

BOARD OF EDUCATIONAL SERVICE UNIT NO. 13
TUESDAY - August 18, 2020
Location - ESU 13 Main Office, 4215 Avenue I, Scottsbluff, NE

7:00 PM - Regular Meeting

A. Call to Order

1. Meeting is governed by the Nebraska Open Meetings Act as posted.
2. The ESU 13 Board reserves the right to rearrange the order of the agenda.
3. The ESU 13 Board reserves the right to convene an executive session in accordance with §84-1410.

B. Excuse Absent Board Member(s) (Motion Necessary for Approval)

C. Approval of Agenda (Motion Necessary for Approval)

Consent Action Items (Motion Necessary for Approval)

- Minutes of Regular Meeting (July 2020)
- Treasurer's Report (July 2020)
- Fund Balance (July 2020)
- Budget Report (July & August 2020)
- Claims for Disbursement (August 18, 2020)
- Staff Travel

Calendar

- August 26, 2020 - ESU 13 Advisory Committee Meeting, ESU Conference Rooms, B/C, 10:00 AM (New date due to NASB Area Membership meeting being held virtually.)
- September 4, 2020 - Finance Committee preview of 2020-21 Budget - 3:45 PM - ESU 13 Conference Room D
- September 7, 2020 - Offices Closed for Labor Day
- September 15, 2020 - Budget Hearing - 7:00 PM; Tax Request Hearing - to follow and Regular Meeting to follow
- September 23, 2020 - ESU 13 Advisory Committee Meeting - Hosted by Gering Public Schools - Gering High School - 10:00 AM
- October 14-15, 2020 - NASB Labor Relations Conference - Kearney
- November 18-20, 2020 - State Education Conference - CHI Health Center, Downtown Omaha
- December 2-5, 2020 - AESA Annual Conference - Orlando, FL

Public Forum:

- Time limit for each person is three (3) minutes.

Reports

- Head Start Director's Report and Policy Council Activity Report for July (Uploaded to the Board material webpage)
- Administrator's Report ([Appendix A](#))

- Board Member Comments

D. Old Business - None

E. New Business

1. **Revision of Board Policy, Article 5, Section 1 (Non-Discrimination)**

Title IX has issued new regulations and guidance. We will need to revise our Board Policy to reflect these changes. Due to the amount of content changes, we are presenting the revision as an introduction. Justin Knight has reviewed the changes. The revised version has been uploaded to the Board Materials webpage.

Recommendation: Introduction only. No action required.

2. **Amendment of Statement of Non-Discrimination Section in Employee Handbook and Student Handbooks**

Because Title IX has issued new regulations and guidance, we need to incorporate these changes into our employee and student handbooks. The amendment will be as follows:

ESU 13 does not discriminate on the basis of sex in any educational program or activity that it operates. The Service Unit is required by Title IX (20 U.S.C. §1681) and 34 CFR Part 106 not to discriminate in such a manner. This requirement not to discriminate also applies to admission and employment. Any inquiries about the application of Title IX may be referred to the ESU 13 Title IX Coordinator, to the Assistant Secretary of the Office of Civil Rights, or both.

Dr. Laura Barrett, Title IX Coordinator
4215 Avenue I, Scottsbluff, NE 69361
Phone: (308) 635-3696
lbarrett@esu13.org

For information regarding the ESU 13 procedure for complaints of sexual harassment including the complaint process, how to file a report or a complaint of sexual harassment, how to file a formal complaint of sexual harassment, and how the Service Unit will respond to such complaints see Board Policy Section 5, Article 1 (expected approval date of October 2020) located at www.esu13.org.

Recommendation: Move to approve the amendment of Statement of Non-Discrimination section of the Employee Handbook, LifeLink Student Handbook, Meridian Student Handbook, and VALTS Student Handbook.

3. **2020-2021 Student Handbook COVID Supplement**

To ensure the health and safety of all students, staff members and our community, we provided a COVID supplement (uploaded to the Board Materials webpage) to the Meridian, LifeLink and VALTS Student Handbooks. Jerry

Ostdiek reviewed the supplement. The supplement was distributed with the Meridian, LifeLink, and VALTS handbooks with the following disclaimer: Subject to ESU 13 Board of Education approval on August 18, 2020.

Recommendation: Move to approve the 2020-2021 Student Handbook COVID Supplement.

4. Memorandum of Understanding between ESU 13 and ESU 13 Education Association

On October 16, 2002, The Nebraska Commission of Industrial Relations certified Educational Service Unit No. 13 Education Association as the exclusive collective bargaining agent for the following bargaining unit: All non-supervisory and non-administrative certificated employees, including the following positions: Psychologists, Teacher, Teacher-VALTS, Naturalist/Counselor, Speech Pathologist, Director of Technology, Staff Developer, Speech Technician or School Nurse, Director of SOAR Staff Development.

Because the Director of SOAR Staff Development (Professional Learning) is in a supervisory position, a Memorandum of Understanding was recommended and developed by Justin Knight from the Perry Law Firm to remove the Director of Professional Learning from the bargaining unit from future Negotiated Agreements (including the Negotiated Agreement for the 2020-2021 school year). The Memorandum of Understanding has been uploaded to the Board Materials webpage.

Recommendation: Move to approve the Memorandum of Understanding between ESU 13 and the ESU 13 Education Association to remove the Director of Professional Learning from the bargaining unit from all future Negotiated Agreements including Negotiated Agreement for the 2020-2021 school year.

5. Revision and Updated Head Start Policies and Procedures

As per the Performance Standards, we need Board approval of revised Policy and Procedures. The revised Nutrition Written Plans have been uploaded to the Board Materials webpage. Policy Council approved the plans on July 28, 2020.

Recommendation: Move to approve the revised Head Start Nutrition Written Plans.

6. Telework Policy

The goal of our Telework Policy is to ensure that both the employee and ESU 13 have a shared understanding of the telework arrangement. Justin Knight of Perry Law Firm and our Policy Committee have reviewed the policy. It has been uploaded to the Board Material webpage.

Recommendation: Introduction only. No action required.

7. Certified Employee Resignation

Lauren Coffey, School Psychologist, has submitted her resignation for the 2020-21 school year.

Recommendation: Move to approve the resignation of Lauren Coffey.

5. Certified Teacher Contract

Peggy Coulter, part time Meridian teacher, will be taking the second teacher position to fill the vacancy in Meridian and LifeLink programs. Her contract will increase from .8 FTE to 1 FTE.

Recommendation: Move to approve Peggy Coulter's 2020-21 school year contract increase to 1 FTE.

6. Resolution to Increase Restricted Funds Authority by an Additional 1%

In addition to the allowable 2.5% base increase, the Board can increase budgeted restricted funds authority by an additional 1% upon affirmative vote of at least 75% of the authorized Board.

Recommendation: Move to approve the Resolution to Increase Restricted Funds Authority by an Additional 1%.

F. Approval of Minutes (Motion necessary for Approval)

G. Adjournment

Administrator Notes August 2020

Sidney Office Construction Project Update

Andrew will provide an update on progress of the ESU 13/WNCC – Sidney Office construction project. The budget for this project included \$100,000 for contingencies. There has been one change order in the past month and it was a negative change order, resulting in a credit to our contingency budget. The reason for the negative change order was the result of eliminating the interior signage from Anderson-Shaw Construction's portion of the contract. The interior signage will be furnished by Avalis (who provided the signage for the Main Office) and this will be done separately through Abbie Winters, Interior Designer. As of Friday, August 14th, \$92,809.57 remained in this account.

Comparability Study for 2021-2022

Perry Law Firm does our comparability studies for negotiations. We will begin negotiations this year and we do have a compatibility study for 2020-2021 Negotiations. In previous years, we have done 16-17, 18-19 and 20-21. What are your thoughts on continuing this pattern?

LB 1107 Policy Brief

Uploaded to the Board Materials is an LB 1107 policy brief as provided by Open Sky Policy Institute.

Community Engagement & Marketing Specialist

We continue to examine current staffing, organizational needs, and strategic objectives. As previously shared, through attrition, we are looking to reduce a portion of an FTE and combine three positions into two. In the near future, we will begin advertising for a Community Engagement & Marketing Specialist. Duties of this position will include, but are not limited to, maintaining the website and social media platforms, production of flyers and posters, coordinating student events, internal communication, and member district engagement.

Certified Staff Negotiation

Renee Miller, President, ESU 13 Education Association, has sent a letter to initiate negotiations for the 2021-2022 school year. The letter has been uploaded to the Board Materials webpage.