

**BOARD OF EDUCATIONAL SERVICE UNIT NO. 13  
TUESDAY - June 16, 2020**

In accordance with the directive of the Governor of the State of Nebraska and the Panhandle Unified Command concerning the Coronavirus (COVID-19), this meeting is being held at ESU 13 Main Office, and being conducted via video conferencing to the various locations of the Board members. The requirement for complying with the Open Meetings Act has been waived by the Governor during this period of “social distancing” through June 30, 2020.

Video Conference Link:

<https://zoom.us/j/98711478497?pwd=bGsvdk5GTEVOaDZjZ0cyU1FGTG0yZz09>

Meeting ID: 987 1147 8497

Password: 574860

Telephone number and ID: Dial 312.626.6799, enter ID: 98711478497, then press #, then press # again

**6:00 PM - Facility/Finance Committee Meeting - HVAC Replacement Options (Diemoz, Knapper, Millette, Richards, Sinner)**

**7:00 PM - Regular Meeting**

**A. Call to Order**

1. Governor Ricketts issued Executive Order No. 20-24 Coronavirus - Continued Limited Waiver of Public Meetings Requirements allowing governing bodies to meet by videoconference or telephone conference through June 30, 2020.
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 (May 2020)
- Treasurer's Report
- Fund Balance

- Budget Report
- Claims for Disbursement

### **Calendar**

- June 19, 2020 - Meridian and LifeLink graduation - 10:00 AM and VALTS graduation at 11:00 AM (1450 11th Street in Gering)
- July 15, 2020 - ESU incumbent filing deadline for General Election
- July 21, 2020 - Regular Board Meeting (to be determined)
- August 18, 2020 - Regular Board meeting

### **Public Forum:**

- Time limit for each person is three (3) minutes. For public attending electronically, time limit for each person is three (3) minutes; no response or action taken by the Board.

### **Reports**

- George Schlothauer, ESU 13 Alternative Education Director - Department Overview
- Head Start Director's Report and Policy Council Activity Report for May (Uploaded to the Board material webpage)
- Administrator's Report ([Appendix A](#))
- Board Member Comments

## **D. Old Business**

### **1. Amendment of Board Policy – Article 5, Sections 1-3 (Equity and Legal Compliance)**

This is the final reading. The Policy Committee has recommended the following changes in Section 2. After further Board discussion and at the recommendation of Justin Knight, Attorney, we have listed additional requests for changes to Section 1(A) - Policy of Non-Discrimination and Section 1(B) - Harassment. These changes are outlined below.

D. Voluntary Action and Self-Evaluation (34 CFR 104.6) - Paragraph 3-ESU #13 shall, for at least three years following completion of the evaluation, maintain on file, make available for public inspection, and provide to the Assistant Secretary of Education upon request: (i) a list of the interested persons consulted, (ii) a description of areas examined and any problems identified, and (iii) a description of any modifications made and of any remedial steps taken.

F. 504 and ADA Compliant Procedures (34 CFR 104.7), No. 1 - Complaints shall be filed with the ESU #13 ADA Coordinator (Human Resources) and the Section 504 Coordinator. Complaints shall be made in writing, unless the Complainant's disability prevents such, in which event the Complaint can be made verbally. However, if the complaint is made verbally, the person accepting the complaint must document the complaint in writing on their behalf and at per their request.

I. Program Accessibility No. 3 - New Construction (34 CFR 104.23) - Paragraph 2 -Each facility or part of a facility which is altered by, on behalf of, or for the use of ESU #13 after the effective date of this policy in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by handicapped persons.

Section 1(A) Policy of Non-Discrimination:

ESU #13 does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status any protected status in its programs and activities and provides equal access to designated youth groups.

Section 1(B) Harassment:

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status any protected status, that is sufficiently serious to deny, interferes with, or limits a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

Discriminatory harassment because of a person's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status, any protected status may include, but is not limited to:

**Recommendation:** Move to approve proposed Equity and Legal Compliance Board policy with the above changes.

## E. New Business

### 1. Accreditation for 2020-2021

We received official notification that the State Board of Education voted at their meeting on May 8, 2020 to grant the Commissioner of Education the authority to approve our application and classify ESU 13 as accredited based on our assurance of compliance with the provisions of Rule 84. This status is in effect for the period of July 1, 2020-June 30, 2021.

**Recommendation: Information item only. No action required.**

### 2. Contract for Consultative Medical Services for MIPS

Each year we ask you to approve a contract with Cynthia Guerue, M.D. for consultative medical services for our Medicaid in Public Schools (MIPS) program. Her fee remains at \$50.00 per hour, not to exceed \$2,400 for the term of the contract (August 1, 2020-July 31, 2021).

**Recommendation: Move to approve the contract for consultative medical services with Dr. Cynthia Guerue.**

### 3. Amendment to Board Policy - Article 1, Section 7; Article 3, Sections 7 and 9; Article 4, Sections 1, 10, and 11.

We will need to change the language to the above Board policies provided the Board approves the change made in Equity and Legal Compliance. The changes to each section are outlined below.

#### Article 1, Section 7 (Code of Ethics for ESU #13 Board Members)

Non-Discrimination: I will not make decisions which affect personnel, students, parents, the public, or otherwise on the basis of ~~sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status, any protected status,~~ or on the basis of constitutionally protected speech.

Welfare of Students: I will make decisions in terms of the educational welfare of students served by ESU #13 and will seek to develop and maintain services and programs that meet the individual needs of students served by ESU #13 regardless of ~~their sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status, any protected status,~~ social standing, or personal feelings not associated with the best interests of ESU #13 and the students.

Article 3, Section 7 (Management of Property)

The application shall not be rejected for any unlawful reason, including unlawful discrimination on the basis of ~~sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status~~ any protected status in its programs and activities, including the applicant's legally protected exercise of constitutional or statutory rights.

Article 3, Section 9(A)3e(i) Proper Use of Electronic Messages

*Non-Discrimination.* Electronic messaging is not permitted to be used to promote discrimination on the basis of ~~sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status~~ any protected status in its programs and activities.

Article 4, Section 1B (Equal Opportunity Employment)

ESU #13 is an equal opportunity employer. It is the policy of ESU #13 to employ the best qualified applicant for each position without regard to ~~sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status~~, any protected status, and to not fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's ~~sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status~~. protected status.

Article 4, Section 10F (Standards of Ethical and Professional Performance for Professional Employees)

Shall not discriminate on the basis of ~~sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status~~ any protected status in its programs and activities.

Article 4, Section 11E (Standards of Ethical and Professional Performance for Classified Staff)

Shall not discriminate on the basis of ~~sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status~~ any protected status in its programs and activities.

**Recommendation:** Move to approve the above proposed amendments to Article 1, Section 7; Article 3, Sections 7 and 9; Article 4, Sections 1, 10, and 11.

**4. Valley Alternative Learning Transitioning School (VALTS) Bylaws and Interlocal Cooperative Agreement**

At their June 9th meeting, the VALTS Board approved the amendments of the VALTS Bylaws and Interlocal Cooperative Agreement. This amendment is due to the addition of Sidney Public School students to the VALTS program for the 2020-2021 school year. The amended Bylaws and Interlocal Agreement have been uploaded to the Board member materials webpage.

**Recommendation:** Move to approve the VALTS Bylaws and Interlocal Cooperative Agreement.

**5. Computer Network Cabling for the New Sidney Office Building**

We are requesting the Board to approve funding of the network cabling system. It includes installation, drops, wallplates, and wiring racks. Bid proposals were requested. Computer Cable Connection, Inc. was the only bid response that could meet the specification for a total of \$49,900. The ESU 13 Horizontal Cabling System Specification and full quote has been uploaded to the Board material webpage.

**Recommendation:** Move to approve the quote from Computer Cable Connection, Inc. for \$49,900.

**6. New Model 4-5 Passenger Mid-Sized AWD Vehicle; New Model Intermediate Four-Door Sedan; New Model 10 Passenger Transit Van**

As ESU continues to provide more services, we are needing to replace some of our current fleet. After research and conversations with identified staff, it was determined to replace one van used for transportation of students, a sedan, and an AWD vehicle. The fleet will continue to be analyzed to best determine future use, organizational needs, and/or possible disposal. Bids were requested for the vehicles.

Malibu		
Dealership	Cost	Estimated Delivery
Eagle Chevrolet Buick	\$20,756.67	Before June 30
Masid Chevrolet	\$18,995.00	8 weeks
Team Auto Center	\$18,359.00	8-16 weeks

Equinox		
Dealership	Cost	Estimated Delivery
Masid Chevrolet	\$24,495.00	8 weeks if available
Team Auto Center	\$24,083.00	8-16 weeks

Transit Van		
Dealership	Cost	Estimated Delivery
Fremont Motors	\$43,153.50	September 28
Spradley Barr Ford	\$37,629.10	TBD

**Recommendation: Move to approve the bids from Team Auto Center for the Malibu for \$18,359.00, the Equinox for \$24,083.00 and from Spradley Barr Ford for \$37,629.10 for the Transit Van.**

**7. Carpenter Center Remodel**

We received two bids from the contractors below for the Day School/Treatment remodel project at the Carpenter Center in Terrytown. The construction will take place in the classroom wing. Completion of the remodel is expected to be completed by September 15, 2020. This project is being entirely funded from the Sherwood Foundation grant. The engineer's estimate (including contingency) for this project is \$94,050.

Anderson-Shaw Construction	\$89,040.00
Paul Reed Construction	\$95,052.00

**Recommendation: Move to approve the bid from Anderson-Shaw Construction for the Carpenter Center remodel for the Day School/Treatment facility in the amount of \$89,040.00.**

**8. Revision and Updated Head Start Policies and Procedures**

As per the Performance Standards, we need Board approval of revised Policy and Procedures. The revised Transportation Written Plans have been uploaded to the Board material webpage. Policy Council approved the plans on May 26, 2020.

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

**9. Certified Employee Contracts for 2020-2021**

We have offered a certified teacher contract to Alexandra Clear as an Early Childhood Teacher for the Head Start programs. Alexandra received her education at Concordia University in Seward, Nebraska and received her initial Nebraska Teaching Certificate Early Childhood Inclusive B-3 in December 2018. Her teaching experience includes Hyannis Area School.

We have offered a certified teacher contract to Deborah Wilson as a Speech/Language Pathologist (SLP). Deborah is currently a Pediatric Outpatient SLP at Regional West Medical Center. She received her Masters of Science Degree from University of North Texas.

We have offered a .5 FTE certified teacher contract to Dr. Lauren Coffey as a School Psychologist. Lauren received her Doctor of Philosophy, Educational Psychology from Oklahoma State University in May 2018.

**Recommendation: Move to approve the certified employee contracts with Alexandra Clear, Deborah Wilson and Dr. Lauren Coffey.**

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

**G. Adjournment**



## **Administrator Notes June 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 have been no change orders in the past month. As of Friday, June 12th, \$91,648.57 remained in this account.

### **CARES Act Public Feedback Survey: Executive Summary**

The Nebraska Department of Education released survey results from a public feedback survey they administered. This survey has been uploaded to the Board material webpage for your review.

### **Core Service Dollars**

For the 2020/2021 school year, ESU 13 will receive \$880,902.32 in core service dollars. We received \$851,409.78 for the 2019/2020 school year.

### **Rule 11 Compliance Efforts Update**

On May 21st, a summary of ESU 13's efforts towards compliance with Rule 11 as well as the required supporting evidence was submitted to Dr. Blomstedt and Melody Hobson. Knowing the State Board of Education does not have a July meeting, we wanted to provide the necessary information so that the NDE could include our waiver request on their June Board Meeting agenda. On Friday, June 5th, the State Board of Education approved the waiver request.

### **Sale of Sidney Office**

In accordance with Article 3 - Section 8 (Disposal of Property) - I would like to visit with a realtor to determine an approximate market value for the Sidney Office. Per Board Policy, "Real estate will be sold to the highest bidder, except that a minimum acceptable price may be established prior to bidding." An approximate market value would assist in establishing a minimum acceptable price.

### **Change to Number of Director Contract Days**

Effective, July 1, 2020, three Directors will move from 220/230 to 240 day contracts. This change is the result of additional responsibilities, pattern of working beyond their contracted days, and to better align contract days with similar positions in comparable ESUs in Nebraska.

## **Unpacking Head Start**

Over the course of the next several months, Dr. Laura Barrett will be leading a project we are referring to as the “Unpacking of Head Start.” The purpose of this project is twofold.

1. A commitment to the Board was made when ESU 13 took on the grant to improve the overall program.
2. This is part of our continuous improvement process and is not in response to the work individuals are doing.

A team of ESU 13 and Head Start leaders met recently to establish short and long term goals for this project. Below is the list of the established goals:

- Short term (by January 1, 2021)
  - Analyze organizational structure
  - Explore creating ESU 13 Foundation
  - Update job descriptions and responsibilities
  - Examination of other Head Start programs held by other ESAs and school districts
- Long term (1-3 years)
  - Diversify funding streams to ensure sustainable funding for quality programming
  - Explore and refine school partnership agreements

Dr. Barrett and myself will look forward to sharing the outcomes of the process.