

**BOARD OF EDUCATIONAL SERVICE UNIT #13**  
**Tuesday – December 11, 2018**  
**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 Regular 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 12, 2018** – Advisory Council Meeting – 10:00 a.m. – ESU #13 Center and DL (Dr. West hosting from Chadron)
- **December 24-January 4, 2019** – ESU closed for Christmas break
- **January 15, 2019** – Regular Board Meeting
- **January 27-28, 2019** – 2019 Legislative Issues Conference – Cornhusker Marriott – Lincoln (Knapper)

**Public Forum:**

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

**Reports**

- AESA Annual Conference – 11/28-12/1/18, Colorado Springs (Coon, Diemoz, Jones, Marx, Richards, Sinner)
- Head Start Director's Report and Policy Council Activity Report for November (uploaded to website)
- Administrator's Report ([Appendix A](#))

- Board Member Recognition (Pat Dobry and RosaleneTollman)

#### 4. Old Business:

- **Proposed Defibrillator (AED) Policy:**

ESU #13 now has an AED and signage showing its location. We need a policy regarding the use of the device. Jerry Ostdiek has reviewed the policy below and suggests that the administrative protocol (uploaded to website) not be part of the policy, but a reference located in the policy section. Policy Committee has a recommendation to delete the sentence highlighted in yellow. This is the first reading.

*The ESU #13 Board recognizes that from time to time emergencies may arise that justify the use of an Automated External Defibrillator (AED). ESU #13 will maintain an AED on each site where one is located. The AED shall be used in emergency situations warranting its use.*

*The AED shall be maintained and tested in accordance with operation guidelines of the manufacturer and monitored by the ESU #13 nurse.*

*The AED will be kept on ESU #13 property and will not accompany EMS personnel to a hospital emergency room.*

*It shall be the responsibility of the ESU #13 Administrator to develop administrative protocol regarding this policy.*

**Recommendation: First reading. No action required.**

#### 5. New Business:

- **Revision and Updated Head Start Policies and Procedures:**

As per the Performance Standards, we need Board approval of Policy and Procedures. We have uploaded to the website the revised *Program Governance Written Plans and Self-Assessment Process*. Policy Council approved these plans at the November 27, 2018 meeting. (Policy Council minutes uploaded to website.)

**Recommendation: Move to approve the revised Head Start Program Governance Written Plans and Self-Assessment Process.**

- **Revision of Family and Medical Leave Board Policy:**

We are updating our FMLA procedure utilizing a new step by step manual written for us by Jason Ossian, a partner of Jerry Ostdiek, our attorney. The FMLA policy was adopted 10/8/02. After review, he suggests updating our Board policy regarding accumulated leave and FMLA. This will go to the Policy committee for review with the final reading at the January Board meeting.

*Family and medical leaves shall be allowed under the terms and conditions of the Family and Medical Leave Act of 1993 (FMLA) as amended.*

*The “leave year” for purposes of the FMLA shall be a “rolling” twelve-month period, measured backward from the date of any FMLA leave usage.*

~~*Substitution of accrued paid leaves for otherwise unpaid FMLA leaves may be required at the discretion of the Administrator or the Administrator’s designee, or the Board. The employee may also have paid leave run concurrently with unpaid FMLA leave entitlement, provided the employee meets applicable requirements of the leave policy.*~~

*FMLA leave is unpaid except to the extent that an employee has accumulated paid leave under other applicable leave provisions of ESU #13’s policies. All forms of paid leave such as vacation and sick leave will run concurrently with FMLA leave. Accumulated paid leave shall be exhausted prior to the employee taking unpaid leave. In determining whether leave has been accrued or earned, ESU #13 will apply the provisions of the respective policy and procedures, including any restrictions. When an employee has exhausted all paid leave, all remaining FMLA leave will be unpaid.*

*Employees shall be required to submit medical certifications to support a request for FMLA leave because of a serious health condition, or a sick leave, when such leave is for a duration in excess of five (5) successive days, and in such other cases as deemed appropriate by the Administrator or the Board based on the nature of the illness or other circumstances surrounding the leave. Second and third medical opinions may, at the Administrator’s or the Board’s discretion, be required. Employees shall be required to report periodically, at such times as requested by the Administrator or the Board, on their intent to return to work from FMLA leaves and other leaves. Employees shall be required to submit a fitness-for-duty certification from their health care provider as a condition of returning to work from a FMLA leave taken because of the employee’s serious health condition or from a sick leave taken by reason of the employee’s illness, when such leave was of a duration in excess of five (5) successive days, and upon request of the Administrator or the Board when such is deemed appropriate by the Administrator or the Board based upon the nature of the illness or other circumstances surrounding the leave.*

*An “equivalent position” for FMLA restoration purposes shall, in the case of certificated employees, be any administrative, teaching, or instruction related position for which the employee is qualified by reason of endorsement, college preparation, experience, or other indicia; in the case of coaching or other similar extracurricular duty assignments, be any extracurricular duty assignment, and in the case of other employees or positions, be in a position with or at equivalent pay, benefits, and working conditions, involving similar or related duties, as determined by the Administrator or the Board.*

**Recommendation: First Reading with amendment. No action necessary.**

- **Administrator Resignation:**

Our Administrator, Jeff West, has submitted his resignation effective May 24, 2019. He has been offered and has accepted a similar position in Pennsylvania. In a memo to the ESU #13 staff, he states “Spending time with all of you the last 11 years doing the important and necessary work we do for the children and families of the Panhandle and across the state has been some of the most rewarding and cherished experiences of my professional life. For that, I will always be grateful.”

**Recommendation: Move to accept the resignation of the ESU #13 Administrator, Jeff West, effective May 24, 2019.**

- **Proposal Selection for Administrator Search:**

In your Board packet, there are three proposals to consider for our Administrator search: National Association of School Boards (NASB), McPherson & Jacobson, LLC, and EDWise.

**Recommendation: Your decision.**

**6. Approval of Minutes (Motion necessary for Approval)**

**7. Adjournment**

## **Appendix A**

### **ESU 13 BOARD NOTES Dr. Jeff West December 2018**

#### **Sidney Office Update**

I have scheduled a meeting with Jack Baker and Tearle Schmer at Baker & Associates for an initial discussion about the options for the Sidney office. I will be asking them to draw and cost out adding a new office on to the college as well as to draw and cost out a renovation of the current office location. I will meet with them on December 18<sup>th</sup> at 2:00 p.m. If anyone from the building and grounds committee would like to be there for that meeting, I would be happy to have you.

#### **Sherwood Foundation Meeting in Omaha**

Senator John Stinner, Rick Myles from SBPS, Katie Carrizales and I had a meeting in Omaha on Wednesday, December 5<sup>th</sup> to discuss possible funding for our Panhandle Beginnings Day Treatment proposal. They have asked us to complete an application and submit it for possible funding. They asked how much we were wanting. I said the startup costs of \$280,000 and part of the operating costs for 2-3 years (\$190,000). We will see what happens once we complete the application. I will keep you informed how it is progressing.

#### **Staff Office Relocating Complete**

We have completed making all the adjustments to staff office locations. We have moved Head Start Management across the street to UNL Extension as well as moving other staff into new locations to alleviate the overcrowding. I think most people are settling in and feeling more comfortable about the change.

#### **Emergency Prevention and Response Plan**

Each of you is receiving our Emergency Prevention and Response Plan (All Hazards) notebook. The Safety Committee has reviewed and approved the plan. I wanted you to have the book a month early so you can review it. B.J. will give a short report on the manual in January. Approval of the manual will be on the January agenda.

#### **KSO CPAs + Advisors**

Four auditors from the above firm were here November 26<sup>th</sup> & 27<sup>th</sup> to audit the 2017-18 finances. Both Jodi and Desira feel that the audit went well. We should be getting a draft of the financial statements around 12/31/18. The final draft should be here around 1/15/19.

#### **Board Member Email Addresses**

At the last Board meeting, there was discussion regarding Board member email addresses. I wanted to clarify what process we are using for contacting you. We will contact you using

your personal emails unless you let Desira know otherwise. Rhoda will also be informed (I believe Scott and Mark have done this and use ESU emails.)

**Intiva Demonstration**

On December 4<sup>th</sup>, the Strategic Action Planning Team met with John Hartigan, Executive Vice President of Strategic Development, regarding the common school district application. The team presented a list of questions to Mr. Hartigan and he will give a written response to present to the Board.

**Bids for metal building for vehicle storage**

Barry Swanson was working up the specs for the metal building (vehicle storage expansion for busses/cars) so we couldn't get the bids posted to meet the deadline due to the change in Board meeting date for December. This will be done at the January meeting.