li> </ul>
Special Education	<ul style="list-style-type: none"> <li>● Communicate regularly with the subject or classroom teachers who teach the students on your caseload</li> <li>● Communicate regularly with students on your caseload and/or their parents</li> <li>● Provide supplementary learning activities for students on your caseload</li> </ul>
K-6 Specials (Art, Band, Guidance, Keyboarding, Library, PE, & Music)	<ul style="list-style-type: none"> <li>● Develop a bank of activities while being mindful of the resource's families may or may not have in their home</li> <li>● Communicate with students/families who reach out for assistance</li> <li>● Communicate with families regarding the websites/resources you will be using</li> </ul>
7-12 Exploration Classes	<ul style="list-style-type: none"> <li>● Develop a bank of activities while being mindful of the resource's families may or may not have in their home</li> <li>● Communicate with students/families who reach out for assistance</li> <li>● Communicate with families regarding the websites/resources you will be using</li> </ul>
Counselors	<ul style="list-style-type: none"> <li>● Serve as a liaison for communication with students/families in crisis</li> <li>● Provide resources for students and families to support them while they are away from school</li> <li>● Monitor students on 504 plans and provide assistance as needed</li> </ul>



### Student Roles and Responsibilities

- Establish daily routines for engaging in the learning experiences
- Identify a space in your home where you can work effectively and successfully
- Regularly monitor online platforms if possible (Grades PK-12)
- Engage in all learning with academic honesty
- Communicate proactively with your teachers if you require additional support
- Comply with Student Handbook Internet Safety policies including expectations for online etiquette

For questions about...	Contact
a course, assignment, or resource	the relevant teacher
a personal, academic or social-emotional concern	your school counselor
other issues related to the enrichment learning plan	your school principal

### Parent Roles and Responsibilities

Provide support for your children by:

- Establishing routines and expectations
- Defining the physical space for your child to study
- Monitoring communications from your child's teachers
- Beginning and ending each day with a check-in
- Taking an active role in helping your child process his/her learning
- Establishing times for quiet and reflection
- Encouraging physical activity and/or exercise
- Remaining mindful of your child's stress or worry
- Monitoring how much time your child is spending online
- Keeping your child social, but set rules around their social media interactions

For questions about...	Contact
a course, assignment, or resource	the relevant teacher
a personal, academic or social-emotional concern	your school counselor
other issues related to the enrichment learning plan	your school principal



## General Guidelines for Staff regarding the Enrichment Learning Plans (ELP)

Feedback	<ul style="list-style-type: none"> <li>● Provide feedback, as needed on enrichment learning plans</li> <li>● Provide clear communication regarding where/how students should ask questions and seek clarification</li> <li>● Actively monitor your email for questions and communications from students/families</li> </ul>
Offline Work	<ul style="list-style-type: none"> <li>● Consider including offline activities in your lessons such as reading, engaging in discussions with a family member or friend remotely, writing in a journal, taking pictures and/or making a video</li> </ul>
Instruction	<ul style="list-style-type: none"> <li>● Follow the guidelines provided by the district based on your grade level and subject area</li> <li>● Collaborate with your colleagues regularly</li> </ul>
Student Check-In	<ul style="list-style-type: none"> <li>● Use tools such as Google Forms, online textbooks, Google Classroom Tools, Zoom, SeeSaw, etc.</li> </ul>
Instructional Packets	<ul style="list-style-type: none"> <li>● At the elementary school, students (PK-6) will be provided instructional packets supporting student learning.</li> </ul>
Free E-Learning Tools/ Non-Curricular Materials	<ul style="list-style-type: none"> <li>● <a href="#">Scholastic Learn at Home</a></li> <li>● <a href="#">Mystery Science</a></li> <li>● <a href="#">Discovery Education</a></li> <li>● Book Source             <ul style="list-style-type: none"> <li>○ <a href="#">Reading List</a></li> <li>○ <a href="#">Tips for parents</a></li> <li>○ <a href="#">Activity Sheet</a></li> <li>○ <a href="#">Teaching Remotely Tips</a></li> </ul> </li> <li>● <a href="#">McGraw Hill Resources</a></li> <li>● <a href="#">Learn Zillion</a></li> <li>● <a href="#">Free resources &amp; subscriptions</a></li> <li>● <a href="#">Storyline</a></li> <li>● <a href="#">Live Story Time Doc</a></li> </ul>



## Preschool

### Priorities

- Activities will be mainly focused around literacy and numeracy to maintain current skills and build knowledge around prioritized content.
- The primary tools for communication between teachers and families will be parent provided email addresses and/or phone number.

### Approximate Time Frames for Enrichment Activities

Preschool	
20 minutes per day	<b>Emergent Literacy Activities, Games, and Challenges</b> focused on language development, vocabulary, comprehension, and phonological awareness
20 minutes per day	<b>Emergent Numeracy Activities, Games, and Challenges</b> focused on counting, sorting, and patterning
20 minutes per day	<b>Holistically-Focused Activities, Games, and Challenges</b> to support cognitive, physical, and social emotional development
Other Activities	Reading aloud Board games and challenges Continuing to learn skills Puzzles Designing and building structures with blocks or other available materials

**Total Enrichment Time:** approximately 5 hours per week



## Elementary School

### Priorities

- Enrichment will be mainly focused around literacy and numeracy to maintain current skills and knowledge around prioritized content.
- Teachers will be creating paper packets of enrichment activities. Parents are asked to print the packets at home and they will be available on the district website. If you are unable to print the packet at home, please email your classroom teacher and we will provide a printed packet for you to pick up from the office at a designated time.
- Additional activities will be available online through Google classroom and seesaw. Online activities are additional and not necessary if you do not have Internet access.
- The primary tools for communication between teachers, students and families will be by Google Classroom, ClassDojo, SeeSaw, and/or parent provided email addresses.
- News Channel Nebraska will carry educational content weekdays from 9:00 a.m. – 11:00 a.m. for elementary students. You can tune in on your TV, or you can watch online at the following link. **Link:** <http://trst.in/ZGmWI8>
- We will be implementing a pass/fail grading system for the fourth quarter.

### Approximate Time Frames for Enrichment Activities:

Kindergarten to Second Grades	
20-25 minutes per day	Reading (Science/Social Studies connections as appropriate)
10-20 minutes per day	Writing
20-25 minutes per day	Mathematics
10-25 minutes per day	Special teachers will provide a range of activities that continue to support the current program
Other Activities	Reading aloud and independent reading Board games and challenges with math/strategy/critical thinking Designing and building structures with blocks or other available materials Puzzles

**Total Enrichment Time:** approximately 5 hours per week



### Third to Sixth Grades

20-30 minutes per day	Reading (Science/Social Studies connections as appropriate)
10-30 minutes per day	Writing
20-30 minutes per day	Mathematics
10-30 minutes per day	Special teachers will provide a range of activities that continue to support the current program
Other Activities	Reading aloud and independent reading Board games and challenges with math/strategy/critical thinking Puzzles

**Total Enrichment Time:** approximately 5 hours per week



## Jr./Sr. High School

### Priorities

- Enrichment will be mainly focused around prioritized content.
- Students will have both online and off-line enrichment activities.
- Teachers will provide online enrichment that may be recorded and made available to students to watch at any time. The online enrichment sessions will be at a regularly scheduled time.

### Approximate Time Frames for Enrichment

Grades 7-12	
30-45 minutes per period	Each scheduled Jr./Sr. High School course

**Total Enrichment Time:** approximately 5-9 hours per week

### Guidelines for Enrichment Plan:

- Students will be provided enrichment activities assigned by each individual classroom teacher.
- Attendance will be monitored by completion of enrichment activities and participation of classroom obligations.
- The class schedule is posted on page 8 and students can log in to the designated classes during the assigned times on the schedule. Classroom teachers will be available online during the designated times.
- Classroom teachers will be available online every Thursday morning to assist students as needed.
- Dual credit classes may require additional class meeting time. Second semester grades in dual credit classes will NOT be included on the student high school transcript.
- Students that do not have Internet access at home must contact Mr. Murphy immediately to discuss alternate learning options.
  - News Channel Nebraska will carry educational content weekdays from 1:00 p.m. – 3:00 p.m. for secondary students. You can tune in on your TV, or you can watch online at the following link. **Link:** <http://trst.in/ZGmWI8>
- We will be implementing a pass/fail grading system for the fourth quarter.



## JR./SR. HIGH SCHOOL TEACHER ACCESS SCHEDULE

<b>Tuesdays</b>	
8:30 - 9:15	Period 1
9:30 - 10:15	Period 2
10:30 - 11:15	Period 3
<b>Wednesdays</b>	
8:30 - 9:15	Period 4
9:30 - 10:15	Period 5 <small>(5A = 9:30-9:50 &amp; 5B = 9:55-10:15)</small>
10:30 - 11:15	Period 6
<b>Thursdays</b>	
8:30 - 9:15	Period 7
9:30 - 11:15	Online Teacher Office Hours <small>(Email, Zoom, Google Classroom, etc.)</small>

**Please Note:** The teacher access schedule listed above will occur through a variety of different mediums and teachers will contact students through their student issued email with their plans (Online through Zoom, prior recordings, Google Classroom, YouTube, etc.)

### SUGGESTIONS TO MAKE ENRICHMENT PLAN A SUCCESS:

Student Roles and Responsibilities	
<ul style="list-style-type: none"> <li>Establish daily routines for engaging in the enrichment experiences</li> <li>Identify a space in your home where you can work effectively and successfully</li> <li>Regularly monitor online platforms if possible (Grades 7 - 12)</li> <li>Engage in all enrichment activities with academic honesty</li> <li>Communicate proactively with your teachers if you require additional support</li> <li>Comply with Student Handbook Internet Safety policies including expectations for online etiquette (Grades 7 - 12)</li> </ul>	
For questions about...	Contact
a course, assignment, or resource	the relevant teacher
a personal, academic or social-emotional concern	your counselor
other issues related to enrichment learning plan	your school principal

## *2020-2021 Extra Duty Assignments*

### **Activities Director**

Jerry Rempe

### **Fall Sports**

#### **Football**

Head Coach – Kane Hookstra

Assist. Coach – Dustin Adams

Assist. Coach – Shane Saathoff

#### **Softball**

Head Coach – Shelby Thernes

Assist. Coach – Mike Ringen

#### **Volleyball**

Head Coach – Carly Minge

Assist. Coach – Jamie Schluter

#### **JH Football**

Head Coach – Preston Jurgens

Assist. Coach – Chaysen Bednar

#### **JH Volleyball**

Head Coach – Jolene Bartels

Assist. Coach – Beth Willet

### **Winter Sports**

#### **Boys Basketball**

Head Coach – Zack Emerson

Assist. Coach – Mike Ringen

#### **Girls Basketball**

Head Coach – Jeff Murphy

Assist. Coach – Chaysen Bednar

#### **Wrestling**

Head Coach – Jason Allington

Assist. Coach – Larry Schmidt

#### **JH Boys Basketball**

Head Coach – Dustin Adams

Assist. Coach – ???

### **JH Girls Basketball**

Head Coach – Shane Saathoff

Assist. Coach – Kylie Betten

### **JH Wrestling**

Head Coach – Preston Jurgens

### **Spring Sports**

#### **Golf**

Head Coach – Beth Willet

#### **Track/JH Track**

Head Coach – Kane Hookstra

Head Coach – Zack Emerson

Assist. Coach – Jolene Bartels

Assist. Coach – Kylie Betten

Assist. Coach – Jamie Schluter

#### **Activity Sponsors**

Drug Free Youth – Dee Bednar

Concessions – Jeff Murphy

Cheerleading – Taylor Landenberger

FBLA – Jamie Schluter

Instrumental Music/Band – Shelly Gerdes

National Honor Society – Nancy Bond

Play Production – Lorren Rahn

Quiz Bowl (Junior High) – Jennifer Dunekacke

Quiz Bowl (Senior High) – Jeff Tunink

“S” Club – Zack Emerson

School Play – ???

Senior Slide Show – BeckyWeyer

Speech – Elizabeth Ogg

Student Council – Jeff Tunink

Vocal Music – Lorren Rahn

Yearbook – Elizabeth Ogg

#### **Class Sponsors**

Seventh Grade Class Sponsor – Morgan Neverve

Eighth Grade Class Sponsor – Shelby Thernes

Freshman Class Sponsor – Heather McKinney

Sophomore Class Sponsor – Elizabeth Ogg

Junior Class Sponsors – Melissa Omar & Shannon Mick

Senior Class Sponsor – Nancy Bond

# EMPLOYEE RIGHTS

## PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

### ▶ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- $\frac{2}{3}$  for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at  $\frac{2}{3}$  for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

### ▶ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

### ▶ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

- |   |   |
|---|---|
| <ol style="list-style-type: none"><li>1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;</li><li>2. has been advised by a health care provider to self-quarantine related to COVID-19;</li><li>3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;</li><li>4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);</li></ol> | <ol style="list-style-type: none"><li>5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or</li><li>6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.</li></ol> |
|---|---|

### ▶ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

For additional information  
or to file a complaint:  
**1-866-487-9243**  
TTY: 1-877-889-5627  
[dol.gov/agencies/whd](https://dol.gov/agencies/whd)



**PROCLAMATION  
GAGE COUNTY**

**FOR GAGE COUNTY SCHOOL DISTRICT 34-0001, A/K/A SOUTHERN SCHOOL DISTRICT #1 PURSUANT TO THE EMERGENCY MANAGEMENT ACT (NEB. REV. STAT. § 81-829.36 to 81-829.75) AND OTHER NEBRASKA LAWS**

**ISSUED TO: Gage County School District 34-001, a/k/a Southern School District #1**

**WHEREAS**, Gage County School District 34-001, a/k/a Southern School District #1 (the “District”) is a public school district with land located in Gage County Nebraska; and

**WHEREAS**, the World Health Organization designated the COVID-19 (Coronavirus) outbreak as a global pandemic; and,

**WHEREAS**, on March 13, 2020, President Trump declared a national emergency because of the COVID-19 epidemic; and,

**WHEREAS**, on March 13, 2020, Governor Ricketts declared a state emergency because of the COVID-19 epidemic; and,

**WHEREAS**, the undersigned for the District does issue this proclamation and hereby finds, determines and declares in the interest of public health and safety that an epidemic sickness, disaster and emergency conditions prevail and exist within the boundaries of this School District as defined in Neb. Rev. Stat. § 81-829.39 which is part of Neb. Rev. Stat. § 81-829.36 to 81-829.75, known as the Emergency Management Act (the “Act”) and other Nebraska laws; and

**WHEREAS**, it is necessary that the District and Board of Education, along with its administrators, employees and agents, take all appropriate emergency management actions necessary to forestall or mitigate the imminent and existing danger to public health and safety, and take all appropriate emergency actions and exercise all authority and permissible actions as permitted under the pursuant to Neb. Rev. Stat. § 81-829.51, the procedures therein and other applicable laws.

**NOW, THEREFORE**, on the basis of the foregoing finding and facts, the undersigned on behalf of Gage County, Nebraska, and the District hereby declares a local emergency under the Act to continue in effect until the emergency has been dealt with to the extent that the conditions in my findings no longer exist.

**Dated the \_\_\_\_\_ day of April, 2020.**

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**Gage County Emergency Manager  
Gage County, Nebraska**

**3019**  
**Sale or Disposal of School Property**

In selling school property, whether real or personal, the board of education shall be mindful of its financial obligation to the taxpayers of the school district. The board may sell school property in the manner it deems most appropriate for the particular property (e.g., by taking bids, by auction, or by selling the property for a specified price). The board shall take action at a regular meeting to approve the sale or disposal of property by the statutorily required two-thirds vote of the members before selling or disposing of it.

Adopted on: 8-13-2018

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

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

