

MINUTES
BOARD OF EDUCATION

June 13, 2022

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

I.A. Roll Call

Motion to excuse Angela Meyer due to weather related items. This motion, made by Aaron Whitwer and seconded by Dana Dorn, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

I.B. Notice of Nebraska Open Meetings Act Posted

II. Approval of Minutes from the May 9, 2022, Regular Board Meeting

Motion to approve minutes from the May 9, 2022, Regular Board Meeting. This motion, made by Jim Zvolanek and seconded by Betsy Frerichs, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

III. Communications, Audiences, and Recognitions

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

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

IV.A. Approval of Bills

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

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

Angela Meyer: Absent, Aaron Whitwer: Abstain (With Conflict), Dana Dorn: yes, Betsy Frerichs: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 4, no: 0, Absent: 1, Abstain (With Conflict): 1

IV.A.2. Lunch & Activity Claims

V. Support Service

V.A. Facility Update

V.B. Personnel Items

V.B.1. Hiring Recommendation

V.B.2. Samantha Rzekonski - 1.0 FTE - Kindergarten Teacher for the 2022-2023 School Year

Motion to approve Smantha Rzekonski as the kindergarten teacher for the 2022-2023 school year. This motion, made by Aaron Whitwer and seconded by Jim Zvolanek, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

V.C. Technology Update

VI. Administrative and Committee Reports

VI.A. Student Board Member Report

VI.B. Elementary Principal's Report

VI.C. Secondary Principal's Report

VI.D. Superintendent's Report

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

VII.A. Community Eligibility Provision (CEP)

Motion to approve the Community Eligibility Provision to provide free school breakfasts and school lunches for the next 4 years. This motion, made by David Zimmerman and seconded by Aaron Whitwer, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

VII.B. Set Breakfast, Lunch, & Milk Prices for the 2022-2023 School Year

Motion to raise the breakfast, lunch, and milk prices by \$0.10 for the 2022-2023 school year. This motion, made by Jim Zvolanek and seconded by Betsy Frerichs, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

VII.C. Increase Adult Admission Prices from \$5 to \$6 for the 2022-2023 School Year to Reflect the Recent Changes Made by the Pioneer Conference

Motion to increase adult admission prices from \$5 to \$6 for the 2022-2023 school year. This motion, made by Dana Dorn and seconded by Jim Zvolanek, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

VII.D. Approval of Policy 5045: Student Fees

Motion to approve Policy 5045: Student Fees. This motion, made by Jim Zvolanek and seconded by Betsy Frerichs, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

VII.E. Approval of Policy 5018 & 5057: Parent Guardian Involvement in Education Practices & District Title I Parent and Family Engagement Policy

Motion to approve Policy 5018 & 5057: Parent Guardian Involvement in Education Practices & District Title I Parent and Family Engagement Policy. This motion, made by Betsy Frerichs and seconded by Aaron Whitwer, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

VII.F. Annual Board Policy Updates

Motion to approve the updated forms and policies: 2010, 3003.1, 3004.1, 3012, 3057, 4056, 4064, 5012, 6021, & 6037. This motion, made by Dana Dorn and seconded by Betsy Frerichs, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

VII.G. Policy Review - Policy 5001: Compulsory Attendance and Excess Absenteeism & Policy 5045: Student Bullying

VII.H. A Safe Return Plan Review as Required by the United States Department of Education (USDOE)

Motion to just update the dates in the A Safe Return Plan to reflect the 2022-2023 school year. This motion, made by Jim Zvolanek and seconded by Aaron Whitwer, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

VII.I. Designate the Legal Newspaper for Southern Public Schools and Amend Policy 2008: Meetings to Reflect these Changes and the Changes Brought Forth by LB 83

Motion to designate Fairbury newspaper as the legal newspaper for Southern Public Schools and amend Policy 2008: Meetings to reflect these changes and the changes brought forth by LB 83. This motion, made by Jim Zvolanek and seconded by Dana Dorn, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

VII.J. Option Enrollment Applications

VIII. Adjournment

Motion to adjourn the meeting at 8:44 p.m. This motion, made by Aaron Whitwer and seconded by Jim Zvolanek, passed.

Angela Meyer: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Aaron Whitwer: yes, David Zimmerman: yes, Jim Zvolanek: yes

yes: 5, no: 0, Absent: 1

BY

President of the Board of Education

Of this School District

ATTEST

Secretary of the Board of Education

of this School District

Nebraska Open Meetings Act

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

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

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

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

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

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

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

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

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

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

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

(c) Investigative proceedings regarding allegations of criminal misconduct;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Revised
10/2020



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MINUTES
BOARD OF EDUCATION
May 9, 2022
7:30 PM

I. Call Meeting to Order

President Dave Zimmerman called the meeting to order at 7:30 p.m. and the following members were present: Angela Meyer, Dana Dorn, Dave Zimmerman, and Jim Zvolanek. The following administrators were presents: Jerry Rempe, Jeff Murphy, & Christopher Proski.

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

- Wymore Arbor State Newspaper

Posted Date: 4/28/22

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 Aaron Whitwer and Betsy Frerichs from the May 9, 2022, Board Meeting

Motion to excuse Aaron Whitwer and Betsy Frerichs from the May 9, 2022, board meeting. This motion, made by Angela Meyer and seconded by Jim Zvolanek, passed.

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

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 in the back of the board of education meeting room.

II. Approval of Minutes from the April 11, 2022, Regular Board Meeting & Budget Amendment Hearing

Motion to approve minutes from the April 11, 2022, regular board meeting and the budget amendment hearing. This motion, made by Angela Meyer and seconded by Dana Dorn, passed.
yes: 4, no: 0, Absent: 2

III. Communications, Audiences, and Recognitions

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

The school board took public comment from both the Wymore Arbor State Newspaper and the Fairbury Journal-News regarding their future endeavors together.

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

IV.A. Approval of Bills

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

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

yes: 4, no: 0, Absent: 2

IV.A.2. Lunch & Activity Claims

V. Support Service

V.A. Facility Update

John Linder provided the school board with a written report over: summer projects, Johnson Controls projects this summer (new Elementary School boilers and new Jr./Sr. High School HVAC in the commons paid for with the ESSER funds), and a transportation update.

Dr. Prosocki noted that the Nebraska Department of Environment and Energy was out this spring to complete a Food Establishment Evaluation on our food service program. Based on their evaluation, there is about \$10,000-\$15,000 worth of facility projects that this district will need to upgrade over the next 3 years. Dr. Prosocki said the district is starting to get quotes for this project. Dr. Prosocki noted that this is a primary example of an unfunded mandate that the state puts on school districts and Nebraska is one of only five states where the state legislature does not provide funds for yearly building projects.

V.B. Personnel Items

Dave Kaster was recently hired as the assistant head of maintenance position.

V.B.1. Hiring Recommendations

Motion to approve Chelesy Fralin and Greg Iverson as teachers for the 2022-2023 school year. This motion, made by Angela Meyer and seconded by Jim Zvolanek, passed.

yes: 4, no: 0, Absent: 2

V.B.1.1. Chelesy Fralin - 1.0 FTE - K-12 Media Specialist for the 2022-2023 School Year

Chelesy will also serve the senior slide show sponsor.

V.B.1.2. Greg Iverson - 1.0 FTE - 6th Grade Teacher for the 2022-2023 School Year

Greg Iverson will also serve as the head track coach along with Kane Hookstra.

V.B.2. Resignation

V.B.2.1. Tim Blecha - 1.0FTE - K-6 Special Education Teacher at the Conclusion of the 2021-2022 School Year

Motion to accept the resignation of Tim Blecha at the conclusion of the 2021-2022 school year. This motion, made by Dana Dorn and seconded by Angela Meyer, passed.
yes: 4, no: 0, Absent: 2

The school board accepted the resignation of Tim Blecha at the conclusion of the 2021-2022 school year with regrets. The school board thanked Tim for his years of service at Southern Public Schools.

V.C. Technology Update

Dr. Proski said that he completed the E-Rate funding application for the 2022 fiscal year. The district will receive around \$20,500 from this grant. E-Rate funding can only be used for infrastructure projects (e.g., Internet, access points, and basic maintenance of internal controls) and not to purchase technology devices.

VI. Administrative and Committee Reports

VI.A. Student Board Member Report

VI.B. Elementary Principal's Report

The elementary principal reported on the following items: current enrollment figures (3-Year-Old Preschool - 10, 4-Year-Old Preschool - 19, K - 19, 1st - 31, 2nd - 25, 3rd - 28, 4th - 22, 5th - 28, 6th - 22), summer school, working on the activity schedule, testing, and upcoming activity events.

VI.C. Secondary Principal's Report

The secondary principal reported on the following items: current enrollment figures (7th - 32, 8th - 29, 9th - 33, 10th - 29, 11th - 31, & 12th - 25), the last day of school on Friday, May 20, alternative school update, student elections, seniors receiving \$277,000 in scholarships, Honors night on May 3, graduation on May 14, and MAP testing incentives.

VI.D. Superintendent's Report

Dr. Proski informed the school board about how the district has been working with Reinke Manufacturing on a \$75,000 grant to start a welding program at Southern. Next, Dr. Proski went over the minutes from the annual preschool advisory meeting, and he shared the assessment calendar for the 2022-2023 school year. He noted that there are required state and federal assessment that school districts must administer on a yearly basis. Next, Dr. Proski went over the Measures of Academic Progress (MAP) assessment results, and he said that this norm-

referenced assessment is a federal requirement. Then Dr. Prosocki went over a final legislative report from the 107th Legislature, Second Session and one of the major items from this session is schools will now be required computer science classes in grades K-12 during the 2024-2025 school year. Dr. Prosocki informed the board that he was elected as President-Elect-Elect of Region I, Nebraska Association of School Administrators (NASA) for the 2024-2025 school year. Dr. Prosocki went over the preliminary staff salaries for the 2022-2023 school year, and he said the district still needs to hire a K-6 special education teacher for the upcoming school year. In addition, Nicole Stevens will be serving as the interim vocal music teacher for 2022-2023. Lastly, Dr. Prosocki noted that staff salaries account for roughly 85% of all school budgets in Nebraska and the other 15% of school budgets are fixed costs (e.g., Utilities, fuel, Internet costs, etc.).

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

VII.A. Set Activity Prices for the 2022-2023 School Year

Motion to keep the activity prices the same as the previous school year. This motion, made by Jim Zvolanek and seconded by Angela Meyer, passed.

yes: 4, no: 0, Absent: 2

The admission prices for the 2022-2023 school year will be \$5 for adults, \$4 for students. The prices for passes for the 2022-2023 school year will be \$50 for adults, \$30 for students, and \$90 for families. These are also the same prices that the other Pioneer Conference schools charge.

VII.B. Approval of Milk Bids for the Southeastern Nebraska Milk Cooperative for the 2022-2023 School Year

Motion to approve the escalating and de-escalating milk bid from Hiland Dairy for the 2022-2023 school year. This motion, made by Dana Dorn and seconded by Jim Zvolanek, passed.

yes: 4, no: 0, Absent: 2

Southern Public Schools is a member of the Southeastern Nebraska Milk Cooperative and the purpose of the cooperative is to achieve lower milk prices in an effort to save the district money. The Southeastern Nebraska Milk Cooperative consists of the following districts: Diller-Odell, Fairbury, Meridian, Southern, Tri County, & Wilber-Clatonia. The milk bid for this year was \$0.10 cents higher than the previous year and the district will need to raise our milk prices for the 2022-2023 school year to keep up with inflation. The district is still working on trying to get free breakfast and lunch over the next 4 years (2022-2023 to 2025-2026).

VII.C. Board of Education 403(b)/457(b) Resolution

Motion to approve the Board of Education 403(b)/457(b) Resolution. This motion, made by Dana Dorn and seconded by Angela Meyer, passed.

yes: 4, no: 0, Absent: 2

By passing the Board of Education 403(b)/457(b) Resolution, Southern staff members can participate in an employee tax-sheltered annuity for the 2022-2023 school year. There will also be no added cost to the district by starting this program.

VII.D. Set the Annual Student Fees Hearing for June 13, 2022, at 7:10 p.m. in the Jr./Sr. High School Board Room in Wymore, Nebraska

Motion to set the annual student fees hearing for June 13, 2022, at 7:10 p.m. in the Jr./Sr. High School board room in Wymore, Nebraska. This motion, made by Jim Zvolanek and seconded by Dana Dorn, passed.

yes: 4, no: 0, Absent: 2

Based on Nebraska statute, the school board must hold a public hearing on this policy annually to seek input from local stakeholders

VII.E. Set the Annual Parental Involvement Hearing and the Annual Title I Parental Involvement Hearing for June 13, 2022, at 7:20 p.m. in the Jr./Sr. High School Board Room in Wymore, Nebraska

Motion to set the annual parental involvement hearing and the annual title I parental involvement hearing for June 13, 2022, at 7:20 p.m. in the Jr./Sr. High School board room in Wymore, Nebraska. This motion, made by Angela Meyer and seconded by Jim Zvolanek, passed.

yes: 4, no: 0, Absent: 2

Based on Nebraska statute, the school board must hold a public hearing on these two policies annually to seek input from local stakeholders.

VII.F. Option Enrollment Applications

VIII. Adjournment

Motion to adjourn the meeting at 8:28 p.m. This motion, made by Angela Meyer and seconded by Dana Dorn, passed.

yes: 4, no: 0, Absent: 2

The next Regular Board meeting is scheduled for 7:30 p.m., June 13, 2022, at Southern Jr./Sr. High School Board Room in Wymore. The Board of Education will usually adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to amend the agenda as deemed necessary.

BY

President of the Board of Education
Of this School District

ATTEST

Secretary of the Board of Education
of this School District

PUBLIC PARTICIPATION

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

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

Southern Welcomes a New Kindergarten Teacher for the 2022-2023 School Year

Hello! My name is Samantha Rzekonski, and I will be the new kindergarten teacher here at Southern! I graduated from Beatrice High School and currently hold a Bachelor of Science in Elementary Education from Kansas State University. I am excited to start my first year of teaching! Outside of school, you can find me spending time with my two boxers, Stanley, and Beesley. I enjoy taking them for walks, spending time with friends and family, reading, and watching movies. I am looking forward to getting to know my students and helping them grow!



2022/23 School District Budget Timeline

Date	Budget Activity
February 23	<ul style="list-style-type: none"> ◆ State Aid Certification ◆ Budget Authority & Allowable Reserve Percentage Certification
March 15	Deadline for notification of availability of the Retirement Incentive Plan (§79-855) and Staff Development Assistance (§79-856) for school districts that are part of a dissolution or merger
April 15	Reduction in Force deadline
Mid-June	School District Budget Form and LC-2 documents available on FOS Website
July 1	LC-2 Collection opens in the NDE Portal – deadline to submit September 30 th
August 20	Assessed valuations and real growth percentage certified by Counties
*September 5	Deadline to notify and submit information to County Clerk if Joint Public Hearing required
*September 17-29 th	Joint Public Hearings scheduled during this timeframe if required
*September 30 (changed from 9/20)	<p>Filing deadline for Budget and LC-2 to NDE, Auditor of Public Accounts (APA), and County Clerk. Materials to submit (scan documents & upload to NDE & APA):</p> <ul style="list-style-type: none"> ◆ From the School District Budget Form <ul style="list-style-type: none"> • Cover Page through Page 5 • Schedules A, B, D • Interlocal Form for <i>prior school year</i> • Notices of Budget Hearing and Special Hearing • Joint Public Hearing (<i>if applicable</i>) • Property Tax Resolution ◆ Certification(s) of Taxable Value ◆ Proof of Publications for: <ul style="list-style-type: none"> • Notice of Budget Hearing • Notice of Special Hearing to Set Final Tax Request ◆ Board Minutes showing approval of District Budget ◆ Sample Ballot and Certification of Election Results for successful election to override the <i>levy limitation (if applicable)</i> ◆ Sample Ballot and Certification of Election Results for successful election to override the <i>expenditure limitation (if applicable)</i> ◆ Copies of the LC-2 & Special Grant Fund List (NDE does not need copies)
October 15	Filing deadline to submit Resolutions setting all tax requests
October 20	County Boards set tax requests
November 5	District Tax Requests become final
December 31	<p>Filing deadline for the Report of Joint Public Agency & Interlocal Agreements</p> <ul style="list-style-type: none"> ◆ File with the Auditor of Public Accounts, if not already submitted with Budget

Nebraska Department of Revenue, Property Assessment Division
2021 to 2022 Real Property Value Percentage Change by County as of 4-6-2022

County	Residential & Recreational & AgResid % change	Resid & Rec & AgResid % change excl. growth	Commercial & Industrial % change	Commercial & Industrial % change excl. growth	AgOutbldg & FarmsiteLand % change	AgOutbldg & FarmsiteLand % change excl. growth	Total Agricultural Land % change	Total Real Property % change	Total Real Property % change excl. growth
1 Adams	11.93%	10.39%	7.15%	6.75%	-0.15%	-2.69%	6.96%	9.07%	8.29%
2 Antelope	19.86%	17.83%	2.97%	-4.71%	11.37%	0.35%	1.89%	4.51%	3.18%
3 Arthur	8.73%	5.39%	6.69%	6.69%	5.00%	3.94%	10.32%	10.05%	9.84%
4 Banner	1.24%	1.24%	0.00%	0.00%	3.95%	2.58%	1.28%	2.51%	2.47%
5 Blaine	41.67%	39.69%	-0.32%	-0.32%	-0.06%	-0.06%	-0.01%	2.07%	1.97%
6 Boone	4.57%	3.44%	4.60%	3.27%	-0.15%	-0.15%	2.33%	2.65%	2.42%
7 Box Butte	3.41%	2.80%	5.62%	2.20%	3.72%	1.65%	0.47%	2.34%	1.61%
8 Boyd	23.27%	21.45%	6.98%	6.15%	18.51%	16.41%	0.09%	2.82%	2.58%
9 Brown	21.89%	21.01%	-18.81%	-20.59%	-28.15%	-29.17%	24.60%	18.86%	18.46%
10 Buffalo	8.72%	7.22%	3.16%	1.02%	16.90%	6.24%	-0.74%	5.08%	3.79%
11 Burt	9.76%	8.01%	-13.54%	-15.18%	10.82%	7.69%	3.89%	4.57%	4.05%
12 Butler	10.23%	8.49%	2.76%	0.53%	2.28%	-0.62%	0.77%	2.89%	2.30%
13 Cass	9.06%	7.64%	6.60%	3.91%	12.92%	11.07%	3.65%	7.16%	6.13%
14 Cedar	10.30%	8.85%	13.56%	11.22%	8.30%	2.89%	2.18%	4.13%	3.63%
15 Chase	4.79%	4.34%	10.27%	9.46%	12.54%	6.28%	3.06%	4.14%	3.81%
16 Cherry	4.68%	3.58%	20.73%	15.73%	3.27%	-2.19%	3.19%	4.09%	3.65%
17 Cheyenne	8.14%	7.52%	2.98%	1.89%	25.71%	22.26%	0.61%	4.62%	4.14%
18 Clay	4.64%	3.97%	8.48%	5.44%	-1.38%	-5.59%	3.60%	3.82%	3.45%
19 Colfax	13.50%	11.85%	8.10%	3.26%	3.91%	-2.27%	-0.09%	3.92%	2.95%
20 Cuming	12.37%	11.13%	22.40%	20.52%	17.93%	11.79%	-0.68%	3.58%	2.99%
21 Custer	2.57%	1.59%	0.29%	-0.72%	1.82%	-0.18%	-0.06%	0.48%	0.18%
22 Dakota	7.11%	6.52%	7.10%	2.50%	2.62%	2.62%	4.84%	6.36%	5.07%
23 Dawes	12.47%	11.34%	3.72%	1.76%	16.94%	4.80%	-0.11%	6.08%	5.09%
24 Dawson	9.34%	9.34%	6.81%	6.81%	12.42%	12.42%	0.00%	4.28%	4.28%
25 Deuel	9.63%	7.71%	18.12%	7.44%	6.93%	2.78%	7.55%	9.14%	7.40%
26 Dixon	9.13%	7.54%	0.64%	-0.14%	14.77%	5.70%	2.12%	3.57%	3.01%
27 Dodge	10.02%	8.51%	7.36%	3.10%	14.62%	9.14%	0.16%	6.07%	4.64%
28 Douglas	10.30%	8.72%	4.23%	3.66%	-1.70%	-6.33%	4.88%	8.51%	7.23%
29 Dundy	7.99%	7.86%	68.57%	57.93%	3.06%	-2.16%	-0.01%	3.28%	1.83%
30 Fillmore	8.93%	7.07%	-0.51%	-3.06%	3.43%	-0.69%	0.09%	1.18%	0.71%
31 Franklin	9.38%	7.30%	3.03%	-0.19%	6.35%	3.84%	-0.83%	0.67%	0.29%
32 Frontier	0.91%	-0.14%	-6.97%	-6.97%	2.16%	0.17%	2.88%	2.33%	2.06%
33 Furnas	5.05%	4.43%	1.01%	0.25%	3.91%	1.70%	3.92%	4.05%	3.82%
34 Gage	10.96%	8.98%	16.34%	15.11%	5.95%	5.95%	0.05%	5.55%	4.73%
35 Garden	10.45%	8.71%	1.83%	0.52%	1.50%	0.70%	3.85%	4.54%	4.28%
36 Garfield	6.87%	5.98%	9.96%	0.85%	0.09%	-0.96%	4.59%	5.27%	4.63%
37 Gosper	11.46%	10.14%	2.82%	2.79%	7.13%	1.98%	0.32%	3.14%	2.76%
38 Grant	0.71%	0.20%	3.44%	-2.68%	-0.78%	-0.78%	0.00%	0.08%	-0.02%
39 Greeley	40.90%	38.62%	16.63%	13.72%	7.78%	6.00%	0.04%	4.06%	3.74%
40 Hall	7.81%	6.66%	4.49%	1.09%	-24.74%	-26.17%	0.02%	4.89%	3.42%
41 Hamilton	9.27%	6.64%	10.01%	9.07%	0.95%	-0.41%	0.02%	3.09%	2.35%
42 Harlan	11.96%	10.06%	8.23%	6.94%	3.70%	0.03%	2.09%	4.53%	4.02%
43 Hayes	16.41%	16.41%	0.95%	0.42%	0.24%	-0.56%	5.64%	6.14%	6.10%
44 Hitchcock	17.49%	16.16%	0.96%	0.07%	30.14%	24.56%	2.87%	9.02%	8.01%
45 Holt	7.39%	5.97%	10.11%	8.59%	-9.17%	-11.51%	-0.13%	1.17%	0.79%
46 Hooker	20.72%	20.32%	0.54%	0.54%	29.64%	11.52%	-0.02%	2.35%	2.22%
47 Howard	12.68%	10.86%	0.02%	-0.11%	14.75%	14.75%	-0.33%	3.86%	3.32%
48 Jefferson	7.61%	6.83%	2.82%	2.82%	3.35%	-1.08%	0.70%	2.32%	1.92%
49 Johnson	6.06%	4.66%	-19.41%	-19.46%	22.05%	18.21%	0.42%	1.34%	0.94%
50 Kearney	13.53%	12.86%	0.63%	0.63%	2.94%	-2.62%	0.00%	3.32%	3.05%
51 Keith	16.54%	13.95%	18.27%	16.72%	-2.82%	-5.57%	3.60%	10.55%	9.16%
52 Keya Paha	1.29%	0.56%	36.68%	25.00%	0.17%	-3.75%	1.95%	2.03%	1.81%
53 Kimball	9.78%	9.06%	5.36%	-0.25%	7.01%	2.38%	-0.04%	4.84%	3.68%

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54 Knox	8.58%	6.58%	3.06%	0.50%	3.12%	3.12%	0.64%	2.46%	1.95%
55 Lancaster	2.35%	0.36%	8.54%	5.73%	-13.13%	-13.43%	0.46%	3.76%	1.66%
56 Lincoln	3.35%	2.69%	18.77%	17.59%	2.74%	-0.20%	0.32%	4.25%	3.75%
57 Logan	12.57%	11.90%	-21.10%	-21.10%	11.75%	11.75%	4.88%	5.29%	5.23%
58 Loup	19.44%	18.10%	1.73%	1.73%	3.29%	2.85%	-0.07%	3.21%	2.99%
59 Madison	9.39%	8.14%	4.81%	-0.08%	10.54%	5.21%	1.22%	5.80%	4.23%
60 McPherson	-0.21%	-0.39%	0.09%	0.09%	0.75%	0.75%	7.28%	6.85%	6.84%
61 Merrick	11.18%	9.36%	1.36%	0.69%	1.06%	-0.82%	3.08%	5.35%	4.69%
62 Morrill	8.60%	7.01%	1.00%	-0.20%	5.64%	1.53%	1.96%	3.66%	3.07%
63 Nance	15.16%	13.47%	1.28%	-5.77%	6.39%	3.31%	-4.91%	-1.36%	-1.92%
64 Nemaha	1.52%	0.19%	5.54%	4.06%	6.05%	-0.81%	0.24%	0.89%	0.33%
65 Nuckolls	2.29%	0.93%	4.29%	0.17%	4.27%	0.25%	0.54%	1.06%	0.55%
66 Otoe	4.92%	3.72%	4.62%	1.36%	-0.79%	-5.80%	-0.11%	2.21%	1.45%
67 Pawnee	4.83%	3.78%	0.28%	0.28%	3.11%	0.23%	3.32%	3.37%	3.17%
68 Perkins	7.97%	5.32%	7.74%	-0.30%	10.10%	-0.55%	0.73%	2.47%	1.29%
69 Phelps	9.65%	8.72%	2.00%	1.57%	19.69%	14.05%	-2.08%	1.38%	1.01%
70 Pierce	8.62%	7.05%	4.59%	4.18%	5.94%	-1.86%	0.05%	2.58%	1.94%
71 Platte	7.94%	5.88%	2.66%	1.88%	-4.97%	-8.22%	0.45%	3.69%	2.61%
72 Polk	14.41%	13.27%	8.81%	-9.28%	9.14%	7.34%	0.01%	2.82%	2.21%
73 Red Willow	11.97%	10.97%	1.23%	0.01%	2.86%	2.27%	2.30%	6.46%	5.88%
74 Richardson	10.94%	9.93%	-0.99%	-6.74%	28.22%	15.43%	0.13%	3.10%	2.39%
75 Rock	2.71%	2.23%	-1.53%	-1.87%	-12.01%	-17.51%	0.00%	-0.07%	-0.25%
76 Saline	8.78%	7.20%	2.50%	0.76%	2.85%	2.85%	0.73%	3.22%	2.62%
77 Sarpy	10.81%	7.49%	13.41%	4.81%	8.97%	8.97%	-1.49%	11.26%	6.66%
78 Saunders	17.50%	13.10%	20.18%	17.56%	15.04%	14.50%	-1.06%	9.21%	6.95%
79 ScottsBluff	7.58%	7.16%	1.33%	0.24%	-1.17%	-3.03%	-4.19%	4.18%	3.66%
80 Seward	8.00%	6.66%	3.52%	0.01%	5.59%	1.43%	2.87%	4.99%	4.14%
81 Sheridan	2.89%	2.77%	1.29%	0.98%	1.50%	0.46%	0.78%	1.20%	1.14%
82 Sherman	16.78%	15.44%	26.11%	24.01%	87.08%	85.71%	0.09%	6.79%	6.45%
83 Sioux	-0.87%	-4.34%	0.10%	0.10%	-2.82%	-7.64%	-0.08%	-0.23%	-0.70%
84 Stanton	8.49%	7.36%	3.88%	1.86%	5.82%	-1.93%	0.19%	2.58%	1.91%
85 Thayer	5.47%	4.50%	1.83%	1.62%	3.72%	0.28%	0.02%	0.99%	0.72%
86 Thomas	8.31%	7.18%	2.35%	2.21%	-0.36%	-2.44%	4.98%	5.31%	5.11%
87 Thurston	14.23%	13.90%	5.52%	4.66%	5.85%	4.82%	0.02%	2.32%	2.22%
88 Valley	6.22%	5.34%	47.24%	40.19%	0.56%	-2.85%	2.73%	6.23%	5.50%
89 Washington	9.10%	7.55%	15.86%	6.72%	5.52%	-0.93%	0.02%	7.37%	5.16%
90 Wayne	11.20%	10.33%	22.84%	2.17%	-1.94%	-5.23%	6.59%	8.71%	6.83%
91 Webster	19.13%	18.68%	15.05%	4.93%	9.58%	9.03%	6.33%	8.50%	8.01%
92 Wheeler	57.10%	55.59%	79.58%	79.58%	-12.25%	-12.82%	5.94%	9.15%	9.04%
93 York	5.44%	4.54%	3.53%	2.86%	4.17%	-0.39%	3.60%	4.06%	3.68%
State Totals	8.48%	6.68%	6.88%	4.19%	5.07%	1.56%	1.37%	5.68%	4.33%

The Community Eligibility Provision (CEP)

What Does It Mean For Your School or Local Educational Agency?

What does it do?

- Allows schools and local educational agencies (LEAs) located in low-income areas to provide free breakfast and lunch to all students
- Eliminates the burden of collecting household applications to determine eligibility for school meal programs

Who benefits? Everyone!

- **Students**
Access to free nutritious meals for all students, no stigma, and less time spent in cashier lines and more time to eat nutritious meals
- **Parents**
No household application means less paperwork and no worries about lunch accounts
- **School staff**
Streamlined meal service operation and more time for students to consume their food
- **Administrators**
Reduced paperwork and administrative costs, no need to track unpaid meal charges, improved program integrity, and more nourished students ready to learn and grow



Who can participate?

- Schools and LEAs with a minimum Identified Student Percentage (≥ 40 percent) in the prior school year

Identified students = those certified for free meals without the use of household applications (for example those directly certified through SNAP).

- Available to:
 - All schools in an LEA
 - A group of schools in an LEA
 - An individual school in an LEA

Background

- Authorized by Congress as a part of the Healthy, Hunger-Free Kids Act of 2010.
- Phased in over a period of 3 years, starting with D.C., Illinois, Kentucky, Michigan, New York, Ohio, West Virginia, Florida, Georgia, Maryland, and Massachusetts.
- Available nationwide beginning July 1, 2014 (School Year 2014-15).

What must interested schools and LEAs do?

- Meet eligibility requirements.
- Serve free breakfasts and lunches to all students during the 4-year cycle.
- Count total breakfasts and total lunches served to students daily.
- Agree not to collect household applications for school meal programs.
- Determine if non-Federal funds are needed to cover costs above USDA reimbursement.

What do interested schools and LEAs do next?

- Determine if CEP is right for you.
- Contact your State for more information: <http://www.fns.usda.gov/cnd/contacts/StateDirectory.htm>.
- If eligible, submit required documentation to your State Agency.

Pioneer Conference

Board of Control Meeting

May 16, 2022

402 Sports 10am

The meeting was called to order by Commish Mezger. Roll call was taken with all members present except for Lourdes and Friend. Both schools notified the commish that they would be gone.

Introduction and Welcome – all were welcomed to the meeting by Commish Mezger.

Agenda – no additions.

The minutes of the March 2, 2022 meeting – motion made by Sterling to approve; second by HTRS. All approve with no corrections or additions.

Financial Reports – Commissioner Mezger presented financial reports that included; a transaction report covering March 2, 2022 to May 16, 2022, and claims, paying for a Father Roh memorial. It was moved by JB to approve; second by PC to accept the financial reports. All approved.

President's Report – President Prosocki said he was thankful for a good year.

Commissioner Report

- **Plaque Roundup** – Mezger asked for all plaques to be returned to him.
- **AD motions for supt** – motion made by DO and 2nd by Southern and all approved. See below
- **Commissioner Job** – Mezger will continue as commissioner of the conference. He will stay at current rate – motion made by Southern and 2nd by Sterling. All approved.
- **Commish** – thanked President Prosocki and all schools for a wonderful year – he was pleased with all the work of the ADs to keep the conference running smoothly

Committee Reports

- None

Old Business

- Discussed JH track ribbons and not putting years on
- Want to look at breakdown of medal costs

Upcoming Events Updates – Preview/Readiness

- None

New Business

- Motions for supts – voted on
- Commish brought up timing system is now working well and being rented out as needed
- Review next year calendar 2022-2023 – will have the next 2 years schedule out for supts to approve in fall

- Pioneer Golf – Johnson-Brock in charge. Date is May 27th starting at 10am at Kirkmans – contact Koehler if interested.
- Review admission prices for conference events for 2022-23 – motion made by TC and 2nd by DO to move conference admission prices to \$6 for adults and \$4 for students. All approved.
- Arrange for audit of the books for 2021-22 – will be done by Mezger and Prososki
- Suggest to schools hosting music events to begin looking for clinicians
- TC discussed officials, coaches search, and also thanked the conference for all the wonderful times and he is looking forward to retirement.

Meeting adjourned upon **motion** by Lewiston; second by FCSH; all approved. Meeting ended 10:45am.

Next meeting September 14, 2022 11:30 a.m. in Beatrice. Reservations will be made.

5/16/22

Motions to bring to Supt Meeting – listed below

FCSH made motion to raise the pay of accompanist to \$12.50 from \$9 this was 2nd by Friend and approved by all ADs.

Officials for next year (Isaac Russel – VB) (Chase Byrant – BB) (Tim Jasnoch – track) Sterling made the motion and Southern 2nd it – all approved

Motion made by Sterling to move to voting for all conference BB to 15 votes instead of 12 votes, 2nd by DO and all approved

Motion made by JB and 2nd by Southern to move all conference BB meeting to Tuesday March 14, 2023.

5045 Student Fees

The school district shall provide free instruction in accordance with the Nebraska State Constitution and the Nebraska statutes. The district also provides activities, programs, and services that extend beyond the minimum level of constitutionally required free instruction. Under the Public Elementary and Secondary Student Fee Authorization Act, the district is permitted to charge students fees for these activities or to require students to provide specialized equipment and attire for certain purposes. This policy is subject to further interpretation or guidance by administrative or board regulations. Students are encouraged to contact their building administration, their teachers or their coaches, and sponsors for further specifics.

A. Definitions.

- 1.** "Students" means students, their parents, guardians or other legal representatives.
- 2.** "Extracurricular activities" means student activities or organizations that (1) are supervised or administered by the district; (2) do not count toward graduation or advancement between grades; and (3) are not otherwise required by the district.
- 3.** "Post-secondary education costs" means tuition and other fees associated with obtaining credit from a post-secondary educational institution.

B. Listing of Fees Charged by this District.

1. Guidelines for Clothing Required for Specified Courses and Activities.

Students are responsible for complying with the district's grooming and attire guidelines and for furnishing all clothing required for any special programs, courses or activities in which they participate. The teacher, coach, or sponsor of the activity will provide students with written guidelines that detail any special clothing requirements and explain why the special clothing is required for the specific program, course or activity.

2. Safety Equipment and Attire.

The district will provide students with all safety equipment and attire that is required by law. Building administrators will assure that (a) such equipment is available in the appropriate classes and areas of the school buildings, (b) teachers are directed to instruct students in the use of such devices, and (c) students use the devices as required. Students are responsible for using the devices safely and as instructed.

3. Personal or Consumable Items.

The district does not provide students with personal or consumable items for participation in courses and activities including, but not limited to, pencils, paper, pens, erasers and notebooks. Students who wish to supply their own personal or consumable items may do so, as long as those items comply with the requirements of the district. The district will provide students with facilities, equipment, materials and supplies, including books. Students are responsible for the careful and appropriate use of such property. Students will be charged for damage to school property caused by the student and will be held responsible for the reasonable replacement cost of any school property that they lose.

4. Materials Required for Course Projects.

The district will provide students with the materials necessary to complete all basic curricular projects. In courses where students choose to produce a project that requires materials beyond the basic materials provided by the district, the students will furnish the materials, purchase the materials from the school, or purchase the materials from an outside vendor with an order form provided by the school.

5. Technological Devices

The district will provide students with the technological devices necessary to complete all basic curricular projects. To the extent that a student is not required by the district's curriculum to utilize a device off district property, the district may charge students a convenience fee to take the device off district property. The maximum dollar amount of this convenience fee charged by the district will be \$50.00.

As with all school property, students may be charged for damage to such devices. To protect against such potential losses, students and parents may, but are not required, to purchase insurance coverage for the devices.

6. Extracurricular Activities.

The district may charge students a fee to participate in extracurricular activities to cover the district's reasonable costs in offering such activities. The district may require students to furnish specialized equipment and clothing that is required for participation in extracurricular activities, or may charge a reasonable fee for the use of district-owned equipment or attire. Attached to this policy is a list of the fees charged for particular activities. The coach or sponsor will provide students with additional written guidelines detailing the fees charged, the equipment and/or clothing required, or the usage fee charged. The guidelines will explain the reasons that fees, equipment and/or clothing are required for the activity.

The following list details the maximum dollar amount of all extracurricular activities fees and the specifications for any equipment or attire required for participation in extracurricular activities:

Student activity card (covers admission to all extracurricular events)	\$30.00
Student participation fee (required of all students who participate in athletics and/or other extracurricular activities)	\$0
Future Business Leaders of America	\$100.00
National Honor Society	\$100.00
Cheerleading, Drill Team, Flag Corps Students must purchase uniforms and shoes selected by the sponsor and/or student group. The maximum dollar amount charged by the school district for these items will be:	\$350.00
Football Students must provide their own football shoes, undergarments, and	

mouthguards	\$0
Golf Students must provide their own golf shoes, undergarments, and clubs	\$0
Softball Students must provide their own shoes, gloves, and undergarments	\$0
Basketball, Track, Volleyball, and Wrestling Students must provide their own shoes and undergarments	\$0
Science Club	\$50.00
Art Club	\$50.00
Future Farmers of America Students must purchase their own jackets and pay dues	\$200.00
Industrial Technology Classes	\$200.00
Spanish Club	\$50.00

7. Post-Secondary Education Costs.

Some students enroll in postsecondary courses while still enrolled in the district’s high school. As a general rule, students must pay all costs associated with such post-secondary courses. However, for a course in which students receive high school credit or a course being taken as part of an approved accelerated or differentiated curriculum program, the district shall offer the course without charge for tuition, transportation, books, or other fees. Students who chose to apply for post-secondary education credit for these

courses must pay tuition and all other fees associated with obtaining credits from a post-secondary educational institution.

8. Transportation Costs.

The district will charge students reasonable fees for transportation services provided by the district to the extent permitted by federal and state statutes and regulations.

The maximum dollar amount of the transportation fee charged by this district shall be \$100.00.

9. Copies of Student Files or Records.

The district will charge a fee for making copies of a student's files or records for the parents or guardians of such student. The Superintendent or the Superintendent's designee shall establish a schedule of student record fees. Parents of students have the right to inspect and review the students' files or records without the payment of a fee, and the district shall not charge a fee to search for or retrieve any student's files or records.

The district will charge a fee of \$0.15 per page for reproduction of student records.

10. Participation in Before-and-After-School or Pre-Kindergarten Services.

The district will charge reasonable fees for participation in before-and-after school or pre-kindergarten services offered by the district pursuant to statute.

The maximum dollar amount charged by the district for these services shall be \$0.

11. Participation in Summer School or Night School.

The district will charge reasonable fees for participation in summer school or night school and may charge reasonable fees for correspondence courses.

The maximum dollar amount charged by the district for summer and night school shall be \$0.

12. Charges for Food Consumed by Students.

The district will charge for items that students purchase from the district’s breakfast and lunch programs. The fees charged for these items will be set according to applicable federal and state statutes and regulations. The district will charge students for the cost of food, beverages, and the like that students purchase from a school store, vending machine, booster club or from similar sources. Students may be required to bring money or food for field trip lunches and similar activities.

The maximum dollar amount charged by the district for the breakfast and lunch programs is as follows:

- Breakfast Program – Grades PK-12
 - Regular Price \$2.25
 - Reduced Price \$0.30

- Lunch Program – Grades PK-6
 - Regular Price \$3.15
 - Reduced Price \$0.40

- Lunch Program – Grades 7-12
 - Regular Price \$3.25
 - Reduced Price \$0.40

13. Charges for Musical Extracurricular Activities.

Students who qualify for fee waivers under this policy will be provided, at no charge, the use of a musical instrument in optional music courses that are not extracurricular activities. For musical extracurricular activities, the school district will require students to provide the following equipment and/or attire:

Band	<p>The school will provide students with an instrument, along with supplies to maintain and play the instrument. Instruments will be supplied on a first come, first serve basis based on available inventory.</p> <p>Band Uniforms: The school will provide band uniforms, shoes, and</p>
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	<p>hats free of charge to high school students.</p> <p>Stage Band: The school will provide a stage band t-shirt. Students must provide black shoes, black socks, and black pants.</p>
Swing Choir	<p>Students must purchase outfits and shoes selected by the sponsor and/or student group. The maximum dollar amount charged by the district for these materials will be \$200.00</p>

14. Contributions for Junior and Senior Class Extracurricular Activities.

Students are eligible to participate in a number of unique extracurricular activities during their last two years in high school, including prom, various senior recognitions, and graduation. In order to fund these extracurricular activities, the school district will ask each student to make a contribution to their class’s fund. This contribution is completely voluntary. Students who chose not to contribute to the class fund are still eligible to participate in the extra activities. The suggested donation to the class fund will be \$25.00.

C. Waiver Policy.

Students who qualify for free or reduced-price lunches under United States Department of Agriculture child nutrition programs shall be provided a fee waiver or be provided the necessary materials or equipment without charge for (1) participation in extracurricular activities, (2) materials for course projects, and (3) the use of a musical instrument in optional music courses that are not extracurricular activities. Actual participation in the free or reduced-price lunch program is not required to qualify for the waivers provided in this section. The district is not obligated to provide any particular type or quality of equipment or other material to eligible students. Students who wish to be considered for waiver of a particular fee must submit a completed fee waiver application to their building principal.

D. Distribution of Policy.

This policy will be published in the Student Handbook or its equivalent that will be provided to students at no cost.

E. Voluntary Contributions to Defray Costs.

The district will, when appropriate, request donations of money, materials, equipment or attire from parents, guardians and other members of the community to defray the costs of providing certain services and activities to students. These requests are not requirements and staff members of the district are directed to clearly communicate that fact to students, parents and patrons.

F. Fund-Raising Activities

Students may be permitted or required to engage in fund-raising activities to support various curricular and extracurricular activities in which they participate. Students who decline to participate in fund-raising activities are not eligible under this policy for waiver of the costs or fees which the fund-raising activity was meant to defray.

G. Student Fee Fund.

The school board hereby establishes a Student Fee Fund. The Student Fee Fund shall be a separate school district fund that will not be funded by tax revenue, and that will serve a depository for all monies collected from students for (1) participation in extracurricular activities, (2) post-secondary education costs, and (3) summer school or night school courses. Monies in the Student Fee Fund shall be expended only for the purposes for which they were collected from students.

Adopted on: 1-14-2019

Revised on: 6-14-2021

Reviewed on: _____

5018

Parent and Guardian Involvement In Education Practices

The school district recognizes the importance of parental and guardian involvement in the education of their children. The school district will take the following steps to ensure that the rights of parents and guardians to participate in the education of their children are preserved.

1. Parents/Guardians will be provided access, as described in district procedures, to district-approved textbooks and other curricular materials and tests used in the district upon request.
 - a. A parental request to review specific approved textbooks and other district- or building-approved curricular materials (written, visual, and audio) should be made to the principal of the building where the textbooks and curriculum materials are used.
 - b. Parents may check out textbooks and may review curricular materials such as video and audio recordings within a time frame determined by the building principal to prevent disruption of the instructional process.
 - c. A parental request to review specific standardized and criterion-referenced tests used in the district should be made in writing to the building principal. Copies of the most recent tests used in the district will be available for parent review. Parents wishing to review statewide assessments will be provided with sample questions and a copy of a practice test, but will not be provided with copies of the actual assessment due to testing security. In the case of other secure tests such as the ACT, parents must contact the publisher to obtain copies of the test.
2. Parents/Guardians will be permitted, within district procedures, to attend and observe courses, assemblies, counseling sessions, and other instructional activities.
 - a. Parents/guardians are invited to make appointments with the building principal to visit classes, assemblies and other instructional activities. The principal shall give permission after determining that parental/guardian observation would not disrupt the activity. Observations that last more than 60 minutes or occur on consecutive days are typically disruptive and will not be permitted absent unusual circumstances, in the sole discretion of the building principal.

- b. Parents/guardians may contact the building principal to request permission to attend counseling sessions in which their child is involved.
- 3. Parents/guardians will be permitted, within district procedures, to ask that their children be excused from school experiences that parents find objectionable.
 - a. Building principals may excuse a student from any single school experience at the parent's written request.
 - b. When appropriate, alternative experiences will be provided for the student by the school.
- 4. Parents/guardians will be informed through the student handbook and district policies of the manner that the district will provide access to records of students.
- 5. Parents/guardians will be informed of the standardized and criterion-referenced district testing program. Parents may request additional information from the building principal.
- 6. Parents/guardians will be informed of the circumstances under which they may opt-out of state and federal assessments.
 - a. In accordance with federal law, at the beginning of the school year, the District shall provide notice of the right to request a copy of this policy to parents/guardians of students attending schools receiving Title I funds. The District will provide a copy of this policy to a requesting parent in a timely manner.

- b. State Assessments

State and federal law simultaneously require students to take state assessments, with few exceptions, but also permit parents or guardians to request to opt their students out of these assessments. Approval of opt out requests is contrary to the mandatory testing laws, so the District cannot "approve" the request. Parents who do not present their child for testing will result in the child receiving the lowest score possible on the assessment.

c. National Assessment of Educational Progress

As a condition of receiving federal funds, the District participates in the National Assessment of Educational Progress (NAEP). To help ensure that the District has a representative sample of students taking the NAEP, which will allow the District to assess the quality and effectiveness of its programming on a national level, the District strongly encourages all eligible students to participate. However, student participation in NAEP is voluntary.

The District shall provide parents/guardians of eligible students with reasonable notice prior to the exam being administered. Parents/guardians wishing to opt their students out of the NAEP assessment must notify the district in writing at least three days prior to the exam date to ensure that the District can coordinate supervision and alternative activities for students who have opted out.

7. Parents/guardians will be notified of their right to remove their children from surveys prior to district participation in surveys.
 - a. The principal must approve all surveys intended to gather information from students before they are administered to students.
 - b. Students' participation in surveys is voluntary. Parents/guardians may restrict their child from participating in any survey.

Adopted on: 12-10-2018

Revised on: 10-12-2020

Reviewed on: 6-14-2021

5057

District Title I Parent and Family Engagement Policy

The school district will jointly develop with parents a School-Parent-Student Compact that outlines how the parents, school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards.

The written District Parent and Family Engagement Policy will be jointly developed and distributed to parents and family members of participating children and the local community in an understandable format and to the extent practicable, in a language the parents can understand. An annual evaluation of the content and effectiveness of the Parent and Family Engagement Policy will be used to design evidence-based strategies for more effective parental involvement, to revise the Parent and Family Engagement Policy and to remove barriers to participation.

The school district recognizes the unique needs of students who are being served in its Title I program, and the importance of parent and family engagement in the Title I program. Parent and family engagement in the Title I Program shall include, but is not limited to:

1. An annual meeting to which all parents of participating children will be invited to inform parents of their school's participation under this part, to explain the requirements of this part, and the right of the parents to be involved. Invitations may take the form of notes sent with students or announcements in the school newsletter. Additional meetings may be scheduled, based upon need and interest for such meetings.
2. An explanation of the details for the child's and parents' participation, including but not limited to: curriculum objectives, the forms of academic assessment used to measure student progress and the achievement levels of the challenging State academic standards, type and extent of participation, parental input in educational decisions, coordination and integration with other Federal, State, and district programs, and evaluations of progress.
3. Opportunities for participation in parent involvement activities such as training to help parents work with their children to

improve achievement. A goal of these parent activities is to provide parents with opportunities to participate in decisions relating to the education of their students, where appropriate.

4. The district will, to the extent practicable, provide parents of limited English proficiency, parents with disabilities, parents with limited literacy, are economically disadvantaged, are of a racial or minority background or parents of migratory children with opportunities for involvement in the Title I Program. Communication to parents about student progress and the district's other Title I Program communications will be provided in the language used in the home to the extent practicable. Responses to parent concerns will be provided in a timely manner.
5. Opportunities for parent-teacher conferences, in addition to those regularly scheduled by the school district, if requested by the parents or as deemed necessary by school district staff.
6. The district will coordinate and integrate parental involvement programs and activities with other programs in the community. These may include cooperation with other community programs such as Head Start and preschools and other community services such as the public library.
7. Educate teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents in the value and utility of contributions of parents, how to reach out to, communicate with and work with parents as equal partners.

This policy shall be reviewed annually at the annual meeting where concerned parties can have a conversation about possible changes to the Parent and Family Engagement Policy.

Adopted on: 1-14-2019

Revised on: _____

Reviewed on: 6-14-2021

2010
Preparation for Board Meetings

The superintendent will create the agenda and board packet in consultation with the board president. The materials will be sent or delivered to each board member in advance of the meeting. Members of the public have no entitlement to place an item on the board's agenda, but may address the board during the next meeting at which the board receives public comment. The agenda shall be placed on the district's website at least 24 hours before the school board meeting and shall remain available on the website for at least six months.

Adopted on: 7-9-2018
Revised on: 6-13-2022
Reviewed on: 2-10-2020

3003.1
Bidding for Construction, Remodeling, Repair, or Related Projects
Financed with Federal Funds

I. Applicability of the Policy

This policy applies only to construction and contracts undertaken with federal funds which are subject to the federal Uniform Grant Guidance (UGG) and other applicable federal law, including but not limited to the Education Department and General Administration Regulations (EDGAR) and the United States Department of Agriculture (USDA) regulations governing school food service programs. In the event this policy conflicts or is otherwise inconsistent with mandatory provisions of the UGG, EDGAR or other applicable federal law, the mandatory provisions of the laws shall control.

The District will also comply with the requirements of the public lettings laws (NEB. REV. STAT. §§ 73-101 through 73-106) when the contemplated expenditure for the complete project exceeds \$109,000, the Political Subdivisions Construction Alternatives Act (NEB. REV. STAT. §§ 13-2901 through 13-2914), energy financing contracts (NEB. REV. STAT. §§ 66-1062 through 66-1066), other applicable state laws, and the board's general policy on Bidding for Construction and Related Projects. In addition, all procurement and construction shall comply with the rules and requirements of 2 CFR part 200.317 through 200.326 and 34 CFR sections 75.601 through 75.615. In the event of a conflict between state and federal law, the more stringent requirement shall apply.

II. All projects undertaken pursuant to this policy will be subject to the following bond requirements

- A. A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- B. A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
- C. A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with

a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

III. Construction Projects with an Anticipated Cost of Under \$250,000

A. Methods of Bidding/Soliciting Quotations or Estimates

The type of procedures required depends on the anticipated cost of the project.

1. Construction with an Anticipated Cost of up to \$10,000 (Micro-Purchases)

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the annual aggregate amount of which does not exceed \$10,000. Micro-purchases may be made or awarded without soliciting competitive quotations, to the extent district staff determine that the cost of the purchase is reasonable. For purposes of this policy "reasonable" means the purchase is comparable to market prices for the geographic area.

To the extent practicable, the District distributes micro-purchases equitably among qualified suppliers. The District will follow its standard policy on purchasing.

2. Construction with an Anticipated Cost of between \$10,000 and \$250,000 (Small Purchase Procedures)

For construction projects subject to this policy, small purchases are purchases that, in the aggregate amount, is more than \$10,000 and less than \$250,000 annually. For small purchases, price or rate quotes shall be obtained in advance from a reasonable number of qualified sources as detailed in the district's standard policies on purchasing and on bid letting and contracts.

B. Construction Projects with an estimated cost of between \$109,000 and \$249,999 will be made pursuant to the District's Policy on Bid Letting and Contracts.

Pursuant to Nebraska law, construction projects which have an anticipated aggregate cost of \$109,000 or more are subject to state public lettings laws (NEB. REV. STAT. §§ 73-101 through 73-106). The board will follow its standard policy on bid letting and contracts for construction projects financed with federal funds which have an anticipated aggregate cost of between \$109,000 and \$250,000.

IV. Construction Projects with an Anticipated Cost Over \$250,000

A. Sealed Bids: All constructions projects subject to this policy with an anticipated cost of \$250,000 or more will be publicly solicited using the sealed bid method

1. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local, and tribal governments, the invitation for bids must be publicly advertised;
2. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
3. Sealed bids will be publicly opened in a place and at the specific time stated in the bid solicitation. Bidders shall be notified of the opening and invited to be present.
4. The contract will be awarded to the lowest responsive and responsible bidder.
 - a) Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest.
 - b) Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.
 - c) Any or all bids may be rejected if there is a sound documented reason.
5. The board shall have discretion in determining which bidders are responsible and responsive and shall award the contract to the lowest, responsible, and responsive bidder whose bid meets the bid specifications. This means that the board will select the bid that offers the best value and award a contract based upon the amount of the bid and the bidder's ability and capacity to carry on

the work, its equipment and facilities, honesty, integrity, skills, business judgment, experience, equipment, facilities, financial stability, past performance, and other relevant factors.

6. The board will generally complete its review of bids and select a vendor within 30 days of bid submission.

B. Advertising for Bids.

1. The superintendent or designee will arrange to advertise for bids by publishing notice in any newspaper of general circulation within the school district at least 7 calendar days prior to the date on which bids are due.

2. Nothing shall prevent the superintendent or designee from advertising in additional media outlets or for a longer period of time.

C. Bid Documents

1. The bid documents shall identify the day upon which the bids shall be returned, received, or opened and shall identify the hour at which the bids will close or be received or opened.

2. The bid documents shall also provide that such bids shall be opened simultaneously in the presence of the bidders or their representatives.

3. Bids received after the date and time specified in the bid documents shall be returned to the bidder unopened.

4. If bids are being opened on more than one contract, the board, in its discretion, may award each contract as the bids are opened.

5. Sealed bids will be opened in a place and at the specific time stated in the bid solicitation. Bidders shall be notified of the opening and invited to be present.

6. Bids will be reviewed by the Superintendent and/or designee and submitted to the board for approval.

7. The board shall have discretion in determining which bidders are responsible and responsive and shall award the contract to the lowest, responsible, and responsive bidder whose bid meets the

bid specifications. This means that the board will select the bid that offers the best value and award a contract based upon the amount of the bid and the bidder's ability and capacity to carry on the work, its equipment and facilities, honesty, integrity, skills, business judgment, experience, equipment, facilities, financial stability, past performance, and other relevant factors.

8. The board will generally complete its review of bids and select a vendor within 30 days of bid submission.

D. The terms of any construction project undertaken pursuant to this policy will be memorialized in a written contract which has been reviewed by the district's legal counsel and approved by the board.

V. Other Contract Matters.

A. Required Terms

The non-Federal entity's contracts must contain the applicable provisions required by section 200.326 and described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

B. Contracting with Certain Vendors

Pursuant to the standards contained in 2 C.F.R. § 200.321, the District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible and consistent with state law.

To the maximum extent practicable, the school food program shall purchase domestic commodities or products produced in the U.S. or processed in the U.S. substantially using agricultural commodities produced in the U.S.

C. Full and Open Competition

The district's procurement transactions will be conducted in a manner providing full and open competition consistent with 2 C.F.R §200.319.

D. Debarment and Suspension

The District awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and

financial and technical resources.

The District may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000 the District verifies that the vendor with whom the District intends to do business with is not excluded or disqualified. 2 C.F.R. Part 200, Appendix II(1) and 2 C.F.R. §§ 180.220 and 180.300.

The District will verify debarment or suspension by revising the excluded parties list on SAM.gov, collecting a certification through the bidding process, and/or by including a debarment and suspension provision in the bid and contract documents. The Superintendent or his/her designee shall be responsible for such verification.

E. Settlements of Issues Arising Out of Contract

The District alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the District of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

F. Record Keeping

1. Record Retention

- a) The District maintains all records that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and §§ 75.730-.731. The District also maintains records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.
- b) The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c).

Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding construction projects for a minimum of five (5) years after the sale or demolition of the building. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.

- c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.
2. Maintenance of Construction Records for Projects Financed with Federal Funds
- a) The District must maintain records sufficient to detail the history of all construction projects financed with federal funds. These records will include, but are not necessarily limited to the following: rationale for the method of construction, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.
 - b) Retention of construction records shall be in accordance with applicable law and Board policy.

VI. Conflict of Interest and Code of Conduct

- A. Board and staff member conflicts of interest are governed by the district's conflict of interest policies.
- B. Contracts covered by this policy are subject to the following additional provisions.
 - 1. Employees, officers, and agents engaged in the selection, award, and/or administration of district contracts which are prohibited

from engaging in such actions if a real or apparent conflict of interest is present.

2. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
3. The board may determine at its discretion that a financial interest is not substantial enough to give rise to a conflict of interest.

C. Favors and Gifts

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, with the limited exception of unsolicited items of nominal value.

D. Enforcement

Disciplinary Actions will be applied for violations of such standards by officers, employees, or agents of the District at the board's discretion.

VII. Financial Management

A. Identification.

The District will identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification include, as applicable, the CFDA title and number, federal award identification number and year, name of the federal agency, and, if applicable, name of the pass-through entity.

B. Financial Reporting

The District will make an accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the financial reporting requirements set forth in the Education Department General Administrative Regulations (EDGAR).

C. Accounting Records

The District maintains records which adequately identify the source and application of funds provided for federally-assisted activities. These records must contain information pertaining to grant or subgrant awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

D. Internal Controls

The Superintendent or his/her designee must maintain effective control and accountability for all funds, real and personal property, and other assets through board review and approval of claims, an annual audit of the district's finances pursuant to the applicable Nebraska Department of Education and federal rules and regulations, and comparison of expenditures and outlays to budgeted amounts. The District adequately safeguards all such property and assures that it is used solely for authorized purposes.

E. Budget Control

Actual expenditures or outlays will be compared with budgeted amounts for each federal award at least annually and more often as required by law or deemed prudent by the board or administrative staff.

F. Payment Methods

The District will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the District, in accordance with the Cash Management Improvement Act at 31 CFR Part 205. Generally, the District receives payment from the Nebraska Department of Education on a reimbursement basis. 2 CFR § 200.305. However, if the District receives an advance in federal grant funds, the District will remit interest earned on the advanced payment quarterly to the federal agency. The District may retain interest amounts up to \$500 per year for administrative expenses. 2 CFR § 200.305(b)(9).

Consistent with state and federal requirements, the District will maintain source documentation supporting the federal expenditures (invoices, time sheets, payroll stubs, etc.) and will make such documentation available for the Nebraska Department of Education to review upon request.

G. Allowability of Costs

Expenditures must be aligned with approved budgeted items. Any changes or

variations from the state-approved budget and grant application need prior approval.

When determining how the District will spend its grant funds, the Superintendent or his/her designee will review the proposed cost to determine whether it is an allowable use of federal grant funds before obligating and spending those funds on the proposed good or service. All costs supported by federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part. The Superintendent or his/her designee must consider these factors when making an allowability determination.

The Superintendent or his/her designee will consider Part 200's cost guidelines when federal grant funds are expended. The Superintendent or his/her designee will also consider whether all state - and District-level requirements and policies regarding expenditures have been followed.

H. Use of Program Income – Deduction, Addition, or Cost Sharing or Matching

The default method for the use of program income for the District is the deduction method. 2 C.F.R. § 200.307(e). Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the District is otherwise directed by the federal awarding agency or pass-through entity. 2 C.F.R. § 200.307(e)(1). The District may also request prior approval from the federal awarding agency to use the addition method. Under the addition method, program income may be added to the Federal award by the Federal agency and the non-Federal entity. The program income must then be used for the purposes and under the conditions of the Federal award. 2 C.F.R. § 200.307(e)(2). The District may also request prior approval from the federal awarding agency to use the cost sharing or matching method.

While the deduction method is the default method, the District always refers to the grant award notice prior to determining the appropriate use of program income.

I. Cost Sharing or Matching

For all Federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the non-Federal entity's cost sharing or matching when such contributions meet all of the following criteria:

- (1) Are verifiable from the non-Federal entity's records;
- (2) Are not included as contributions for any other Federal award;
- (3) Are necessary and reasonable for accomplishment of project or program objectives;
- (4) Are allowable under [subpart E \(Cost Principles\) of this part](#);
- (5) Are not paid by the Federal Government under another Federal award, except where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs;
- (6) Are provided for in the approved budget when required by the Federal awarding agency; and
- (7) Conform to other provisions of this part, as applicable.

J. Documentation of Personnel Expenses

Records that reflect charges to federal awards for salaries and wages will comply with the rules and requirements of 2 CFR 200.430.

VIII. Other Contract Matters.

A. Required Terms

The non-Federal entity's contracts must contain the applicable provisions required by section 200.326 and described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

B. Contracting with Certain Vendors

Pursuant to the standards contained in 2 C.F.R. § 200.321, the District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible consistent with state law.

To the maximum extent practicable, the school food program shall purchase domestic commodities or products produced in US or processed in US substantially using agricultural commodities produced in US.

C. Record Keeping

1. Record Retention

- a) The District maintains all records that fully show (1)

the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and §§ 75.730-.731. The District also maintains records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.

b) The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding federal awards for a minimum of six (6) years. Consequently, the District shall retain records for a minimum of six (6) years from the date on which the final Financial Status Report is submitted, unless otherwise notified in writing to extend the retention period by the awarding agency, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.

c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.

2. Maintenance of Procurement Records

a) The District must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract

price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

b) Retention of procurement records shall be in accordance with applicable law and Board policy.

D. Privacy

The District has protections in place to ensure that the personal information of both students and employees is protected. These include the use of passwords that are changed on a regular basis; staff training on the requirements of the Family Educational Rights and Privacy Act (FERPA) and State confidentiality requirements; and training on identifying whether an individual requesting access to records has the right to the documentation.

Adopted on: 8-13-2018

Revised on: 6-13-2022

Reviewed on: _____

3004.1
Fiscal Management for Purchasing and Procurement Using Federal Funds

I. Applicability of Policy

This policy applies only to non-construction related purchases undertaken with federal funds which are subject to the federal Uniform Grant Guidance (UGG) and other applicable federal law, including but not limited to the Education Department and General Administration Regulations (EDGAR) and the United States Department of Agriculture (USDA) regulations governing school food service programs. In the event this policy conflicts or is otherwise inconsistent with mandatory provisions of the UGG, EDGAR or other applicable federal law, the mandatory provisions of the laws shall control.

All other non-construction purchases will be governed by the Board's general purchasing policy, which can be found earlier in this subsection. In the event of a conflict between state and federal law, the more stringent requirement shall apply.

This procurement policy shall govern all purchasing activities that relate to any aspect of the National School Lunch and Breakfast Programs. The district's goal is to fully implement all required procurement rules, regulations and policies set forth in 2 CFR 200, 7 CFR parts 210, 3016 and 3019, and by the Nebraska Department of Education.

II. Procurement System

The District maintains the following purchasing procedures.

A. Responsibility for Purchasing

The authority to make purchases shall be governed by the District's purchasing policy, which can be found elsewhere in this section. Except as otherwise provided in the District's purchasing policy, the acquisition of services, equipment, and supplies shall be centralized in the administration office under the supervision of the superintendent of schools, who shall be responsible for developing and administering the purchasing program of the school district. Purchases or commitments of district funds that are not authorized by this policy will be the responsibility of the person making the commitment.

B. Methods of Purchasing

The type of purchase procedures required depends on the cost of the item(s) being purchased.

1. Purchases up to \$10,000 (Micro-Purchases)

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the annual aggregate amount of which does not exceed \$10,000. Micro-purchases may be made or awarded without soliciting competitive quotations, to the extent district staff determine that the cost of the purchase is reasonable. For purposes of this policy "reasonable" means the purchase is comparable to market prices for the geographic area.

To the extent practicable, the District distributes micro-purchases equitably among qualified suppliers. The District will follow its standard policy on purchasing, which can be found earlier in this subsection.

2. Purchases between \$10,000 and \$250,000 (Small Purchase Procedures)

Small purchases are purchases that, in the aggregate amount, is more than \$10,000 and less than \$250,000 annually. For small purchases, price or rate quotes shall be obtained in advance from a reasonable number of qualified sources as detailed in the district's standard policies on purchasing and on bid letting and contracts, which can be found earlier in this subsection.

3. Purchases Over \$250,000

a) Sealed Bids (Formal Advertising)

For purchases over \$250,000, the district will generally follow the bidding process outlined in the board's policy on Bidding for Construction, Remodeling, Repair or Site Improvement.

b) Contract/Price Analysis

The District performs a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. The district will make an independent estimate of costs prior to receiving bids or proposals.

4. Noncompetitive Proposals (Sole Sourcing)

- a) Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
 - 1) The item is available only from a single source;
 - 2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - 3) The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; or
 - 4) After solicitation of a number of sources, competition is determined inadequate.
- b) Noncompetitive proposals may only be solicited with the approval of the superintendent or the board. Sufficient and appropriate documentation that justifies the sole sourcing decision must be maintained by the superintendent or designee.
- c) A cost or price analysis will be performed for noncompetitive proposals when the price exceeds \$250,000.

5. Competitive Proposals.

- a) The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- 1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - 2) Proposals must be solicited from an adequate number of qualified sources; and
 - 3) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
- b) The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.
- c) The District may select a proposal that offers the best value and that is based upon the proposer's responsiveness to the proposal, experience, reputation, staff qualifications, ability and capacity to carry on the work, price, honesty, integrity, skills, business judgment, financial stability, past performance, and other relevant factors. The evaluation may be conducted by the school board, a designated committee, or another designee of the school board.

C. Use of Purchase (Debit & Credit) Cards

District use of purchase cards is subject to the policy on purchase cards which can be found elsewhere in this subsection.

D. Federal Procurement System Standards

The district's procurement transactions will be conducted in a manner providing full and open competition consistent with 2 C.F.R §200.319.

The District will maintain and follow general procurement standards consistent with 2 C.F.R. §200.318.

E. Debarment and Suspension

The District awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

The District may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000 the District verifies that the vendor with whom the District intends to do business with is not excluded or disqualified. 2 C.F.R. Part 200, Appendix II(1) and 2 C.F.R. §§ 180.220 and 180.300.

The District will verify debarment or suspension by revising the excluded parties list on SAM.gov, collecting a certification through the bidding process, and/or by including a debarment and suspension provision in the bid and contract documents. The Superintendent or his/her designee shall be responsible for such verification.

F. Settlements of Issues Arising Out of Procurements

The District alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the District of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

III. Conflict of Interest and Code of Conduct

A. Board and staff member conflicts of interest are governed by the district's conflict of interest policies.

B. Purchases covered by this policy are subject to the following additional provisions.

1. Employees, officers, and agents engaged in the selection, award, and/or administration of district contracts which are prohibited from engaging in such actions if a real or apparent conflict of interest is present.
2. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
3. The board may determine at its discretion that a financial interest is not substantial enough to give rise to a conflict of interest.

C. Favors and Gifts

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, except that this provision does not prohibit the receipt of unsolicited items of nominal value. For purposes of this policy, "nominal value" means a fair market value of \$25 or less.

D. Enforcement

Disciplinary Actions including, but not limited to, counseling, oral reprimand, written reprimand, suspensions without pay, or termination of employment, will be applied for violations of such standards by officers, employees, or agents of the District.

IV. Property Management Systems

A. Property Classifications

1. Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the District for financial statement purposes, or \$5,000.

2. Supplies means all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the District for financial statement purposes or \$5,000, regardless of the length of its useful life. 2 C.F.R. §200.94.
3. Computing Devices means machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or “peripherals”) for printing, transmitting and receiving, or storing electronic information. 2 C.F.R. §200.20.
4. Capital Assets means tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with GAAP. Capital assets include:
 - a) Land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, lease-purchase, exchange, or through capital leases; and
 - b) Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance). 2 C.F.R. §200.12.

B. Inventory Procedure

Newly purchased property shall be received and inspected by the staff member who ordered it to ensure that that it matches the purchase order, invoice, or contract and that it is in acceptable condition.

Equipment, Computing Devices, and Capital Assets must be tagged with an identification number, manufacturer, model, name of individual who tagged the item, and date tagged).

C. Inventory Records

For equipment, computing devices, and capital assets purchased with federal funds, the following information is maintained in the property management system:

1. Serial number;
2. District identification number;
3. Manufacturer;
4. Model;
5. Date tagged and individual who tagged it;
6. Source of funding for the property;
7. Who holds title;
8. Acquisition date and cost of the property;
9. Percentage of federal participation in the project costs for the federal award under which the property was acquired;
10. Location, use and condition of the property; and
11. Any ultimate disposition data including the date of disposal and sale price of the property.

The inventory list shall be adjusted by the superintendent of schools or his/her designee for property that is sold, lost, stolen, cannot be repaired, or that cannot be located.

D. Physical Inventory

1. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
2. The Superintendent or his/her designee will ensure that the physical inventory is performed. The physical inventory will generally occur during the months of June or July, but may be conducted during other time periods with the approval of the superintendent.

E. Maintenance

In accordance with 2 C.F.R. 313(d)(4), the District maintains adequate maintenance procedures to ensure that property is kept in good condition.

F. Lost or Stolen Items

The District maintains a control system that ensures adequate safeguards are in place to prevent loss, damage, or theft of the property.

G. Use of Equipment

Equipment must be used in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be

supported by the federal award, and the District will not encumber the property for any non-federal program use without prior approval of the federal awarding agency and the pass-through entity.

H. Disposal of Equipment

When it is determined that original or replacement equipment acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the Superintendent or his/her designee will contact the awarding agency (or pass-through for a state-administered grant) for disposition instructions.

If the item has a current FMV of \$5,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency.

I. Equipment and Capital Expenditures

All equipment and capital expenditures shall comply with the rules and requirements of 2 CFR 200.439.

J. Depreciation

All depreciation shall comply with the rules and requirements of 2 CFR 200.436.

V. Financial Management

A. Identification

The District will identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification include, as applicable, the CFDA title and number, federal award identification number and year, name of the federal agency, and, if applicable, name of the pass-through entity.

B. Financial Reporting

The District will make an accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the financial reporting requirements set forth in the Education Department General Administrative Regulations (EDGAR).

C. Accounting Records

The District maintains records which adequately identify the source and application of funds provided for federally-assisted activities. These records must contain information pertaining to grant or subgrant awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

D. Internal Controls

The Superintendent or his/her designee must maintain effective control and accountability for all funds, real and personal property, and other assets through board review and approval of claims, an annual audit of the district's finances pursuant to the applicable Nebraska Department of Education and federal rules and regulations, and comparison of expenditures and outlays to budgeted amounts. The District adequately safeguards all such property and assures that it is used solely for authorized purposes.

E. Budget Control

Actual expenditures or outlays will be compared with budgeted amounts for each federal award at least annually and more often as required by law or deemed prudent by the board or administrative staff.

F. Payment Methods

The District will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the District, in accordance with the Cash Management Improvement Act at 31 CFR Part 205. Generally, the District receives payment from the Nebraska Department of Education on a reimbursement basis. 2 CFR § 200.305. However, if the District receives an advance in federal grant funds, the District will remit interest earned on the advanced payment quarterly to the federal agency. The District may retain interest amounts up to \$500 per year for administrative expenses. 2 CFR § 200.305(b)(9).

Consistent with state and federal requirements, the District will maintain source documentation supporting the federal expenditures (invoices, time sheets, payroll stubs, etc.) and will make such documentation available for the Nebraska Department of Education to review upon request.

G. Allowability of Costs

Expenditures must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval.

When determining how the District will spend its grant funds, the Superintendent or his/her designee will review the proposed cost to determine whether it is an allowable use of federal grant funds before obligating and spending those funds on the proposed good or service. All costs supported by federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part. The Superintendent or his/her designee must consider these factors when making an allowability determination.

The Superintendent or his/her designee will consider Part 200's cost guidelines when federal grant funds are expended. The Superintendent or his/her designee will also consider whether all state - and District-level requirements and policies regarding expenditures have been followed.

H. Use of Program Income – Deduction, Addition, or Cost Sharing or Matching

The default method for the use of program income for the District is the deduction method. 2 C.F.R. § 200.307(e). Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the District is otherwise directed by the federal awarding agency or pass-through entity. 2 C.F.R. § 200.307(e)(1). The District may also request prior approval from the federal awarding agency to use the addition method. Under the addition method, program income may be added to the Federal award by the Federal agency and the non-Federal entity. The program income must then be used for the purposes and under the conditions of the Federal award. 2 C.F.R. § 200.307(e)(2). The District may also request prior approval from the federal awarding agency to use the cost sharing or matching method.

While the deduction method is the default method, the District always refers to the grant award notice prior to determining the appropriate use of program income.

I. Cost Sharing or Matching

For all Federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be

accepted as part of the non-Federal entity's cost sharing or matching when such contributions meet all of the following criteria:

- (1) Are verifiable from the non-Federal entity's records;
- (2) Are not included as contributions for any other Federal award;
- (3) Are necessary and reasonable for accomplishment of project or program objectives;
- (4) Are allowable under [subpart E \(Cost Principles\) of this part](#);
- (5) Are not paid by the Federal Government under another Federal award, except where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs;
- (6) Are provided for in the approved budget when required by the Federal awarding agency; and
- (7) Conform to other provisions of this part, as applicable.

J. Documentation of Personnel Expenses

Records that reflect charges to federal awards for salaries and wages will comply with the rules and requirements of 2 CFR 200.430.

VI. Written Compensation Policies

A. Time and Effort Standards

All employees who are paid in full or in part with federal funds must keep specific documents to demonstrate the amount of time they spent on grant activities. This includes an employee whose salary is paid with state or local funds but is used to meet a required "match" in a federal program. These documents, known as time and effort records, are maintained in order to charge the costs of personnel compensation to federal grants. Charges to federal awards for salaries and wages must be based on records that accurately reflect the work performed. These records must:

- (1) Be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- (2) Be incorporated into official records;
- (3) Reasonably reflect total activity for which the employee is compensated, not exceeding 100% of compensated activities;
- (4) Encompass both federally assisted and all other activities compensated by the District on an integrated basis;

- (5) Comply with the established accounting policies and practices of the District and
- (6) Support the distribution of the employee's salary or wages among specific activities or costs objectives.

B. Time and Effort Procedures

Time and effort procedures will follow and comply with 2 CFR 200.430(i).

C. Fringe Benefits

Except as provided otherwise by federal law, the costs of fringe benefits will be allowable provided that the benefits are reasonable and required by law, a district-employee agreement, or another policy of the District.

D. Leave

The cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if they are provided under established written District leave policies.

E. Unexpected or Extraordinary Circumstances

In the event of a pandemic or other unexpected or extraordinary circumstance, the District may close school or individual buildings. In such case, the District may compensate federally funded or other employees during such closure to ensure the return of staff to employment after the closure as allowed by state or federal law.

F. Documentation for Personnel Expenses

Records that reflect charges to federal awards for salaries and wages will comply with the rules and requirements of 2 CFR 200.430.

VII. Other Contract Matters.

A. Required Terms

The non-Federal entity's contracts must contain the applicable provisions required by section 200.326 and described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

B. Contracting with Certain Vendors

Pursuant to the standards contained in 2 C.F.R. § 200.321, the District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible consistent with state law.

To the maximum extent practicable, the school food program shall purchase domestic commodities or products produced in US or processed in US substantially using agricultural commodities produced in US.

C. Record Keeping

1. Record Retention

- a) The District maintains all records that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and §§ 75.730-.731. The District also maintains records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.

- b) The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding federal awards for a minimum of six (6) years. Consequently, the District shall retain records for a minimum of six (6) years from the date on which the final Financial Status Report is submitted, unless otherwise notified in writing to extend the retention period by the awarding agency, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs. However, if any litigation, claim, or audit is started before

the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.

- c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.

2. Maintenance of Procurement Records

- a) The District must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.
- b) Retention of procurement records shall be in accordance with applicable law and Board policy.

D. Privacy

The District has protections in place to ensure that the personal information of both students and employees is protected. These include the use of passwords that are changed on a regular basis; staff training on the requirements of the Family Educational Rights and Privacy Act (FERPA) and State confidentiality requirements; and training on identifying whether an individual requesting access to records has the right to the documentation.

Adopted on: 8-13-2018

Revised on: 6-13-2022

Reviewed on: _____

3012 School Meal Program and Meal Charges

Meal Program. The school district will make a school meal program available to students. The cost of the program will be determined by the board of education so as to make the program as nearly self-supporting as possible. With board approval, the district may contract with a private company or corporation for the management and/or provision of the program.

The district will notify the families with children attending school of the current guidelines for free or reduced-price school meals. A copy of the complete regulations and procedures regarding reduced-price and free meals shall be available in the office of the superintendent. Families may apply for free or reduced-price school meals at any time during the school year.

Payment Options. Families may pay for school lunches using cash, check, credit card, or ACH payment. Electronic or e-fund payments are also available through a link on the school district's website.

Meal Charge Policy. The district will notify students and their families of the policy for charged meals, meaning meals received by a student when the student does not have money in hand or in his or her food account. This policy applies to students who receive meals at the free, reduced, or full rates.

Notice of this policy must be provided in writing to all households at the start of each school year and to households that transfer to the school during the school year. Notice may be provided through the student handbook, student registration materials, online portal used to access student accounts, direct mailing or e-mail, newsletter, the district website, and/or any other appropriate means. Notice of this policy will also be provided all school staff responsible for the enforcement of it, including food service professionals responsible for collecting payment for meals at the point of service, staff involved in notifying families of low or negative balances, and other staff involved in enforcing any aspect of this policy.

The district's policy on charged meals is: If a student has no funds available to pay for a meal, the student will be permitted to charge up to four meals (Two Days). Thereafter, if a student has no funds available to pay for a meal, no food will be provided.

Collection of Delinquent Meal Charge Debt

The school district is required to make reasonable efforts to collect unpaid meal charges. The building principal or his or her designee will contact

households about unpaid meal charges and notify them again of the availability of the free and reduced meal program and/or establish payment plans and due dates by telephone, e-mail, or other written or oral communication. If these collection efforts are unsuccessful, the school district may pursue any other methods to collect delinquent debt as allowed by law. Collection efforts may continue into a new school year.

In the event that the Nebraska Department of Education develops a state-level meal charge policy, it shall supersede that portion of this policy.

Adopted on: 8-13-2018

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Reviewed on: _____

3057 Title IX Policy

It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.

1. Title IX Coordinator

1.1. **Designation.** The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the "**Title IX Coordinator.**" The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

2. **Definitions.** As used in this policy, the following terms are defined as follows:

2.1. **Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.

2.2. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

2.3. **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

2.4. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

2.5. **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

2.6. **Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

- 2.6.1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
- 2.6.2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it

effectively denies a person equal access to the district's education program or activity;

2.6.3. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:

2.6.3.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

2.6.3.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

2.6.3.1.2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.4. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

- 2.6.3.2. **Sex Offenses, Non-forcible**—(Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.
 - 2.6.3.2.1. **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
 - 2.6.3.2.2. **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent
- 2.6.4. **Dating violence**, as defined in 34 U.S.C. § 12291(a), which means violence committed by a person—
 - 2.6.4.1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - 2.6.4.2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - 2.6.4.2.1. The length of the relationship.
 - 2.6.4.2.2. The type of relationship.
 - 2.6.4.2.3. The frequency of interaction between the persons involved in the relationship.
- 2.6.5. **Domestic violence**, as defined in 34 U.S.C. § 12291(a), which includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who—
 - 2.6.5.1. is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;

2.6.5.2. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

2.6.5.3. shares a child in common with the victim; or

2.6.5.4. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

2.6.6. **Stalking**, as defined in 34 U.S.C. § 12291(a), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

2.6.6.1. fear for his or her safety or the safety of others; or

2.6.6.2. suffer substantial emotional distress.

2.7. **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

3. Discrimination Not Involving Sexual Harassment.

3.1. **General Prohibition.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be

subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.

3.2. Specific Prohibitions. Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:

- 3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- 3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- 3.2.3. Deny any person any such aid, benefit, or service;
- 3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;
- 3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
- 3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

3.3. Complaint Procedure. All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law—when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.6 above—shall be addressed pursuant to the district’s general complaint procedure, Board Policy 2006.

4. Response to Sexual Harassment

4.1. Reporting Sexual Harassment. Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the

District's Title IX Coordinator. No person will be retaliated against based on any report of suspected sexual harassment or retaliation. Any District employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

4.2. General Response to Sexual Harassment. When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy "education program or activity" includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs. The district's response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.7 above to a complainant, and by following the grievance process described in section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

4.3. Emergency Removal. Nothing in this policy precludes the district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

4.4. Administrative Leave. Nothing in this policy precludes the district from placing a non-student employee respondent on

administrative leave during the pendency of a grievance process that complies with section 5 below. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

4.5. General Response Not Conditioned on Formal Complaint.

With or without a formal complaint, the district will comply with the obligations and procedures described in this section 4.

5. Grievance Process for Formal Complaints of Sexual Harassment.

5.1. General Requirements.

5.1.1. **Equitable Treatment.** The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

5.1.2. **Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

5.1.3. **Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

5.1.4. **Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive

training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

5.1.4.1. **All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.

5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:

5.1.4.2.1. The definition of sexual harassment in subsection 2.6;

5.1.4.2.2. The scope of the district's education program or activity;

5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and

5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection **Error! Reference source not found..**

5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.

- 5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- 5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- 5.1.7. **Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.
- 5.1.8. **Range of Supportive Measures.** The range of supportive measures available to complainants and respondents include those listed in subsection 2.7.
- 5.1.9. **Respect for Privileged Information.** The district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

5.2. **Notice of Allegations.**

- 5.2.1. **Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:

5.2.1.1. A copy of this policy.

5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

5.2.2. **Supplemental Notice.** If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Initial Notice described above, the district will provide notice of the additional allegations to the parties whose identities are known.

5.3. **Dismissal of Formal Complaint.**

5.3.1. The district will investigate the allegations in a formal complaint.

5.3.2. **Mandatory Dismissals.** The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint:

5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.6 even if proved;

5.3.2.2. Did not occur in the district's education program or activity; or

5.3.2.3. Did not occur against a person in the United States.

5.3.3. **Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

5.3.3.2. The respondent is no longer enrolled in or employed by the district; or

5.3.3.3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

5.3.4. Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

5.3.5. Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

5.4. **Consolidation of Formal Complaints.** The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

5.5. **Investigation of Formal Complaint.** When investigating a formal complaint and throughout the grievance process, the district will:

- 5.5.1. Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint;
- 5.5.2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);
- 5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- 5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- 5.5.5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- 5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative

interviews, or other meetings, with sufficient time for the party to prepare to participate;

- 5.5.7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and
- 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

5.6. **Determination Regarding Responsibility**

- 5.6.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).
- 5.6.2. **Exchange of Written Questions.** After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone

other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

5.6.3. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the preponderance of the evidence standard. The written determination will include:

5.6.3.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;

5.6.3.2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

5.6.3.3. Findings of fact supporting the determination;

5.6.3.4. Conclusions regarding the application of the district's code of conduct to the facts;

5.6.3.5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and

5.6.3.6. The district's procedures and permissible bases for the complainant and respondent to appeal.

5.6.4. The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the

district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

5.6.5. The Title IX Coordinator is responsible for effective implementation of any remedies.

5.7. **Appeals.** The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

5.7.1. **Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.7.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.

5.7.2. **Grounds for Appeal.** Appeals from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, are limited to the following grounds:

5.7.2.1. Procedural irregularity that affected the outcome of the matter;

5.7.2.2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

5.7.2.3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the

individual complainant or respondent that affected the outcome of the matter.

5.7.3. As to all appeals, the district will:

5.7.3.1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

5.7.3.2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;

5.7.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.

5.7.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

5.7.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and

5.7.3.6. Provide the written decision simultaneously to both parties.

5.8. Informal Resolution. The district will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

5.8.1. Provides to the parties a written notice disclosing:

5.8.1.1. The allegations;

- 5.8.1.2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
- 5.8.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
- 5.8.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- 5.8.2. Obtains the parties' voluntary, written consent to the informal resolution process; and
- 5.8.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

5.9. **Recordkeeping.**

- 5.9.1. The district will maintain for a period of seven years records of:
 - 5.9.1.1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
 - 5.9.1.2. Any appeal and the result therefrom;
 - 5.9.1.3. Any informal resolution and the result therefrom; and
 - 5.9.1.4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials publicly available on its website, or if the district does not

maintain a website then the district will make these materials available upon request for inspection by members of the public.

- 5.9.2. For each response required under section 4, the district will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

6. **Superintendent Authorized to Contract.** The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

7. **Access to Classes and Schools.**

7.1. **General Standard.** Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

7.1.1. **Contact sports in physical education classes.** This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.

7.1.2. **Ability grouping in physical education classes.** This section does not prohibit grouping of students in physical

education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

7.1.3. **Human sexuality classes.** Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.

7.1.4. **Choruses.** The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.

7.2. **Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.

8. **Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.

8.1. **Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

8.2. **Equal opportunity.** The district will provide equal athletic opportunity for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.

9. **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

10. **Retaliation Prohibited.** Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R.

part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

10.1. Specific Circumstances.

- 10.1.1. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.
- 10.1.2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

11. Notification of Policy. The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

12. Publication of Policy. The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, the name or title,

office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

13. **Application Outside the United States.** The requirements of this policy apply only to sex discrimination occurring against a person in the United States.

14. **Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in compliance with Title IX and 34 C.F.R. part 106, then all of the district's obligations under this policy shall be deemed to be fulfilled and discharged.

Adopted on: 8-10-2020

Revised on: 6-13-2022

Reviewed on: _____

4056
Resignation of Certificated Staff

Certificated staff members who know they will not be returning to employment at the school district for the following school year are encouraged to submit their resignations as early as possible, to enable the board to find suitable replacements. Unless otherwise required by law or contract, the following resignation requirements apply.

Staff members who submit their resignations to the board of education by the earlier of (a) April 15th or (b) the date designated in a written request of the school board or the administrators to accept employment for the next school year pursuant to section 79-829 (provided that such acceptance date may not be earlier than March 15th of each year) will be released from the next school year's contract. Staff members who refuse to fulfill their contractual obligations will be reported to the Professional Practices Committee of the Nebraska Department of Education.

Adopted on: 11-12-2018

Revised on: 6-13-2022

Reviewed on: _____

4064

Transporting Students in Employee Vehicles

[Option 1] With the permission of the superintendent, school employees may transport students in the employee's personal vehicle even if those students do not live within the employee's household. School employees who transport students in their personal vehicles and those children do not live within the employee's household must comply with the board's policies on pupil transportation and school vehicle use, including Pupil Transportation Driver Qualification Criteria.

[Option 2] School employees shall not use their personal vehicle to transport students except for those students who reside in the employee's own household or if an emergency exists. If an emergency occurs, the employee will contact the administration and parents whenever practicable before providing the emergency transportation.

Adopted on: 6-13-2022

Revised on: _____

Reviewed on: _____

5012
Testing and Assessment Program

I. Basic Testing and Assessment Program

The school district will use a basic testing and assessment program to evaluate the outcome of the educational program and to provide information needed in working with individuals. The program will be supplemented by such individual and supplementary tests as the needs of the educational program and the district indicate. The superintendent and designees will coordinate the program from Kindergarten through twelfth grade to provide continuity. Teachers are prohibited from engaging in any behavior that adversely affects the validity of test scores as a measure of student achievement. Teachers should consult with relevant board policies and district protocols assessment administration and security.

II. Accountability Reporting

At the board of education's regular December meeting, or as soon after as a report can be completed, the superintendent of schools shall provide an annual written report as required by NDE Rule 10. The report shall be presented to the board and made available to the public. The report must contain the elements required by Rule 10, including but not limited to: student academic performance as reported to NDE (demographics, achievement, educational input characteristics, as defined in section 005.02 of Rule 10); school system demographics; school improvement goals and progress; and financial information about the school district. Building level results will be reported only to appropriate staff for review, goal setting, and intervention as needed.

This report shall not include any individual test scores or assessment, but individual student test scores or assessment results will be reported to the student's parents or legal guardian(s). If the school has fewer than ten students in the grades being reported, or if reporting would allow for the identification of students because they all had comparable scores, no public reports of student performance are provided for those grades.

A comprehensive evaluation of the district shall be conducted at least once every five years using instruments and guides approved by NDE.

Adopted on: 12-10-2018
Revised on: 6-13-2022

Reviewed on: _____

6021

District Criteria for Selecting Evaluators to be Used for Special Education Evaluation and Verification and Independent Educational Evaluations

The following criteria shall be used for selecting evaluators according to 92 Nebraska Administrative Code 51-006.07B:

1. Those in-state service agencies that have approved rates for the current year established by the Nebraska Department of Education. A list of service agencies with approved rates, including state agencies, individual providers, and in-state providers may be found at <https://www.education.ne.gov/sped/service-agencies/>.
2. Those Nebraska providers located within 60 miles of the building of the district where the child attends when driving by ordinary public roadways.
3. Evaluations must consider the educational, health, or other student records of the student provided by the district. The parents, guardians, or age-appropriate student must provide any required consent to the disclosure of these records unless disclosure is already authorized by state and federal law.
4. Evaluations must be provided to the district, including all educational, health, student, or other records created as part of or relied upon to complete the evaluation. The parents, guardians, or age-appropriate student must provide any required consent to the disclosure of these records unless disclosure is already authorized by state and federal law.
5. Evaluations must be conducted by a provider that is authorized, available, and willing to discuss, confer, or otherwise cooperate with the district regarding the evaluation, its results, or any other information related to the evaluation. Such cooperation may include reasonable participation in, or the submission of additional reports or information to, an IEP, MDT, or SAT team. Evaluators must make available to the district any documents or records created in relation to the evaluation, including evaluation and assessment protocols and responses, when the district determines in its sole discretion that such documentation is necessary in order to permit meaningful parental participation. The parents, guardians, or age-appropriate student must provide any required consent to the disclosure of these records or information unless disclosure is already authorized by state and federal law.

6. Evaluations must be sufficiently comprehensive for the evaluator to submit to the district a report that specifically details whether the student should be considered eligible for special education and related services, the nature of special education and related services recommended to accommodate the student's suspected disability, and the particular facts or findings underlying the evaluator's conclusions. This report must be submitted to the district within 45 days after the conclusion of the evaluation.
7. Evaluations must meet the then-current state standards for reliability, research-based processes, and educational or professional best practices.
8. Reimbursement to any evaluator chosen in conformance with this policy shall not exceed the cost that would be charged by the school district's contracted providers for the same or substantially similar evaluation.

All special education evaluations, including those independently obtained at the district's expense, must be obtained in a manner consistent with the criteria set forth above, unless state or federal law requires waiver of one or more criteria in order to accommodate unique circumstances.

Adopted on: 3-11-2019

Revised on: 6-13-2022

Reviewed on: _____

6037

Selection and Review of Library Media

The board approves curriculum and curriculum-related materials for the district with input from administrators and staff. Those processes are covered in other board policies. Staff members seeking to procure materials for use during instruction must follow board policy, practices, and directives. Those items are not covered by this policy.

The district procures library books and other media available to students that are not part of a specific class or curriculum. For purposes of this policy, those will be called library materials. This policy addresses the selection and review of library materials, regardless of their source. This policy applies regardless of whether library materials are purchased using district funds, donated, or shared at no cost to the district.

No Right to Materials. The board supports having excellent educational opportunities for students, including availability of library materials used to enrich the educational experience. However, the board and administration are responsible for considering materials based on a variety of factors and legal obligations. There is no right to force any material to be included or excluded. Staff requesting library materials do so only within the course and scope of their employment with the district.

Selection Process. The selection and approval of new library materials must comply with the district's general requisition, donation, and budgeting requirements. To ensure materials selected are appropriate for the district's students and consistent with the district's legal obligations, the following process applies to selection of library materials.

[OPTION 1: PRINCIPAL OR SUPERINTENDENT REVIEW] The school librarian, media specialist, or any individual requesting library materials is responsible for submitting the request in writing to the building principal or to superintendent if there is no principal assigned to the building. The request must include the following

1. Name of the book, material, or resource;
2. The author, publisher, and supplier of the material;
3. The physical medium (*i.e.*, book, magazine, video, game, digital subscription, etc.);
4. The cost of the material;
5. A summary of the content of the material, including how it supports age-appropriate learning objectives, enriches the curriculum, and/or supports student development and learning;

6. The material's accolades, such as presence on best seller lists, awards won, and recommendations from professional library journals and organizations with a focus on K-12 school library materials; and
7. Whether any of the content in the material represents a perspective that may not be universal, such as a political, religious, or social perspective for which disagreement or differences of opinion exist. The summary should include a description of these items.

The building principal or superintendent will review the library material request and inform the requester whether the material will be accepted or denied. Materials which require expenditure of district funds will be processed consistently with the district's purchasing and procurement policies and practices. There is no appeal from this determination.

[OPTION 2: COMMITTEE REVIEW] The superintendent will establish a library material review committee on an as-needed basis, consisting of at least one administrator, one teacher, and the librarian or media specialist. If the district has no assigned librarian or media specialist, then the committee will include two administrators and a teacher. The superintendent may appoint any teacher he or she deems appropriate based on availability and expertise related to the requested materials.

The school librarian, media specialist, or any individual requesting inclusion of library materials is responsible for submitting the request in writing to the library material review committee. The request must include the following

1. Name of the book, material, or resource;
2. The author, publisher, and supplier of the material;
3. The physical medium (*i.e.*, book, magazine, video, game, digital subscription, etc.);
4. The cost of the material;
5. A summary of the content of the material, including how it supports age-appropriate learning objectives, enriches the curriculum, and/o supports student development and learning;
6. The material's accolades, such as presence on best seller lists, awards won, and recommendations from professional library journals and organizations with a focus on K-12 school library materials; and
7. Whether any of the content in the material represents a perspective that may not be universal, such as a political, religious, or social perspective for which disagreement or differences of opinion exist. The summary should include a description of these items.

The committee will review the requested materials within the timeframe established by the superintendent. In the event the committee does not agree on a particular request, the administrator makes the final determination. There is no appeal from this determination.

[**OPTION 3: BOARD COMMITTEE REVIEW—DISCOURAGED, BUT LAWFUL**]. The school librarian, media specialist, or any individual requesting library materials is responsible for submitting the request in writing to the superintendent. The superintendent will review the request(s) with the curriculum committee of the board, who will make a recommendation to the board for approval or denial of the request.

The request must include the following:

1. Name of the book, material, or resource;
2. The author, publisher, and supplier of the material;
3. The physical medium (*i.e.*, book, magazine, video, game, digital subscription, etc.);
4. The cost of the material;
5. A summary of the content of the material, including how it supports age-appropriate learning objectives, enriches the curriculum, and/o supports student development and learning;
6. The material's accolades, such as presence on best seller lists, awards won, and recommendations from professional library journals and organizations with a focus on K-12 school library materials; and
7. Whether any of the content in the material represents a perspective that may not be universal, such as a political, religious, or social perspective for which disagreement or differences of opinion exist. The summary should include a description of these items.

There is no appeal from the determination of the board.

Requested Review of Library Materials. A concerned parent of a current student or patron living within the school district boundaries may request the review of a specific library material (*i.e.*, a specific book, magazine, etc.) or portion of a specific library material. The parent or patron must first discuss their concern with the building principal and explain their concern regarding the library material. If there is no principal assigned to that building, the parent or patron should discuss their concern with the superintendent. The board believes most concerns will be resolved in this manner.

[**OPTION 1: SUPERINTENDENT REVIEW**] If the parent or patron is dissatisfied after the informal review and discussion with the relevant administrator, they may request a review in writing. To request a review, the individual must

complete the Library Material Review Request form and submit it to the superintendent.

The superintendent will review the request within a reasonable time after receiving it. The superintendent may consult with the school's librarian or media specialist, staff, and legal counsel at his or her discretion. The superintendent may decide to remove the material, keep the material, restrict access to the material to students based on age or grade level, or make any other determination the superintendent deems appropriate. The superintendent's decision regarding the review will be communicated to the requester in writing.

The decision of the superintendent is final, and the board will not hear any appeal regarding the review of library material.

[OPTION 2: BOARD COMMITTEE REVIEW] If the parent or patron is unsatisfied after the informal review and discussion with the relevant administrator, they may request a review in writing. To request a review, the individual must complete the Library Material Review Request form and submit it to the superintendent.

The superintendent will review the request with the board curriculum committee within a reasonable time after receiving it. The committee may consult with or seek input from the school's librarian or media specialist, staff, and legal counsel at its discretion. The committee will make a recommendation to the board to remove the material, keep the material, restrict access to the material to students based on age or grade level, or make any other determination or recommendation the committee deems appropriate. The board will review the request, consider the committee's recommendation, and make a determination regarding the requested review. The decision regarding the review will be communicated to the requester in writing by the superintendent.

The decision of the board is final, and there is no appeal regarding the review of library material.

Additional Rules for Library Media Review. Unless the superintendent decides otherwise, the library material will remain in circulation while a review is pending. Unless otherwise required by law, no library material will be reviewed again within 4 years after a requested review is completed. Any parent or patron requesting review of multiple library materials may only request a maximum of 5 materials to be reviewed at one time, and a new request cannot be submitted until the prior review is completed and notice of the determination is provided to the requesting party. Nothing in this policy

prohibits the superintendent or their designee from reviewing library material outside of the review process contained in this policy and taking any action the superintendent or their designee deems appropriate.

Adopted on: 6-13-2022

Revised on: _____

Reviewed on: _____

Library Material Review Request Form

Only a patron of the district or parent of a current student may request review of a library material. Prior to submitting a request, please review the board's policy on Selection and Review of Library Materials. The policy is located on the district's website, or you can request a copy via email from the superintendent.

Name: _____ **Phone:** _____

Address: _____

Written requests to review library materials will not be considered unless the requester identifies the specific material in question and first discusses their concern with the appropriate administrator as required by board policy. Please list the date of the conversation with the administrator: _____

Title of Material: _____

Author/Publisher: _____

Type of Material (book, magazine, video, etc.): _____

Reason for Requesting Review (attach additional page if necessary):

Please list the specific portion of the material you find objectionable, including specific page references, sections, volumes, etc.:

Signature: _____

For District Use Only

Date Received: _____

Received By: _____

Reviewed on: _____

Date Determination Sent to Requester: _____

5001 Compulsory Attendance and Excessive Absenteeism

Required Attendance

Every person residing in the school district who has legal or actual charge or control of any child who is of mandatory attendance age shall cause that child to attend a public or private school regularly unless the child has graduated from high school or has been allowed to disenroll pursuant to this policy.

Mandatory Attendance Age

All children who are or will turn six years old before January 1 of the current school year are of mandatory attendance age. Children who have not turned eighteen years of age are of mandatory attendance age.

Exceptions

This policy does not apply when attendance is made impossible or impracticable by severe weather conditions or by the temporary illness of the student or a child whom the student is parenting.

A child who will not reach age 7 before January 1 of the current school year may be excused from mandatory attendance if the child's parent or guardian completes an affidavit affirming that alternative educational arrangements have been made for the child. A copy of the required affidavit is attached to this policy.

Discontinuing Enrollment – 5 Year Old Students

The person seeking to discontinue the enrollment of a student who will not reach six years of age prior to January 1 of the current school year shall submit a signed, written request and to the superintendent using the form which is attached to this policy. The school district may request written verification or documentation that the person signing the form has legal or actual charge or control of the student. The school district shall discontinue the enrollment of any student who satisfies these requirements. Any student whose enrollment is discontinued under this subsection shall not be eligible to reenroll in this school district until the beginning of the following school year unless otherwise required by law.

Discontinuing Enrollment – 16 and 17 Year Old Students

Only children who are at least 16 years of age may be disenrolled from the district. The person seeking to discontinue the child's enrollment shall submit a signed, written request and submit it to the superintendent using the form which is attached to this policy. The district will follow the procedures outlined on the attached form in considering requests to disenroll.

Only children disenrolling to attend a non-accredited school may be exempt from this policy. The person with legal or actual charge or control of the child must provide the superintendent with a copy of the signed request submitted to the State Department of Education for attending non-accredited schools. The superintendent may confirm the validity of the submission with the State Department of Education.

Attendance Officer

Each building principal is designated as an attendance officer for the district. Each building principal, at his or her discretion, may delegate these responsibilities to any other qualified individual. The attendance officer is responsible for enforcing the provisions of state law relating to compulsory attendance. This responsibility includes but is not limited to filing a report with the county attorney of the county in which a student resides. Compensation for the duties of attendance officer is included in the salary for the superintendent or designee.

Excused Absences

The following absences will be considered excused if they are confirmed by communication to the school from the student's parent/guardian:

1. Physical or mental illness of the student (a physician's verification is required after four (4) consecutive days of absence for illness)
2. Severe weather
3. Medical appointments for the student
4. Death or serious illness of the student's family member

5. Attending a funeral, wedding or graduation
6. Appearance at court or for other legal matters
7. Observance of religious holidays of the student's own faith
8. College planning visits
9. Personal or family vacations

Excessive Absenteeism

When a student receives 5 unexcused absences or the hourly equivalent in any semester, the Attendance Officer will follow the attached procedure for addressing barriers to the student's attendance.

When a student is absent more than twenty days per year or the hourly equivalent and any portion of the absences is unexcused, the Attendance Officer may file a report with the county attorney of the county in which the student resides. For example, if the student accumulates 23 days of excused absences due to documented illness and is tardy one time, the Attendance Officer must file a report with the appropriate county attorney.

Adopted on: 12-10-2018

Revised on: _____

Reviewed on: 6-14-2021

**Disenrollment of Five-Year-Old Child
Attendance Affidavit of Parent/Guardian and Student**

I, _____, am the parent or legal guardian of _____, and have legal authority to make education decisions regarding the student. My child resides in the _____ School District but will not be enrolled in and regularly attend a public, private, denominational, or parochial day school which meets the requirements for legal operation in Chapter 79 of the Nebraska statutes.

I certify that the child was born on (date) _____, is five years old, and will not reach the age of six years old prior to January 1 of the ____ - ____ school year. I am disenrolling my child pursuant to section 79-201 of the Nebraska statutes and district policy. I understand that my student whose enrollment is discontinued using this form shall not be eligible to reenroll in this school district until the beginning of the following school year unless otherwise required by law.

Printed Name of parent or guardian: _____

Relationship to Student: _____

Address: _____ Phone Number: (____) _____

Signature of parent or guardian: _____

Signature of student: _____

(not required if the student is too ill to attend)

COUNTY OF _____)

) ss.

STATE OF NEBRASKA

)

Signed in my presence and sworn to this ____ day of _____, 201__.

Notary Public

**Alternative Educational Arrangements for Six-Year-Old Child
Attendance Affidavit of Parent/Guardian and Student**

I, _____, am the parent or legal guardian of _____, and have legal authority to make education decisions regarding the student. My child resides in the _____ School District but will not be enrolled in and regularly attend a public, private, denominational, or parochial day school which meets the requirements for legal operation in Chapter 79 of the Nebraska statutes.

I certify that the child was born on (date) _____, is six years old, and will not reach the age of seven years old prior to January 1 of the ____ - ____ school year. I am not enrolling my child this school year because:

Please check one of the following:

____ The child is participating in an education program that I believe will prepare the child to enter grade one for the following school year.

____ I intend the child to participate in a school which has elected or will elect, pursuant to section 79-1601 of the Nebraska statutes, not to meet accreditation or approval requirements; and I intend to provide the Commissioner of Education with the required statement to that effect on or before the child's seventh birthday.

Printed Name of parent or guardian: _____

Relationship to Student: _____

Address: _____ Phone Number: (____) _____

Signature of parent or guardian: _____

Signature of student: _____

(not required if the student is too ill to attend)

COUNTY OF _____)

STATE OF NEBRASKA

) ss.
)

Signed in my presence and sworn to this ____ day of _____, 201__.

Notary Public

Collaborative Plan Addressing Barriers to Attendance

Student Name: _____ Student Grade: _____

Building Assignment: _____

Classroom/Homeroom Teacher: _____

Number of student absences at time of meeting: _____

What are the primary reasons the student has been absent:

Based on that information, meeting participants considered the following issues:

- Illness related to the physical, mental, or behavioral health of the child
- Educational Counseling
- Referral to community agencies for economic services
- Family or individual counseling
- Assisting the family in working with other community services
- Referral to restorative justice practices or services
- Referral to student assistance team for possible Section 504 or IDEA eligibility
- Other: _____

Attendance Plan

Based on the above considerations, this attendance plan will be put into place:

Steps to be taken by school staff:

Steps to be taken by student:

Steps to be taken by parent/guardian:

Steps to be taken by third parties:

Parent/Guardian*: _____

Student: _____

Attendance Officer: _____

Social Worker or School Administrator: _____

Other (indicate title): _____

Other (indicate title): _____

Other (indicate title): _____

Other (indicate title): _____

Notice to family: Nebraska law requires students to be in attendance at school each day that such school is open and in session, except when excused by school authorities or when illness or severe weather conditions make attendance impossible or impracticable. Nebraska law also requires school officials to investigate any possible violation of this requirement. ***Please note that if your student accrues more absences than are allowed by the board of education's policy, the school district may refer the child to the county attorney for action under Neb. Rev. Stat. § 43-247(3)(a) and (b).***

I have received a copy of this Plan, including the above notice:

Parent/Guardian*: _____

Student: _____

**If parents/guardians are not present at the meeting, please attach documentation showing that the school made reasonable efforts to invite the parents.*

**If parents/guardians are not present at the meeting, please attach documentation showing that the school made reasonable efforts to invite the parents.*

5054 Student Bullying

Definition of Bullying. Nebraska statute defines bullying as “an ongoing pattern of physical, verbal or electronic abuse.” The Centers for Disease Control and Prevention defines bullying as “any unwanted aggressive behavior(s) by another youth or group of youths who are not siblings or current dating partners that involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated.” The school district’s administrators will consider these definitions when determining whether any specific situation constitutes bullying. These definitions include both in-person and cyberbullying behaviors.

Bullying Prohibited. Students are prohibited from engaging in any form of bullying behavior.

Reporting Bullying. Students who experience or observe bullying behavior must immediately report what happened to a teacher or administrator. Students can use the district’s anonymous platform Safe Schools Alert to make this report. Students may always confer with their parents or guardians about bullying they experience or witness, but the students must also ultimately report the situation to a teacher or administrator.

Bullying Investigations. School district staff will investigate allegations of bullying using the same practices and procedures that the district observes for student disciplinary matters. In no circumstance will school district staff be deliberately indifferent to allegations of bullying.

Disciplinary Consequences. The disciplinary consequences for bullying behavior will depend on the frequency, duration, severity and effect of the behavior.

A student who engages in bullying behavior on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or his or her designee, or at school-sponsored activities or school-sponsored athletic events may be subject to disciplinary consequences including but not limited to long-term suspension, expulsion, or mandatory reassignment.

Without limiting the foregoing, a student who engages in bullying behavior that materially and substantially interferes with or disrupts the

educational environment, the district's day-to-day operations, or the education process, regardless of where the student is at the time of engaging in the bullying behavior, may be subject to discipline to the extent permitted by law.

Bullying Based on Protected Class Status. Bullying based on protected class status is unique and may require additional investigation. The appropriate district staff member or coordinator will promptly investigate bullying complaints that violate the district's antidiscrimination policies.

Support for Students Who Have Experienced Bullying. Regardless of where the bullying occurred, the district will consider whether victims of bullying are suffering an adverse educational impact and, if appropriate, will refer those students to the district's student assistance team.

Bullying Prevention and Education. Students and parents are encouraged to inform teachers or administrators orally or in writing about bullying behavior or suspected bullying behavior. School employees are required to inform the administrator of all such reports. The appropriate administrator shall promptly investigate all such reports. Each building shall engage in activities which educate students about bullying, bullying prevention and digital citizenship.

Policy Review. The school district shall review this policy annually.

Adopted on: 1-14-2019

Revised on: 6-8-2020

Reviewed on: 6-14-2021

Southern Public Schools

A Safe Return Plan

2021-2022



Southern Elementary School
315 West 2nd Street
P.O. Box 158
Blue Springs, NE 68318
Phone: 402.645.3359
Fax: 402.645.3740

Southern Jr./Sr. High School
115 South 11th Street
P.O. Box 237
Wymore, NE 68466
Phone: 402.645.3326
Fax: 402.645.8049

<http://www.southernschools.org>

TABLE OF CONTENTS

Section I: A Safe Return Plan	3
General Information (Pursuant to the Federal American Rescue Plan).....	3
Universal & Correct Wearing of Masks	3
Modifying Facilities to Allow for Physical Distancing (e.g., Cohorts or Podding)	4
Handwashing & Respiratory Etiquette	4
Cleaning & Maintaining Healthy Facilities (Including Improving Ventilation)	5
Contact Tracing (Isolation & Quarantine)	5
Diagnostic & Screening Testing.....	5
Efforts to Provide Vaccinations to School Communities	5
Accommodations for Children with Disabilities	5
Coordination with State & Local Health Officials	5
Continuity of Services.....	6
Closures.....	6

Section I: A Safe Return Plan

General Information (Pursuant to the Federal American Rescue Plan)

On March 11, 2021, President Biden signed the American Rescue Plan (ARP) Act of 2021, Public Law. The ARP Act includes nearly \$122 billion for the Elementary and Secondary School Emergency Relief (ESSER III) Fund that allows state and local education agencies (LEAs) to take additional steps for continued safe in-person instruction and to address unfinished teaching and learning to mitigate the COVID-19 pandemic. The ARP Act requires each school district that receives ARP ESSER funds to develop and make publicly available on the school district's website, no later than 30 days after receiving ARP ESSER funds, a plan for the safe return to in-person instruction, and continuity of services for all schools (Safe Return Plan). The ARP Act further requires that the district seek public comment on the Safe Return Plan and take those comments into account in finalization of the Safe Return Plan. A school district must periodically, but no less frequently than every six months through September 30, 2023, review and, as appropriate, revise its Safe Return Plan.

***Please Note:** The district plans to operate in a traditional learning environment during the 2021-2022 school year unless there is a state or federal mandate that requires school districts to implement the protocols listed below or if there is a COVID-19 outbreak (10% or more of the student/staff population testing positive for COVID-19 or 50 individuals total). If a COVID-19 outbreak were to occur, the district would look to implement some or all of the safety protocols listed below for a short timeframe (1 to 10 consecutive days that school is in session).*

Universal & Correct Wearing of Masks

Actions occurring during a COVID-19 outbreak: The district will look to implement universal wearing of masks for all students in grades K-12 for a short timeframe including in school vehicles, during class, during passing periods, in lunch lines, and during any other times that social distancing is not possible. Exceptions may be made only as required by law, such as based upon the decisions of a student's IEP or 504 teams, or as otherwise necessary such as while eating or drinking.

Masks must be worn over both the nose and mouth at all times, and students and staff will be instructed not to touch the outside of the mask as well as how to safely and effectively put on and take off the mask. School staff shall model correct and consistent mask use. Students who refuse to wear masks will face consequences consistent with the district's student discipline policies. Parents may provide an approved face covering for their children, but the district will have them available at no cost to the student.

Staff may also be required to wear approved masks when not teaching, and to the extent possible when teaching. Special circumstances may constitute not wearing a mask during the school day. Students will also be required to wear masks on school buses.

Modifying Facilities to Allow for Physical Distancing (e.g., Cohorts or Podding)

Actions occurring during a COVID-19 outbreak: Physical distancing will be maximized to the greatest extent possible and with a goal of achieving 3 feet of distance between students while seated in classrooms. If 3 feet of physical distancing is not possible, in some circumstances, students may be assigned to cohort groups to minimize interaction with students in other groups (e.g., Students may be assigned seats during lunch or assigned to play groups during recess). In large classroom environments, students may be required to maintain 6 feet of distance from one another if possible. Large group assemblies and unnecessary trips will be eliminated in the event of an outbreak. Students will be spaced as far apart as possible in school vehicles or buses with ideally one student assigned per row. Windows may be opened, if safe and weather permitting, to improve circulation of fresh air. Students may be required to enter their school buildings through an assigned door and stay in an assigned area after school to reduce interaction and possible transmission.

Handwashing & Respiratory Etiquette

Actions occurring during a COVID-19 outbreak:

Elementary School (PK-6):

Students will be required to wash their hands 3-4 times a day. Each self-contained classroom teacher will set up a time in the morning and a time in the afternoon for their class to wash their hands. Students will also wash their hands before lunch every day.

Jr./Sr. High School (7-12):

Students will be required to wash their hands 3-4 times a day. Each class will take five minutes during second period to wash hands and a schedule will be set up by each second period teacher. Students will wash their hands on their way to get their lunches. Each class will take five minutes to wash hands during seventh period and a schedule will be set up by each seventh period teacher.

In addition, the district will post signage about frequent hand washing, cough etiquette, and nose blowing. Signage will be widely posted, disseminated, and encouraged through various methods of communication.

Cleaning & Maintaining Healthy Facilities (Including Improving Ventilation)

Actions occurring during a COVID-19 outbreak: The following essential actions will be taken to ensure that the facilities are safe for students and staff to inhabit. The district will:

- Change air filters regularly.
- Distribute wastebaskets, tissues, and CDC approved soap to every office and classroom so that these materials can be used upon entry and exit into any discrete location and during transition between classrooms (Pending availability).
- Post signage about frequent hand washing, cough etiquette, and nose blowing. Signage will be widely posted, disseminated, and encouraged through various methods of communication.
- Follow guidance from the CDC when performing all cleaning related duties.

Contact Tracing (Isolation & Quarantine)

The district will follow the contact tracing (Isolation & Quarantine) guidelines from both the CDC and Public Health Solutions during the 2021-2022 school year and the district will comply

with all privacy laws. An internal tracking document has been created to record the dates, medical orders, and isolation or quarantine requirements for students and staff across the district. This document is accessible only to authorized district personnel and our local public health department. Our local public health department will be contacted when the district becomes aware of a potential exposure requiring their assistance in contact tracing, and the district will assist the department in contacting close contacts. The district will use its website to publish the most current health department recommendations concerning quarantine and isolation.

Students and staff who show symptoms of COVID will be encouraged to stay home. Those symptoms will be communicated to students, their families, and staff using the district's website, social media platforms, and communications system. Sick leave policies and practices may need to be modified during an outbreak to accommodate this expectation. Available substitute teachers will be identified and principals will assist in developing staffing plans to cover the classrooms of quarantined or isolated staff members.

Diagnostic & Screening Testing

Actions occurring during a COVID-19 outbreak: The district shall refer students and staff having COVID symptoms to local diagnostic testing locations. If diagnostic or screening testing is recommended and becomes available in schools, the district will make its facilities available to students and staff who provide informed consent. Rate of community transmission will be monitored to determine whether asymptomatic screening is warranted through temperature checks or other means as directed from the local health officials.

Efforts to Provide Vaccinations to School Communities

The district will continue to work collaboratively with our local public health department, local medical providers, and community leaders to promote and disseminate information on vaccinations to students, staff, and the community at large. The district will allow Public Health Solutions to use our facilities to provide free vaccinations to all eligible students and patrons in our community.

Accommodations for Children with Disabilities

Students qualifying for extra support through an IEP or through a 504 plan will continue to receive services and support according to their plans throughout the 2021-2022 school year. Accommodations, modifications, and related services will be provided as outlined in a student's plan during in-person learning.

Coordination with State & Local Health Officials

District personnel will continue to participate in weekly information-sharing sessions with local health care providers, public health department personnel, and other ESU 5 school district leaders. In addition, District administrators will continue to participate in regular Nebraska Department of Education and governor briefings.

Continuity of Services

The district has invested in iPads/laptops for all PK-12 students and provided our teachers with remote learning trainings to ensure continuity of instruction will still occur should in-person learning not be possible due to a COVID-19 outbreak. In addition, students will continue to be

provided accommodations as stated in their IEP or 504 plans during remote learning. Parent input will be sought to develop a plan for the provision of remote IEP services and student progress will be reviewed by the student's team when in-person learning resumes.

The district is going to implement a PK-8 social and emotional learning curriculum during the 2022-2023 school year called Second Step. In the event of a COVID-19 outbreak, regular communication, using all available modalities, with students will be required of administrators and teachers to ensure the safety, academic engagement, and wellness of students. If in-person instruction is not possible, breakfasts and lunches may be provided to students through a USDA approved system. School counselors and mental health support staff will be available online by appointment for any students or staff in need of assistance.

Closures

The district would like to personally thank all Southern staff members, students, and parents for your dedication and efforts during the 2020-2021 school year. Everyone worked tirelessly to ensure that students were being educated in-person again during a global pandemic. The district has appreciated everyone's flexibility and patience. We all know that there will be some uncertainty of what lies ahead this school year regarding the COVID-19 pandemic, but the district's plan is to operate in a more traditional learning environment during the 2021-2022 school year.

Please Note: The district's A Safe Return Plan may change as new guidance becomes available from the Nebraska Department of Education, the CDC, and other state or local public health agencies.

2008 Meetings

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

1. Types of Meetings

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

2. Notice

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

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

3. Weather Delays

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

4. Minutes

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

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