

# **BOARD OF EDUCATIONAL SERVICE UNIT #13**

**Tuesday – February 20, 2018**

**ESU #13 Center, 4021 Avenue I, Scottsbluff, NE**

## **Video Conference Sites:**

**ESU #13 Satellite Office – 1114 Toledo, Sidney, NE**

**Alliance Public Schools Adm. Bldg. – 1604 Sweetwater, Alliance, NE**

**Hay Springs High School – 407 N. Baker, Hay Springs, NE**

**\*Finance Committee Meeting, ESU #13 Center – 6:00 PM (Knapper, Millette, Richards, Sinner) – 1. Bid opening for metal siding/doors for multi-purpose room and garage re-siding. 2. Bid opening for 2017-2018 comprehensive audit**

**Dinner – 6:30 PM**

**REGULAR MEETING – 7:00 P.M.**

## **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
- 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**

- **February 21-22, 2018** – Education Forum – Kearney
- **February 25-26, 2018**– President's Retreat – North Platte (Richards)
- **February 28, 2018** – ESU 13 Advisory Council – 10:00 AM – Mike Dulaney, NCSA and Jim Tenopir, NSAA. This is a DL meeting. (Jeff will be hosting this in Sidney)

- **February 28, 2018** – Budget and Finance Workshop -Lincoln
- **March 13 (Gering), March 14 (North Platte), March 21 (Fremont)** – Spring Legal Workshops
- **March 15, 2018** – Budget & Finance Workshop - Kearney
- **March 20, 2018** – Regular Board Meeting, videoconference to Alliance, Hay Springs and Sidney.

**Public Forum**

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

**Reports**

- Legislative Issues Conference/Budget and Finance Workshop – January 21-22, 2018 (Diemoz, Jones)
- State Auditor Report and Exit Conference Corrective Actions (Exit Conference uploaded to website)
- Administrator’s Report (Appendix A)
- Head Start Eligibility Training (Donna Jenne)
- Head Start Director’s Report for January (uploaded to website)

**4. Old Business:**

- **Proposed Policy for Expenses and Authorization for Attendance at Education Workshops, Conferences, Training Programs, Official Functions, Hearings, or Meetings:**

The Policy Committee recommended the following proposed amended policy to the Board on January 16, 2017. Our attorney, Jerry Ostdiek, has reviewed the final policy. This is the final reading.

*It shall be the policy of ESU #13 to permit and to authorize elected and appointed officials, employees, or volunteers of ESU #13 to incur certain expenses authorized by law for travel to and from attendance at educational workshops, conferences, training programs, official functions, hearings, or meetings subject to the following:*

*a. This policy shall pertain to elected and appointed officials and employees of ESU #13 or volunteers performing services under the supervision and at the direction of ESU #13. This policy shall not pertain to employees incurring mileage expense during the regular course and scope of employment if such mileage is governed by other Board policy, a collective bargaining agreement, or an order from the Commission of Industrial Relations or other competent tribunal.*

*b. Expenditures shall be authorized by the Board for travel to and from attendance at any educational workshop, conference, training*

*program, official function, hearing or meeting provided the following conditions have been met:*

- 1. Employees of ESU #13, or volunteers performing services under the supervision and at the direction of ESU #13, shall submit a request in writing (or fill out appropriate form, i.e. Travel Reimbursement Request) to the Administrator for approval to attend any of the following: educational workshops, conferences, training programs, official functions, hearings or meetings. Purpose for attending will be described in writing by the requesting party along with an estimated cost for travel and attendance relating to the event. E.S.U. #13 will only reimburse for pre-approved travel related expenses when attendee provides documentation of the expense with receipts from purchases or other verifiable documentation.*
- 2. The Board of ESU #13 will be invited to attend relevant educational workshops, conferences, training programs, official functions, hearings, or meetings. The Administrator will arrange for travel and attendance relating to the event if requested by the Board member. Board members may indicate their desire to attend in writing, email, or in a public meeting, duly recorded in the minutes.*
- 3. The Administrator has approved travel and attendance to such events in writing.*

*If the above conditions have been met, any elected or appointed official, employee, or volunteer of ESU #13 shall submit to the Administrator an accounting for reimbursement of actual and necessary expenses incurred by such individual to attend an educational workshop, conference, training program, official function, hearing or meeting; and the Board shall consider such claim at its next duly convened Board meeting. If the Board determines that the terms of this policy have been met, the Board will authorize reimbursement for registration cost, tuition cost, fees or charges, mileage at the per-mile rate established annually by the Board for the use of an individual's personal vehicle or the actual travel expense if travel was authorized by commercial or charter means, meals and lodging at the applicable state rate, unless a fully itemized claim form is submitted substantiating the costs actually incurred in excess of such rate. Such additional expenses will not be allowed unless expressly approved by the Board. In no event shall a claim be submitted or approved for alcoholic beverages or tobacco products.*

**Recommendation:** Move to adopt the proposed amended Policy for Expenses and Authorization for Attendance at Education Workshops, Conferences, Training Programs, Official Functions, Hearings or Meetings.

## 5. New Business

- **Proposed Service Animal Policy:**

Continuing with our safety and security policy update, the Policy Committee introduced the proposed *Service Animal* policy to the Board at our January 16<sup>th</sup> meeting. Jerry Ostdiek has reviewed and approved the Policy Committee's draft. This is the first reading.

### ***Service Animals***

*Individuals with disabilities, including but not limited to students, may use a service animal on ESU #13 property subject to the conditions in this policy.*

### ***Definition***

*A service animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not considered service animals.*

*The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to:*

- *Assisting individuals who are blind or have low vision with navigation and other tasks.*
- *Alerting individuals who are deaf or hard of hearing to the presence of people or sounds.*
- *Providing non-violent protection or rescue work.*
- *Pulling a wheelchair.*
- *Assisting an individual during a seizure.*
- *Alerting individuals to the presence of allergens.*
- *Retrieving items such as medicine or the telephone.*
- *Providing physical support and assistance with balance and stability to individuals with mobility disabilities.*
- *Helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.*

*The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship are not considered work or tasks under the definition of a service animal.*

### ***When and Where a Service Animal is Allowed Access***

*Individuals with disabilities can bring their service animals in to all areas of ESU #13 where members of the public, program participants, clients, customers, patrons, or invitees are allowed. A service animal can be excluded from a facility if its presence interferes with legitimate safety requirements of the facility.*

*ESU #13 will ask an individual with a disability to remove a service animal if the animal is not housebroken or is out of control and the individual is not able to control it. A service animal must have a harness, leash or other tether, unless the handler is unable to use a tether because of a disability or the use of a tether would interfere with the service animal's ability to safely perform its work or tasks. In these cases, the service animal must be under the handler's control through voice commands, hand signals, or other effective means. If a service animal is excluded, the individual with a disability must still be offered the opportunity to obtain goods, services, and accommodations without having the service animal on the premises.*

### **Asking Questions**

*To determine if an animal is a service animal, ESU #13 may ask two questions:*

- *Is this animal required because of a disability?*
- *What work or task has this animal been trained to perform?*

*These questions may not be asked if the need for the service animal is obvious (e.g., the dog is guiding an individual who is blind or is pulling a person's wheelchair). ESU #13 may not ask about the nature or extent of an individual's disability or require documentation, such as proof that the animal has been certified, trained or licensed as a service animal, or require the animal to wear an identifying vest.*

### **Service Animals Other Than Dogs**

*ESU #13 can consider whether the facility can accommodate service animals other than dogs, and will review requests on an individual basis. The animal must have been individually trained to do work or perform tasks for the benefit of the individual with a disability. The rules that apply to service dogs also apply to other animals.*

### **Other Provisions**

- *ESU #13 is not responsible for the care and supervision of a service animal.*
- *ESU #13 cannot ask nor require an individual with a disability to pay a surcharge or deposit, even if people accompanied by pets are required to pay such fees.*
- *If ESU #13 normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his or her service animal.*

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

- **Metal Siding/Doors for Multi-purpose Room and Garage Re-siding Bids:**

The Board Finance Committee will review bids for the metal siding/doors for the multi-purpose room and garage re-siding project at the ESU #13 facility prior to our meeting on Tuesday and make a recommendation to the Board for approval.

**Recommendation:** Move to approve the recommendation of the Board Finance Committee regarding the metal siding/doors for multi-purpose room and garage re-siding project.

- **Complete and Comprehensive Audit Bids:** The Board Finance Committee will review bids for the complete and comprehensive audit of the books, accounts, records and affairs for the fiscal year ending August 31<sup>st</sup>, 2018 prior to our meeting on Tuesday and make a recommendation to the Board for the Audit service. Letters were sent to several auditing firms: Riggs & Associates - Lincoln, Romans, Wiemer & Associates – York, Lutz – Hastings, Bentley & Kisker – Kearney, KSO CPAs and Advisors (formerly McDermott & Miller) – Kearney, Dana Cole-Scottsbluff, E & H Certified Public Accounts – Scottsbluff, Dietrich & Sautter, CPA – Alliance and John Kiefer, PC – Alliance. A public notice was also issued.  
**Recommendation:** Move to approve the recommendation of the Board Finance Committee regarding the 2018 fiscal year complete and comprehensive audit service.

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

As per the Performance Standards, we need Board approval of revised Policy and Procedures. We have uploaded to the website the revised written plans: Planning and Monitoring Written Plans, Communication/Record Keeping Written Plans, and ERSEA (Eligibility, Recruitment, Selection, Enrollment, and Attendance) Written Plans. Policy Council approved these revised plans at the January 30, 2018 meeting. (Policy Council minutes uploaded to website.)

**Recommendation:** Move to approve the revised Head Start Planning and Monitoring Written Plans, Communication/Record Keeping Written Plans, and ERSEA (Eligibility, Recruitment, Selection, Enrollment, and Attendance) Written Plans.

- **Intensive Outpatient Program Policies: Grievances, Rights and Responsibilities of Persons Served, and Orientation of Persons Served**

As part of the mobile Intensive Outpatient Program that ESU 13 is creating, we have become a Region I provider. Creating specific consumer rights, policies and procedures for this program is one of the minimum standards we have to meet to enroll as a Region I provider. Due to IOP being a slightly different service than we have offered before, separate policies and procedures are needed. Jerry Ostdiek has drafted these policies and said these are **not** to be added to the Board's Policies. The policies are uploaded to the website.

**Recommendation:** Move to approve the Intensive Outpatient Program Policies of Grievances, Rights and Responsibilities of Persons Served and Orientation of Persons Served.

- **Rehire ESU #13 Administrator:**

At the February meeting each year, the Board takes official action to either extend my contract or terminate it at the end of the current contract period (June 30, 2020). The April agenda will include my annual goal setting session with the Board.

**Recommendation:** Your decision.

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

**7. Adjournment**

## Appendix A

### ESU 13 BOARD NOTES Dr. Jeff West February 2018

#### **Consent Action Item for Travel**

You will notice that we have added an item to the consent agenda approving travel to workshops, conferences, etc. When we sent our policy to attorney Jerry Ostdiek, he said it was state law that the board should approve this kind of travel so that is why it now appears under consent agenda. The schedule of travel is in your Board packet.

#### **Board Member Re-Election**

It is time again for Board member re-election. The filing deadline is July 15 for Incumbents and August 1 for Non-Incumbents. Desira has sent the certifications for Pat Dobry, Rosalene Tollman, Mark Sinner, Bill Knapper, Diane Coon, and Don Egging.

#### **Intensive Outpatient Policy**

For ESU 13 to be able to provide the Intensive Outpatient services to our schools via a grant from Region I, we needed to have a policy in place. While this is not a formal Board policy, it still needs to be reviewed and approved by the Board.

#### **Funeral Leave and Sick Leave Policy Review**

Mark Sinner had questions about our policy on Funeral and Sick leave. This was sent to Jerry and he agreed that it is acceptable to extend the Sick Leave and Funeral Leave benefit to those standing in loco parentis. If it is okay with the Board, we will add that to the March agenda using Jerry's definition: *Persons with day-to-day responsibilities to care for or financially support a child.*

#### **Scottsbluff Facility Projects**

Phase two of the concrete work is completed.

#### **Metal Siding/Doors on Multi-Purpose Room**

Bids are due back by February 20<sup>th</sup> at 2:00p.m. The Finance Committee will open bids at 6:00 pm. and make a recommendation to the Board that night.

#### **LB 801: Day Treatment/Day School Legislation**

Dr. Katie Carrizales, Laura Barrett and I testified in favor of LB 801 on Monday, February 12<sup>th</sup>. Scottsbluff superintendent Rick Myles also testified in support.

#### **LB 803: NDE Recertification Bill -Head Start Teacher Certification (Senator Stinner)**

I met with Senator Stinner Sunday evening in Lincoln to discuss our testimony for LB 801 as well as to get an update on LB 803. Senator Stinner feels we have the votes to get it out of committee but we need to have someone make it a priority or have the Speaker make it a priority so the bill can get to the floor and be voted on.

#### **State Auditor Report Exit Conference Agenda Items**



We have received the final State Audit report as well as our responses to the Exit Conference Agenda items. Each Board member will receive a hard copy of the report. We actually had fewer items appear in the report due to the fact that several of the items were placed into what they call the "Exit Conference Agenda." The Exit Agenda includes recommendation we have that do not meet the need to be in the formal audit report. These items are documented for discussion purposes only and are will not be released to the public. The items in the exit agenda do not require any formal response from our office.

We will discuss both items in more detail at our February meeting after the report will have become public.

**Administrator Evaluation Instrument**

I had researched and collected other evaluation instruments from other ESU administrators and those were placed in your board materials under September 19<sup>th</sup> board materials. If the board wants to explore changing the instrument, my evaluation typically happens at the April meeting. I might suggest a committee of the board, in cooperation with the administrator, to explore and recommend to the board a change if that is your wish. Because it is already January, time is of the essence if this is to be done this year.

**Strategic Planning Facilitator**

I talked with Larry Dlugosh on December 18<sup>th</sup>. He is available to work with us beginning in late spring, early summer. We just need to be compiling our 30 stakeholders we want to include in the process.

**AESA –Executives in Residence Program**

AESA's Executive in Residence program is designed to produce quality ESA leaders to enter formal leadership positions, cultivate future AESA national leaders through mentoring and increase networking and communication across the nation's ESAs. Andrew Eyres, Assistant Superintendent, Capital Region ESD 113, Tumwater, WA, is one of the cohorts in the program and will be visiting ESU 13 either the last week of March or the last week of April to spend some time in our unit.

**ESU 13 Audit Bids**

Letters and public notice went out Monday Dec 18 for bids for 2017-2018 audit. Bids are due back by February 20<sup>th</sup> at 2:00 p.m. The Finance Committee will also open bids at 6:00 pm. and make a recommendation to the Board that night.

**Scottsbluff Office Receptionist/Office Manager**

We have hired Beth Rohrer as our new office manager/receptionist for the Scottsbluff office. She has been on the job for several weeks and is doing a great job so far.

**Legislative Bills on Administrative Salaries**

LB 851 (Linehan): Limits salary to no more than five times the compensation for a beginning teacher.

LB 997(Erdman. Murante): Beginning in January of 2019, no political subdivision may spend more than 5% of its budget for salaries/benefits for administrators with supervisory authority or those employees who support these positions.