

BOARD OF EDUCATIONAL SERVICE UNIT No. 13

Tuesday, December 17, 2019

Location – ESU 13 Center, 4215 Avenue I, Scottsbluff, NE

Dinner – 6:30 PM

1. Call to Order

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

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

3. Approval of Agenda (Motion Necessary for Approval)

Consent Action Items (Motion Necessary for Approval)

- Minutes of Meeting (November)
- Treasurer's Report
- Fund Balance
- Budget Report
- Claims for Disbursement
- Approval of attendance for educational workshops, conferences, training programs, official functions, hearings, or meetings

Calendar

- **December 23 – January 3, 2020** – ESU closed for Christmas break
- **January 21, 2020** – Regular Board Meeting
- **January 22, 2020** – Advisory Council Meeting – 10:00 a.m. hosted by Scottsbluff Public Schools – Lane Carr and Shirley Vargas from NDE
- **January 26-27, 2020** - President's retreat, Nebraska City; February 16-17, 2020 – Sidney and Kearney
- **January 29 & February 5, 2020** – Budget & Finance Workshop – Norfolk and Kearney

Public Forum

- Time limit for each person is three (3) minutes; no response or action taken by the Board.

Reports

- Nicole Johnson, ESU 13 Early Childhood Director
- AESA Annual Conference – 12/4-12/7/19, Phoenix, AZ (Coon, Diemoz, Jones, Marx, Richards, Sinner)
- Head Start - Director's Report and Policy Council minutes for November (uploaded to the website)
- Administrator's Report ([Appendix A](#))
- Board Member Comments

4. OLD BUSINESS

- **Amendment of Board Policy – Article 3 (Services and Operations)**

Continuing with the revision and update of our current Board policy using the template from Perry Law Firm, Article 3, sections 1-10 have been revised and reviewed by our Policy Committee. The separate sections have been uploaded to the Board Member website. It is the recommendation of the Policy Committee that the following paragraph be removed from Section 5, K. It will be revised and relocated into the Travel policy at a later date. This is the final reading.

No Board member or ESU #13 employee may use a personal credit card for any purchase and be reimbursed by ESU #13 for such purchase if such purchase will personally benefit said Board member or ESU #13 employee (such as by accumulating reward points or miles). In the event that the Board or ESU #13 Administrator determines that a purchase by personal credit card would personally benefit an individual, then the individual will not be reimbursed by ESU #13, unless the Board or the ESU #13 Administrator determines that extenuating circumstances exist (such as in the event of an emergency).

Recommendation: Move to approve Board policy Article 3 (Services and Operations).

- **Social Media Board Policy**

ESU 13 does not have a Social Media Board Policy. We have researched social media policies from other districts and as a result, we have written the policy below for your approval. It has been reviewed by our safety director, B.J. Peters and our attorney, Jerry Ostdiek. It was introduced in November.

Social media is an important tool for communicating, keeping up to date with current developments in education and for conducting research to enhance management, teaching, and learning skills. ESU #13 also uses social media accounts to provide information to our stakeholders. This policy is intended to ensure (1) appropriate use of social media by staff and (2) appropriate control of social media accounts belonging to or affiliated with ESU #13.

A. Personal versus ESU #13-Affiliated Social Media Use

1. *Personal Social Media Use*
 - a. *ESU #13 will not require staff members or applicants for employment to provide their username and password to personal social media accounts.*
 - b. *ESU #13 will not require staff to add anyone to the list of contacts associated with the staff member's personal social media accounts or require a staff member to change the settings on his or her personal social media accounts so that others can or cannot view their accounts.*
 - c. *Staff members whose personal social media use interferes with the orderly operation of ESU #13, interferes with the staff member's ability to perform their job duties or who use social media in ways that are not protected by the First Amendment may be subject to discipline by ESU #13.*

B. ESU #13-Affiliated Social Media Use

1. *Any social media account which purports an account of ESU #13 (e.g., "VALTS"), or any of its programs, classes or entities will be considered to be an account that is used exclusively for ESU #13's business purpose. Staff members may not use ESU #13- affiliated accounts for personal use.*
2. *Staff may be required to provide the username and password of ESU #13 affiliated social media accounts.*
3. *When staff use ESU #13-affiliated social media accounts to comment on ESU #13-related matters, they do not do so as private citizens and are therefore not entitled to First Amendment protections.*

C. Staff Expectations in Use of Social Media – Applicable to Both Personal and ESU #13- Affiliated Use

1. *General Use and Conditions*
 - a. *Staff must comply with all board policies, contract provisions, and applicable rules of professional conduct in their social media usage. They must comply with the board's policy on professional boundaries between staff and students at all times and in both physical and digital environments.*
 - b. *Staff must obtain the consent of their department director or the administrator prior to posting any student-related information in order to make sure that the publication does not violate the Federal Education Rights and Privacy Act (FERPA) or any other laws. Staff must also comply with all applicable state and federal record retention requirements, even with regard to personal social media usage.*
 - c. *Electronic communications with students are to be sent simultaneously to multiple recipients, not to just one student, except where the communication is clearly ESU #13-related and inappropriate for persons other than the individual student to receive (e.g., student grades). Communication with one student/parent should only be used on an emergency basis. In this case, these communications should include an ESU #13 staff member as a third person in the communication.*

- d. *Staff must comply with all applicable laws prohibiting the use or disclosure of impermissible content, such as copyright laws, accountability and disclosure laws, and any other law governing the use of resources of a political subdivision. Questions about appropriate content should be referred to the staff member's direct supervisor.*

2. *Acceptable Use*

- a. *Staff may use social media for instructional purposes.*
- b. *Staff may use social media for ESU #13-related communication with fellow educators, students, parents, and patrons. Staff posting student-related information must ensure that it does not violate (FERPA) or any other laws.*

3. *Unacceptable Use*

- a. *Staff shall not access obscene or pornographic material while at work, on an ESU #13-owned device or on an ESU #13-affiliated social media account.*
- b. *Staff shall not engage in any illegal activities, including the downloading and reproduction of copyrighted materials.*
- c. *Staff shall not access social media networking sites such as Facebook, Twitter, and Instagram on ESU #13-owned devices unless such access is for an educational activity which has been preapproved by the staff member's direct supervisor. This prohibition extends to using chat rooms, message boards, or instant messaging in social media applications and includes posting on social networking sites using personal electronic devices.*
- d. *Staff members may not use social media to harass or threaten other persons, including other staff members. In the event that a staff member is found to have harassed or threatened another person, said staff member may be subject to disciplinary action, including termination of employment.*

D. ESU #13-Affiliated Digital Content

1. *General Use and Conditions for ESU #13-Affiliated Accounts*

- a. *Staff must obtain the permission of their direct supervisor prior to creating, publishing, or using any ESU #13-affiliated web pages, social media pages or handles, or any other digital content which represents itself to be ESU #13-related, or which could be reasonably understood to be ESU #13-related. This includes any content which identifies ESU #13 by name in the account name or which uses ESU #13's name or image.*
- b. *Staff must provide their direct supervisor with the username and password for all ESU #13-affiliated accounts and must only publish content appropriate for the ESU #13 setting. Staff may not provide the username and password to ESU #13-affiliated accounts to any unauthorized individual, including students and volunteers without express, written consent from their direct supervisor.*

2. *Moderation of Third Party Content*

The purpose of ESU #13-related social media accounts is to disseminate information. No ESU #13-related or ESU #13-affiliated social media account covered by this policy shall permit comments by the public unless otherwise approved by the administrator. All comment functions for applications such as Facebook and Instagram must be turned to "off" without this approval.

Recommendation: First reading. No action necessary.

5. NEW BUSINESS:

- **Head Start Policies and Procedures**

As per the Performance Standards, we need Board approval of Head Start Policy and Procedures. We have uploaded to the website the *Program Governance Written Plans* and *Self-Assessment Process for EHS/HS*. Policy Council approved the Plans and Process at their meeting on 12/3/19.

Recommendation: Move to approve the Head Start Program Governance Written Plans and Self-Assessment process for EHS/HS.

- **Executive Session for Administrator's Evaluation**

The Board will need to move into Executive Session for the purpose of discussing Administrator's evaluation. Andrew's goals were distributed at the November meeting, however, they are included as [Appendix B](#).

Recommendation: Move to executive session for the purpose of discussing a personnel matter with the Board and the Administrator present.

6. Approval of Minutes (Motion necessary for Approval)

7. Adjournment

Appendix A

Administrator's Report - December 2019

ESU 13 Addition to WNCC Sidney Campus

Building construction plans will be available for contractors the week of December 16th. Bids are to be received and will be opened on January 21st.

Meeting with Melody Hobson and NDE Staff

On Monday, November 25th, four ESU 13 Head Start and Early Head Start employees and I met with Melody Hobson, Joan Luebbers, Alysa Anson, and Kristine Luebbe. The purpose of the conversation was to provide Melody an opportunity to update ESU 13 staff on the changes to Rule 11, that were approved by the State Board of Education and are currently awaiting the Governor's signature, as well as discuss the waiver that was previously extended to ESU 13 Head and Early Head Start teachers pursuing teacher certification approximately five years ago.

On Tuesday, December 3rd, I sent an email to the Commissioner of Education, Dr. Matt Blomstedt. As part of the email, I asked Dr. Blomstedt if the ESU 13 Head Start and Early Head Start grant application is approved (which we have no indication that it would not be and we are not competing against any other entities), and we are unable to hire nine teachers that meet the minimum requirements under the revised Rule 11 - 003.02, will NDE extend the waiver for any teachers not meeting the minimum requirements to continue work toward obtaining their teaching certification? On Thursday, December 12th, I received the following response from the Executive Assistant to the Commissioner, "The Commissioner has reviewed your December 3 email and is meeting with staff to provide guidance. Once he has met with staff, he will connect with you."

Sparq Meetings

On Monday, December 2nd, Desira and I had a phone conversation with Nicole Kobus from NASB - Sparq Meetings. Sparq Meetings is associated NASB and started offering their system to school districts in 2005, and has since been expanded to counties, power companies, and is utilized in nine different states. In Nebraska, 163 organizations utilize Sparq, and the program is utilized by approximately 140 school districts and five other ESUs as well as ESUCC. Sparq Meetings provides for paperless board meetings. In talking to Nicole and another ESU Administrator, the greatest benefits to using Sparq is that it provides for a transparent agenda and minutes, archiving all pertinent documents, and increased efficiency. The cost structure includes two different tiers. The first option which allows for users to access all of the meeting functions, including committees and cabinets is \$1,500 per year, and approximately 50% of the users choose this option. The second option allows for organizations to upload their policy book, procedures, etc. and costs \$2,500 per year. There is a one-time

setup fee of \$500, regardless of which option an organization chooses. Would Sparq Meetings be something the Board would be interested in considering?

Safety Enhancement - Portable Motorola Radios

We are hoping to purchase a Motorola base station and 8-10 portable radios for identified sites and programs in the next month or so. The radios will be connected with Scottsbluff Public Schools, and we will be exploring the possibility of connecting with WNCC as well. The portable radios will be an integral part of our overall safety plan.

Appendix B

ADMINISTRATOR GOALS FOR 2019-2020

November 2019

The order of the goals does not necessarily mean one is more important than another.

	Satisfactory Progress	In Progress as expected	No progress as of this time
Goal #1 - ESU 13 will develop and implement comprehensive supports to identify, acquire, enhance and combine resources (financial, staffing, etc.) available to best serve our schools and communities.		X	
Strategic Objective 1.1: By the winter of 2018, research and present (to member school districts) the concept of implementing a common school district application for all school districts in ESU 13.			
Response - Although approximately one year after the initial target date, I am pleased with our progress on Strategic Objective 1.1 since my start date of June 3rd. ESU 13 and 11 member school districts have partnered to form a consortium. The consortium reviewed two products and the unanimous decision was to contract with PowerSchool - TalentEd for an online hiring and recruitment system. The system will be in place by December 15, 2019, if not sooner.			
Strategic Objective 1.2: By the fall of 2019, ESU 13 will partner with our member school districts in a comprehensive plan to recruit and retain qualified, motivated staff members.			
Response - Initial discussions have occurred around the idea of ESU 13 providing recruitment services for member school districts. Our focus at this time is on the successful implementation of the PowerSchool - TalentEd system. Once implementation is complete, we will continue discussion of providing recruitment services.			
Strategic Objective 1.3: By 2019, ESU 13 work with member schools to support ESU 13 funding and collaborate with ESU 13 school districts to assist them with grant training, support, and assistance with grant preparation.			
Response - As of this time, we have no progress to report on this objective.			

	Satisfactory Progress	In Progress as expected	No progress as of this time
Goal #2 - ESU 13 will serve as a unifying force to connect schools, students, and families with appropriate level services in the areas of mental and behavioral health.		X	
Strategic Objective: ESU 13 will continue to expand and enhance mental health services based on presenting need by providing psycho-education, direct services and consultation			
Response - The completed application requesting funds from the Sherwood Foundation to support the proposed Day Treatment/Day School program was submitted in early July and we are awaiting a response. In addition, ESU 13 will be submitting an application for a grant through the Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Mental Health Services (CMHS) that could provide additional			

funding for the Day Treatment/Day School program.

Members of the Behavior-Mental Health Department have compiled resources that can be accessed by schools and families via the ESU 13 webpage at the following link:

<https://www.esu13.org/vnews/display.v/SEC/Departments%7CBehavior-Mental%20Health>.

The team responsible for this goal is exploring options for online trauma training for all staff. Dr. Carrizales is looking into ideas to move into a trauma-informed agency.

	Satisfactory Progress	In Progress as expected	No progress as of this time
Goal #3 - ESU 13 will continue to grow as leaders in best practices in education and legal issues that impact education.		X	

Strategic Objective 3.1: ESU 13 will continue to invest in PD opportunities: focused on leadership opportunities, mentoring and aligning eval process.

Response - The ESU 13 Board was very well represented at the August NASB Area Membership meeting and will once again be well represented at the NASB State Education Conference and the AESA Annual Conference. Six board members attended the Area Membership meeting, three are attending the State Education Conference, and six will attend the Annual Conference. In August, 28 new employees were introduced to their mentor and participated in the first of several scheduled mentor-mentee activities. Danielle Cole, Nici Johnson, and Pam Brezenski are to be commended for their work in developing our inaugural mentoring program. In addition, I would like to express my appreciation to the 28 ESU employees who volunteered their time to serve as mentors.

Strategic Objective 3.2: Work as a unifying force to make the best educational practices available to all 21 member school districts, community partners, community members, and other educational partners.

Response - ESU 13 was one of the inaugural members of the Service Implementation Model Process and Log (SIMPL) statewide cohort. Jadie Beam and Craig Hicks represent ESU 13 on the SIMPL Advisory Committee. Currently, the Professional Learning, Special Services, and Technology Departments are entering their information into SIMPL. Member school district superintendents will be provided an update on SIMPL at the December Administrative Advisory Council meeting.

	Satisfactory Progress	In Progress as expected	No progress as of this time
Goal #4 - ESU 13 will develop a model to support school districts with the implementation of a multi-tiered system of support to meet the unique needs of students of all ages within the member school districts.		X	

Strategic Objective 4.1: ESU 13 will align internal processes to provide effective MTSS supports. (Internal)

Response - In May of 2019, Jadie Beam and Laura Barrett facilitated an MTSS Service Planning discussion with the ESU 13 Leadership Team. I was fortunate to be able to attend and listen to the dialogue and was very impressed with the reflective and forward-thinking nature of the conversation. The focus of this conversation

was on aligning internal processes to provide effective MTSS supports. We will continue to use the outcomes of this conversation to guide our future work. Jadie and Laura are to be commended for their planning, organizing, and coordination of a truly meaningful discussion with the Leadership Team.

Strategic Objective 4.2: ESU 13 will provide an effective multi-tiered system of support to local districts to move forward with a data-based, problem-solving model to increase student achievement.

Response - George Toman was hired to fill the role of NeMTSS Regional Facilitator. George is one of three MTSS Regional Facilitators throughout the state and we are fortunate to have him housed at ESU 13. Earlier this fall, six ESU employees and eight ESU 13 member districts attended the NeMTSS State Conference. Various other ESU personnel have attended MTSS related conferences and provided trainings aimed at ensuring ESU 13 is providing effective MTSS support to member school districts.

	Satisfactory Progress	In Progress as expected	No progress as of this time
Goal #5 - ESU 13 will be well known and understood by internal and external stakeholders.		X	

Strategic Objective 5.1: ESU 13 will be well known and understood by external stakeholders.

Response - Each month, Desira shares a summary/highlight of one of our Department’s with our member school districts. To date, two newsletter articles and one sit down interview with KNEB has been broadcast by area media outlets. A committee has been meeting regularly to review possible enhancements to our website.

Strategic Objective 5.2: ESU 13 will be well known and understood by internal stakeholders.

Response - ESU 13 continues to hold four all staff in-service days per year. At each all staff in-service, any staff hired since the prior in-service are introduced to the entire staff. In addition, staff are provided an update of our ongoing strategic plan work. ESU 13 continues to enhance its social media presence. A monthly newsletter is disseminated to staff and board members. Starting with the October 2019 Board Meeting, each Department Director will provide an annual update to the board. As we look toward the future, we need to review our overall external communication/marketing plan to ensure we have a well-coordinated and effective plan.

	Satisfactory Progress	In Progress as expected	No progress as of this time
Goal #6 (specific to Entry Plan) - Earn trust and build relationships with the staff of ESU 13, member school superintendents, and board members.		X	

Response - As of November 19th, the following activities have been completed...

- Met with 20 of the 21 member school district superintendents.
- Met individually with all Directors and administrative office staff.
- Attended Administrator Days with members of the Leadership Team.
- Met multiple times with the Board President.
- Met individually with 3 of the 12 board members to discuss expectations, roles, and needs.

- Attended the August NASB Area Membership meeting with six board members.
- Meet on an individual, monthly basis with each Director.
- All small group meeting meetings with certified and classified staff have occurred or will take place by December 20th.

	Satisfactory Progress	In Progress as expected	No progress as of this time
Goal #7 - Ensure the Sidney Office project moves forward on schedule and within the budget.		X	

Response - The ESU 13 office addition to the WNCC Campus in Sidney is progressing as expected. To date, the project is on schedule. With a targeted bid opening of January 2019, the next step will be to ensure the project remains within budget.