

## **Agenda**

- I. Call to Order
  - I.1. Pledge of Allegiance
  - I.2. Posting Verification
  - I.3. Open Meetings Act Notice
  - I.4. Mission Statement
- II. Roll Call
- III. Amendments to the Agenda/Approval of the Proposed Agenda
- IV. Recognition of Visitors/Public Comments
- V. Discussion Items
  - V.1. Americanism/Curriculum Committee Meeting Report
  - V.2. Building Updates
- VI. Action Items
  - VI.1. Approve QCPUF Payment
  - VI.2. Approval of BD Pay App
  - VI.3. Approval and Signing of May Meeting Minutes
  - VI.4. Approval of District Budget Reports and Expenditures
  - VI.5. Approval of Cross Country Sport
  - VI.6. Teacher Resignation
- VII. Policy Review
  - VII.1. Review of Updated Policy Changes from Perry Law Firm
- VIII. Administrative Reports
  - VIII.1. Superintendent Report
  - VIII.2. Principal Report
  - VIII.3. ESU 15 Report
  - VIII.4. NASB Report
- IX. Executive Session
  - IX.1. Enter into Executive Session
  - IX.2. Return to Open Session
- X. Next Regular Meeting
- XI. Adjourn

**CORPORATE TRUST ACCOUNT INVOICE SUMMARY**

WAUNETA-PALISADE PUBLIC SCHOOLS  
214 W WITCHITA  
WAUNETA NE 69045

**NAME OF ISSUE:**

CHASE COUNTY SCHOOL DISTRICT 0536  
(WAUNETA-PALISADE PUBLIC SCHOOLS)  
LIMITED TAX OBLIGATION SCHOOL BONDS  
SERIES 2022

**REF. NUMBER: WAUNETALTO22**

FOR QUESTIONS CONTACT CHAD SHIRK 402-458-1310

**DUE DATE 06/15/2025**

PRINCIPAL OUTSTANDING	\$805,000.00
<b>DEBT SERVICE</b>	
PRINCIPAL DUE	\$90,000.00
INTEREST DUE	\$12,046.25
<b>TOTAL DEBT SERVICE DUE</b>	<b>\$102,046.25</b>
<b>FEES</b>	
SEMI-ANNUAL PAYING AGENT FEE	\$200.00
<b>TOTAL FEE DUE</b>	<b>\$200.00</b>
 <b>TOTAL AMOUNT DUE</b>	 <b>\$102,246.25</b>

**WIRE PAYMENTS MUST BE RECEIVED 1 BUSINESS DAY PRIOR TO DUE DATE**  
**CHECK & ACH PAYMENTS MUST BE RECEIVED 5 BUSINESS DAYS PRIOR TO THE DUE DATE**

*IF REMITTING CHECK PAYMENT, PLEASE RETURN THE BOTTOM SECTION AND RETAIN TOP PORTION FOR YOUR RECORDS*

	<b>DUE DATE 06/15/2025</b>	
NAME OF ISSUE:	REF. NUMBER:	WAUNETALTO22
CHASE COUNTY SCHOOL DISTRICT 0536 (WAUNETA-PALISADE PUBLIC SCHOOLS) LIMITED TAX OBLIGATION SCHOOL BONDS SERIES 2022	NET AMOUNT DUE:	\$102,246.25
	CURRENT DEBT SERVICE:	\$102,046.25
	TOTAL FEES:	\$200.00
	AMOUNT ENCLOSED:	

**REMIT CHECK TO:**  
(MUST BE RECEIVED 5 BUSINESS DAYS PRIOR TO DUE DATE)  
BOKF, NA  
Attn: Corporate Trust  
1248 O Street, Ste 764  
Lincoln, NE 68508

**WIRE/ACH INSTRUCTIONS:**  
(WIRES MUST BE RECEIVED 1 BUSINESS DAY PRIOR TO DUE DATE)  
(ACHS MUST BE RECEIVED 5 BUSINESS DAYS PRIOR TO DUE DATE)  
BOKF, NA  
ABA 103900036  
A/C NAME: WEALTH MANAGEMENT  
A/C #: 600024642  
REF: NEB CORP TRUST - **WAUNETALTO22**

## REQUEST FOR PAYMENT

From: BD Construction, Inc. / Kearney  
 P.O. Box 726 / 209 E 6th Street  
 Kearney, NE 68848

To: Wauneta Palisade Public Schools  
 214 W Wichita St  
 Wauneta, NE 69045

Invoice: 800614  
 Draw: 26  
 Invoice date: 5/31/2025  
 Period ending date: 5/31/2025

Contract For:

**Request for payment:**

Original contract amount	\$7,497,217.50		
Approved changes	\$0.00		
Revised contract amount		\$7,497,217.50	
Contract completed to date		\$7,434,324.52	
Add-ons to date	\$0.00		
Taxes to date	\$0.00		
Less retainage	\$40,002.55		
Total completed less retainage		\$7,394,321.97	
Less previous requests	\$7,390,592.45		
Current request for payment		\$3,729.52	
Current billing		\$3,729.52	
Current additional charges	\$0.00		
Current tax	\$0.00		
Less current retainage	\$0.00		
Current amount due		\$3,729.52	
Remaining contract to bill	\$102,895.53		

Project: 22-02-0301  
 Wauneta Palisade Reno & Addition

Contract date: 11/19/2021

Architect: Wilkins Hinrichs Stober Arch

Scope: School Renovation & Addition

	Amount Certified	Date
Architect Approval		
<b>CHANGE ORDER SUMMARY</b>	<b>ADDITIONS</b>	<b>DEDUCTIONS</b>
Changes approved in previous months by Owner		
Total approved this Month		
<b>TOTALS</b>		
<b>NET CHANGES by Change Order</b>		

I hereby certify that the work performed and the materials supplied to date, as shown on the above represent the actual value of the accomplishment under the terms of the Contract (and all authorized changes thereof) between the undersigned and the Wauneta Palisade Public Schools relating to the above referenced project. I also certify that the contractor has paid all amounts previously billed and paid by the owner.

CONTRACTOR: BD Construction, Inc. / Kearney

State Of Nebraska

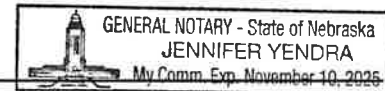
County Of Buffalo

By: Kent E. Gonsky

Subscribed and sworn to before me this 10<sup>th</sup> day of June, 2025

Date: 6/10/25

Notary Public  
 My commission expires: 11/10/2025



## REQUEST FOR PAYMENT DETAIL

Project: 22-02-0301 / Wauneta PalisadeReno&Ad

Invoice: 800614

Draw: 26

Period Ending Date: 5/31/2025

Detail Page 2 of 3 Pages

Item ID	Description	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Balance To Finish	Retainage Balance
1.0	Pre-Con General Conditions	37,625.00	37,625.00			37,625.00	100.00		
2.0	General Conditions	526,590.40	415,082.02	3,550.00		418,632.02	79.50	107,958.38	11,182.72
3.0	General Requirements	206,046.60	370,764.32	1.92		370,766.24	179.94	-164,719.64	
4.0	Temporary Walls - Allowance	45,000.00	14,775.54			14,775.54	32.83	30,224.46	
5.0	Interior Demo - Midwest Demc	108,300.00	104,258.33			104,258.33	96.27	4,041.67	
6.0	Building Concrete - Heartland	392,154.66	392,154.66			392,154.66	100.00		9,803.86
7.0	Misc Concrete - Allowance	25,000.00	12,942.44			12,942.44	51.77	12,057.56	
8.0	Reinforcing Steel - Conc Ind	32,610.00	26,529.78			26,529.78	81.35	6,080.22	
9.0	Excavate Elev Pit - Est Cost	7,500.00	5,443.00			5,443.00	72.57	2,057.00	
10.0	Masonry - Masonry Unlimited	45,780.00	45,780.00			45,780.00	100.00		
11.0	Structural Steel - 4G Steel	78,764.00	50,581.61			50,581.61	64.22	28,182.39	
12.0	Strcl Steel Erect - Est Cost	75,000.00	60,491.81			60,491.81	80.66	14,508.19	
13.0	Carpentry - BD Construction	127,158.00	128,941.10			128,941.10	101.40	-1,783.10	
14.0	Casework - Designercraft	37,094.00	37,094.00			37,094.00	100.00		
15.0	Roofing Addition - Tri Cities	35,035.00	35,035.00			35,035.00	100.00		
16.0	Roof Patch - Allowance	5,000.00	4,432.55			4,432.55	88.65	567.45	
17.0	Sealants - BD Construction	23,683.00	23,800.00			23,800.00	100.49	-117.00	
18.0	Doors & Hardware - Metal D&I	169,558.00	163,105.20			163,105.20	96.19	6,452.80	
19.0	Coiling Door - PTC	37,149.00	23,939.00			23,939.00	64.44	13,210.00	
20.0	Kalwall System - SGH	29,367.00	29,367.00			29,367.00	100.00		
21.0	Alum Strfront & Glaz - Tri Co	115,087.00	115,087.00			115,087.00	100.00		
22.0	Drywall & Framing - Mitchell	838,942.00	842,142.00			842,142.00	100.38	-3,200.00	14,335.44
23.0	Painting	123,769.00	120,500.00			120,500.00	97.36	3,269.00	3,025.00
24.0	Acoustical Ceiling - TC Ceilng	53,400.00	53,400.00			53,400.00	100.00		1,335.00
25.0	Flooring - Floors	114,283.00	111,317.40			111,317.40	97.41	2,965.60	
26.0	Polished Concrete - SurfaceSl	26,600.00	25,433.23			25,433.23	95.61	1,166.77	
27.0	Display & Markers Boards - P1	28,054.60	27,759.06			27,759.06	98.95	295.54	
28.0	Wall Protection - EPCO	9,323.46	8,499.99			8,499.99	91.17	823.47	212.50
29.0	Fire Extinguishers - EPCO	1,557.00	1,557.00			1,557.00	100.00		38.92
30.0	Toilet Accessories - EPCO	2,769.00	2,764.33			2,764.33	99.83	4.67	69.11
31.0	Toilet Partitions - PTC	7,498.82	2,535.67			2,535.67	33.81	4,963.15	
32.0	Interior Signage - Allowance	500.00	1,428.02			1,428.02	285.60	-928.02	
33.0	Exterior Signage - Allowance	15,000.00	18,574.73			18,574.73	123.83	-3,574.73	

## REQUEST FOR PAYMENT DETAIL

Project: 22-02-0301 / Wauneta PalisadeReno&Ad

Invoice: 800614

Draw: 26

Period Ending Date: 5/31/2025 Detail Page 3 of 3 Pages

Item ID	Description	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Balance To Finish	Retainage Balance
34.0	Athletic Equipment - PTC	100,738.75	100,738.75			100,738.75	100.00		
35.0	Window Coverings - Craftsma	1,123.00	250.00			250.00	22.26	873.00	
36.0	Gym Floor - Sports Unlimited	91,483.00	91,483.00			91,483.00	100.00		
37.0	Pre Eng Metal Bldg - Ceco	392,506.00	392,263.32			392,263.32	99.94	242.68	
38.0	PEMB Erect - Big Johnson	195,379.00	195,379.00			195,379.00	100.00		
39.0	Elevator - TK Elevators	145,265.00	145,265.00			145,265.00	100.00		
40.0	Fire Suppresion - NE FireSpkl	55,449.00	56,705.67			56,705.67	102.27	-1,256.67	
41.0	Plumbing	321,215.01	321,215.01			321,215.01	100.00		
41.1	SteamPipeRadtrRemoval-Allo	12,500.00						12,500.00	
42.0	HVAC - Rutts Htg & Air	1,004,342.50	1,002,000.00			1,002,000.00	99.77	2,342.50	
43.0	Electrical - Pivot Electric	616,600.00	616,600.00			616,600.00	100.00		
44.0	Communications - Kidwell	164,824.00	165,913.00			165,913.00	100.66	-1,089.00	
45.0	Earthwork - TK Ventures	101,763.64	101,763.64			101,763.64	100.00		
46.0	Termite Control - Allowance	5,000.00	7,800.00			7,800.00	156.00	-2,800.00	
47.0	Parking Lot Striping - Allowan	5,000.00	325.00			325.00	6.50	4,675.00	
48.0	Owner's Contingency	164,944.22	164,944.22			164,944.22	100.00		
49.0	Post Bid Inflation	50,000.00	50,000.00			50,000.00	100.00		
50.0	Estimating Adjustment	323,542.15	344,057.38			344,057.38	106.34	-20,515.23	
51.0	Contractor's Fee	356,643.69	353,492.22	177.60		353,669.82	99.17	2,973.87	
52.0	CM Bond Costs	7,700.00	7,259.00			7,259.00	94.27	441.00	

Totals	7,497,217.50	7,430,595.00	3,729.52		7,434,324.52	99.16	62,892.98	40,002.55
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**Wauneta Palisade Public School**  
**214 W Wichita St**  
**Wauneta, NE 69045**

Invoice 800614  
 Draw 26  
 Date 6/3/25  
 Customer 23018  
 Billing Thru: 5/31/2025

**Contract:** 22-02-030 School Addition & Renovation

**Contract Recap:**

Construction Budget	\$	7,497,217.50
Estimated Budget Change to Date	\$	-
Construction to Date	\$	7,497,217.50
Total Completed to Date	\$	7,434,324.52
Retainage	\$	(40,002.55)
Total Earned Less Retainage	\$	7,394,321.97
Less Previous Billings	\$	(7,390,592.45)
<b>AMOUNT DUE THIS INVOICE</b>	<b>\$</b>	<b>3,729.52</b>

**Net 10 Days**

CSI Division	Description	Quantity	Rate	Amount
<b>01 General Conditions</b>				
01-3113.10	Sr. Accounting	0	\$ 75.00	\$ -
01-3113.20	Accounting	1.5	\$ 70.00	\$ 105.00
01-3113.30	Construction Op Director	0	\$ 115.00	\$ -
01-3113.44	Field Operations Director	11	\$ 115.00	\$ 1,265.00
01-3113-45	Project Engineer	0.5	\$ 150.00	\$ 75.00
01-3113.50	Project Manager	18	\$ 80.00	\$ 1,440.00
		0	\$ 100.00	\$ -
01-3113.55	Assistant Project Manager	0	\$ 65.00	\$ -
	Monthly Bonus	0	\$ 1,000.00	\$ -
01-3113.65	Assistant Superintendent	0	\$ 75.00	\$ -
		0	\$ 92.50	\$ -
01-7700-99	Close Out Procedures	9.5	\$ 70.00	\$ 665.00
<b>TOTAL GENERAL CONDITIONS</b>				<b>\$ 3,550.00</b>
<b>01 General Requirements</b>				
01-3100.40	Incidental Const Services			
	Leadman	0	\$ 70.00	\$ -
	Other Misc Costs			\$ 1.92
70-1000.99	Mileage			
	Week of 04/03/25 - BD04	0	\$0.655	\$ -
	Week of 04/15/25 - BD04	0	\$0.655	\$ -
<b>TOTAL GENERAL REQUIREMENTS</b>				<b>\$ 1.92</b>
70-1100.99	Estimating Adjustment			
	Superintendent	0	\$ 65.00	\$ -
	Other Misc Costs			\$ -
<b>TOTAL CONTINGENCY</b>				<b>\$ -</b>

Invoices By Job per Cost Code

BD Construction, Inc. / Kearney

06-03-2025

Page 1

All Invoices

Invoice	Invoice Date	Description	Original Amount
<b>22-02-030</b>		Wauneta-Palisade School - CMA	
01-3100-40		Incidental Const Services	
		6517 First National-7626-RP	
		PO Box 2818	
		Omaha	
		NE 68103	
2025-04-01b	04-01-2025	cotter pin	1.92
		CSI Total	1.92*
Report Totals:			1.92*

## **Wauneta-Palisade Schools Board of Education Regular Meeting Minutes**

The Board of Education for the District of Chase County School District #15-0536 a/k/a Wauneta-Palisade Public Schools was convened in open, public session for a Regular Meeting at 5:01 PM Mountain on May 12, 2025, in the Central Office, Wauneta Attendance Center, PO Box 368, Wauneta, NE 69045, by President Sandman.

Notice of the meeting was given in advance by publication and/or posting in accordance with the Board approved method for providing notice of meetings. Notice of this meeting was given in advance to all members of the Board of Education. The Secretary of the Board maintains a list of the news media requesting notification of the meetings and advance notification to the listed media of the time and place of the meeting and the subjects to be discussed at this meeting was provided. Availability of the agenda was communicated in the publicized notice and a current copy of the Agenda was maintained as stated in the publicized notice. All proceedings of the Board of Education, except as may be hereinafter noted, were taken while the convened meeting was open to the attendance of the public.

### **Announcement of Open Meetings Act Posting**

At the beginning of the meeting, President Sandman announced and informed the public that a current copy of the Open Meeting Act is permanently posted in the meeting room on a laminated poster, accessible to members of the public.

### **Mission Statement**

Inspiring our Youth, Expecting Results Everyday

I. Call to Order. President Sandman called the meeting to order at 5:01 pm MT.

I.1. Pledge of Allegiance. The Pledge of Allegiance was recited.

I.2. Posting Verification. Maris and Sandman verified meeting posting.

I.3. Open Meetings Act Notice

I.4. Mission Statement

II. Roll Call. Present Board Members: Hondo Fanning, John Jutten, Laurie Maris, Aaron McKinney, Allison Sandman, and Marty Wheeler.

III. Amendments to the Agenda/Approval of the Proposed Agenda. None.

IV. Recognition of Visitors/Public Comments. Kisha Jameson and Camden DeWester presented a thank you to the school board and staff for their experience throughout their educational experience.

V. Action Items

V.1. Approval of BD Application #25. To approve BD Pay Application #25 for \$157,537.75 passed with a motion by Aaron McKinney and a second by Marty Wheeler.

Hondo Fanning: Yea, John Jutten: Yea, Laurie Maris: Yea, Aaron McKinney: Yea, Allison Sandman: Yea, Marty Wheeler: Yea

V.2. Approval of NebraskaLand Lease Payment. To approve NebraskaLand lease payment of \$446,862.25 passed with a motion by Laurie Maris and a second by John Jutten.

Hondo Fanning: Yea, John Jutten: Yea, Laurie Maris: Yea, Aaron McKinney: Yea, Allison Sandman: Yea, Marty Wheeler: Yea

V.3. Approval and Signing of April Minutes. To approve and sign the 4/14/2025 regular meeting minutes passed with a motion by Laurie Maris and a second by Hondo Fanning.

Hondo Fanning: Yea, John Jutten: Yea, Laurie Maris: Yea, Aaron McKinney: Yea, Allison Sandman: Yea, Marty Wheeler: Yea

V.4. Approval of District Expenditures and Budget Reports. To approve the district expenditures of Payroll: \$304,778.40; GF Accts Payable: \$82,768.17; BF Accts Payable: \$604,400.00; for a TOTAL of \$991,946.57 and accept the budget reports as presented passed with a motion by John Jutten and a second by Marty Wheeler.

Hondo Fanning: Yea, John Jutten: Yea, Laurie Maris: Yea, Aaron McKinney: Yea, Allison Sandman: Yea, Marty Wheeler: Yea

V.5. Approval of Superintendent Contract. To approve 2025-2026 Superintendent Contract with Randy Geier including the salary of \$164310 passed with a motion by Allison Sandman and a second by John Jutten.

Hondo Fanning: Yea, John Jutten: Yea, Laurie Maris: Yea, Aaron McKinney: Yea, Allison Sandman: Yea, Marty Wheeler: Yea

## VI. Policy Review

## VII. Administrative Reports

VII.1. Superintendent Report. Geier shared that on Wednesday he will serve on the appeals committee at the district track meet in Bertrand. Senior check out is tomorrow, graduation is Saturday. Aupperle will install new water softener for the kitchen. Kindergarten roundup predicts 18 for next fall and 14 for afternoon preschool and 8 for morning preschool. The PK-12 Spring concert is Thursday, Friday will host sports physicals at 2 pm. Two NDE members will be visiting the district to see what we are doing well and become more acquainted with the school.

VII.2. Principal Report. Frecks shared that the Athletic Banquet is 5/19, and Awards Night is 5/28. Elementary field trips are underway. Frecks reported that the students met testing goals and earned an incentive day on 5/19.

VII.3. ESU 15 Report. Sandman shared that ESU 15 meets tomorrow at 12 CT in McCook, and items on the agenda will be to accept the LMHP resignation of Morgan Cavanaugh, approve the master service contract with ESUCC, and the external visitation report.

VII.4. NASB Report. NASB MEMBER GOLF OUTING, Wednesday, June 11 – Kearney; SCHOOL LAW SEMINAR, June 11-12 – Kearney; LEADERSHIP WORKSHOPS, Monday, July 28 – Gering, Tuesday, July 29 – Kearney, and Wednesday, July 30 – Lincoln.

**STILL TO COME**

Area Membership Meeting, Labor Relations Conference, State Education Conference, New Board Member Workshop

IX. Next Regular Meeting. Monday, June 16, 2025 at 5 pm MT/6 pm CT.

X. Adjourn. Motion to adjourn at 5:56 pm MT Passed with a motion by Allison Sandman and a second by Laurie Maris.

Hondo Fanning: Yea, John Jutten: Yea, Laurie Maris: Yea, Aaron McKinney: Yea, Allison Sandman: Yea, Marty Wheeler: Yea

Respectfully submitted,  
Marj Rundback  
Recording Secretary

Dated this May 12, 2025  
Chase County School District #536  
a/k/a Wauneta-Palisade Public Schools

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Board Secretary Board President

James B. Gessford  
Daniel F. Kaplan  
Gregory H. Perry  
Joseph F. Bachmann  
R. J. Shortridge\*  
Joshua J. Schauer\*  
Derek A. Aldridge\*\*  
Justin J. Knight\*\*\*  
Charles Kaplan  
Haleigh B. Carlson  
Sara J. Tonjes  
Kendall G. Oberheide



PERRY, GUTHERY, HAASE & GESSFORD, P.C., L.L.O.

Of Counsel  
Thomas M. Haase

\*Also admitted in Iowa  
\*\* Also admitted in Kansas  
\*\*\*Also admitted in Colorado

Ernest B. Perry (1876-1962)  
Arthur E. Perry (1910-1982)  
R.R. Perry (1917-1999)  
Edwin C. Perry (1931-2012)

## MEMORANDUM

To: Phillip Picquet, ESU 15 Administrator  
From: Justin Knight, Perry Law Firm  
Date: June 2, 2025  
RE: 2025 School District Annual Policy Service Update

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The Legislature has adjourned after their 90-day session. This Memo covers the policy updates as a result of this past session, as well as legislation passed in prior sessions.

### A. REQUIRED POLICY UPDATES

**1. Policies 1200, 4003, and 5401 (and accompanying forms)** – AM 1617 to LB 150 updates Nebraska’s Fair Employment Practice Act to add “military or veteran status” as a protected class. As a result, our nondiscrimination policies have been updated to add this new protected class.

In addition, with the changes in federal guidance under the new presidential administration, some of the “hard” deadlines in these policies can be relaxed to give greater flexibility for internal investigations.

**2. Policies 3131 (“Procurement Plan”) & 3132 (“Internal Controls”)** – Several bidding references were updated in the federal regulations governing grants and federal audit requirements. These policies have been updated to reflect these changes, as well as adding a new preference for veteran-owned businesses that was added to 2 C.F.R. § 200.321.

**3. Policy 3410 (“Safe Driving Record Standard for Drivers”)** – NDE Rule 91 requires a medical exam for drivers of small vehicles (vans and cars with 10 passengers or less) when driving routes, but not for activities-only drivers. In other words, a small vehicle driver of a regular pick-up/drop-off route must have a medical exam; but a coach that drives a small vehicle only to activities does not. This requirement has created confusion in situations involving unexpected driving situations, part-time or temporary drivers, and the like. Policy 3410 has been updated to clarify Rule 91’s requirements.

It is also worth noting that the U.S. Department of Transportation has proposed revised regulations that would change the background and testing requirements, so there may be more policy updates on this topic next year.

**4. Policy 4009 (“Drug and Substance Use and Abuse”)** – Updates in federal driving requirements (relating to alcohol and drug reporting to the federal Clearinghouse) require adding language to this policy for bus drivers.

In addition, in light of these changes, Form A (accompanying Policy 4009) needs to be updated. However, Forms C and D can be rescinded since they are no longer necessary.

**5. Policy 5001 (“Admission”)** – LB 143 tweaked the student admission statutes for military families. Neb. Rev. Stat. § 79-215 now requires a school to provisionally enroll a student if the student’s family resides on a federally owned facility within the District. We have updated Policy 5001 to make this clearer.

**6. Policy 5101 (“Student Discipline”)** – There are three main changes to this Policy:

A. New Dress Code: Two years ago, LB 298 imposed a new dress code policy requirement. However, an analysis of the text of this new statutory mandate shows how contradictory and convoluted the statutory directives appear to encompass. For one, Neb. Rev. Stat. 79-2,158 dictates that each school have a policy that “is consistent with” a model policy adopted by the State Board of Education. Yet, the same statutory provision states that a District “may include any other procedures and provisions that the school board deems appropriate,” which suggests that the model policy is more of a sample than a prescription. In addition, 79-2,158(2) outlines three specific components of each *school’s* required policy, which further suggests that the State Board’s model policy is to be more of an example (otherwise the Legislature would have specified that the model policy itself must include those three items). Still, 79-2,159(4) lists that the State Board’s model policy “may” develop a health and safety standard within the model dress code. That same provision requires the State Board to include detailed steps that administrators must take in “health and safety” situations (including obtaining parental consent before requiring a student to change clothes), despite the “health and safety” provision being optional. In fairness to the State Board of Education (who was given this unfunded mandate by the Legislature), it is unsurprising that these inconsistencies within statute have led to significant confusion and anxiety among school administrators across the state.

With all of this confusion in mind, we have updated the “dress code” component of our Student Discipline Act to try and keep the required changes as straightforward as possible, while complying with the law’s dictates that a school dress code cannot be used to discriminate against any student.

We have also attached the State Board’s model policy in case your district would like to adopt the State Board’s model policy.

This new dress code policy must be adopted by July 1, 2025.

B. Cell Phones. LB 140 requires all schools to adopt a “cell phone” policy before the beginning of the 2025-2026 school year. (The new, required policy is listed as Policy 6113.) Policy 5101 has been updated to clearly reference the new cell phone law and student disciplinary consequences.

C. Added Language About “Deep Fakes.” Finally, in light of the increase in “deep fakes,” this Policy has been updated to add language that students can be disciplined for deep fake images of students or staff. As noted below, LB 383 criminalizes “deep fakes” in certain situations, but having clear language in board policy can help school administrators better address concerns within the school setting.

7. **Policy 5004 (“Full-time and Part-time Enrollment”)** – LB 306 updates the part-time enrollment statutes to provide more options for non-public schools to participate in extracurricular activities. LB 306’s language is subject to differing interpretations, especially after the Legislature changed the part-time statutes to address these same concerns two years ago. School administrators will need to familiarize themselves with these new rules before the 2025-2026 school year.

8. **Policy 5103 (“Extracurricular Activity Discipline”)** – For the same reasons listed in the changes to Policy 5101, the reference to dress code violations have been removed.

9. **Policy 5201 (“Promotion and Retention”) and (New) Policy 5201x (“Request to Repeat Grade Form”)** – Last year, the Legislature adopted a new law (§ 79-2,161) that allows parents to require their student to repeat a grade if the student qualifies under the statutory criteria. To apply to repeat a grade, a parent must submit a form prescribed by NDE. We have updated the new statutory reference to Policy 5201 and added that form as Policy 5201x.

10. **Policy 5202z (Notification of Rights Under FERPA)** – Within the past year, the U.S. Department of Education issued a “Model Notice” to update parents’ rights under FERPA. To remain consistent with DOE’s guidance, we have updated this Policy.

11. **Policy 5301 (“Association Activities”)** – LB 89 requires each school board to adopt a policy designating each school-sponsored interscholastic athletic team or sport as either biologically male, female, or co-ed. The bill does not require each sport or team listed in the Policy. In turn, we added language to Policy 5301 to authorize the Superintendent to make the required designations.

12. **Policy 5414 (“Identification of Learners with High Ability”)** – We realized this Policy may no longer be accurate or current with your district’s practices. As a result, we revised the Policy to give school administrators more discretion in developing criteria to identify high-ability learners.

**13. (New) Policy 5507 (“Foster Care Student Transportation”)** – NDE audits have frequently requested information about the District’s foster care transportation. The Every Student Succeeds Act only requires a school district to have “procedures” (not requiring board approval). However, given the confusion and ease of having a formal board policy in these audits, we have prepared Policy 5507 to memorialize a school district’s foster care transportation requirements.

**14. (New) Policy 6113 (“Electronic Communication Devices and Cell Phones”)** – For the same reasons listed in the changes to Policy 5101, LB 140’s cell phone requirements have been added to this new policy.

**15. Policy 6400 (“Parental/Community Involvement in Schools”)** – Last year, the Legislature passed LB 71 to, in part, update Nebraska’s parental involvement statutes. Policy 6400 has been updated to reflect these changes. Note that LB 71 requires the updated Parental Involvement to be approved by July 1, 2025, and posted to the school’s website by August 1, 2025.

Further, LB 428 (passed this year) requires additional revisions to Policy 6400. LB 428 adds new requirements for school-issued surveys, including the rights of parents to review and/or opt their student out of “sensitive” surveys. Depending on what types of surveys your district administers, this update may need to be carefully examined before the beginning of the 2025-2026 school year.

**16. (New) Policy 6931 (“Behavioral Intervention and Classroom Management”)** – Two years ago, the Legislature passed LB 1329 which, in part, required each school to adopt a policy on “behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in school.” The Legislature directed the State Board of Education to develop a “model policy” reflecting the new policy’s requirements. By August 1, 2025, each school must adopt a policy “consistent with or comparable to the model policy.” This policy will now be a requirement for accreditation by NDE. To ensure compliance with this new accreditation requirement, our Policy 6931 largely mirrors the State Board’s model policy.

## **B. POLICY RESCISSIONS**

**1. Policy 5001 Forms (“Summary of the School Immunization Rules and Regulations”)** – This Form has led to confusion and headaches for schools that have not kept this current. To avoid further confusion and consternation, we recommend rescinding this form in your Policy Manual.

**2. Policy 6410 (“Combined District and School Title I Parent and Family Engagement Policy”)** – The US Department of Education informed NDE that Title I involvement policies need to be more specifically tailored to each school district, instead of incorporated as a general policy. As such, NDE has recommended that schools rescind their Title I Involvement

Policy and, instead, complete the template available on their website: <https://www.education.ne.gov/federalprograms/title-i-a-educationally-disadvantaged/#TitleIParentandFamilyengagement>

Of note, the Title I engagement “policy” does not need to be Board approved (despite being called a “policy”) under the Every Student Succeeds Act.

### C. OPTIONAL POLICY AND/OR HANDBOOK UPDATES

1. **Policy 3241 (“Emergency Response Mapping”)** – Last year, schools that adopted an Emergency Response Mapping Policy were eligible to apply for safety and security grant funds. If your district was not approved for grant funds and no longer want an Emergency Response Mapping Policy on file, you could rescind Policy 3241 this summer.

### D. OTHER CONSIDERATIONS

1. **Title IX Procedures** – In light of the constant changes to the Title IX Regulations, we recommended last year to rescind any Board-approved procedures. Instead, we recommended a policy that delegated the Superintendent the authority to develop procedures consistent with Title IX. If you have not done so, we would strongly recommend it. A copy of those procedures is attached. The procedures also need to be posted on the school’s website.

2. **Veteran’s Preference** – LB 144 (passed this session without an emergency clause) will update Nebraska’s veteran’s preference laws. In particular, LB 144 adds the spouse of a veteran who “was killed in the line of duty or died due to his or her military service” as a person who qualifies for a veteran’s preference. This update is a good reminder to review your district’s application forms to ensure that the school’s job applications state that positions are “subject to a veteran’s preference,” per Neb. Rev. Stat. § 48-227(3).

3. **Paid Sick Leave Initiative** – Last November, the voters approved Initiative 436, which requires an increase in employer-provided paid sick leave. However, the Initiative exempted political subdivisions from the paid sick leave requirements. Therefore, there are no required changes to any school’s paid sick leave benefits.

4. **Nebraska’s Minimum Wage Increase.** Similar to the Paid Sick Leave Initiative, Nebraska’s recent Minimum Wage Increase Initiative does not apply to political subdivisions, so school districts are not legally required to follow the increases in the State’s minimum wage rates.

**5. Medical Marijuana Initiative.** Nebraska voters also approved the Medical Marijuana Initiative last November. LB 677 would have added specific statutory requirements for medical marijuana in schools, but LB 677 did not advance. Thus, we will need to work over the summer months to prepare for medical marijuana requests by staff, students, and community members on school grounds and at school activities.

**6. New Open Meetings Act Poster.** LB 521 “cleaned up” language within the Open Meetings Act. The changes to the Open Meetings Act are largely technical and do not require any policy updates. With that being said, each board is required to have a current copy of the Open Meetings Act posted during all board meetings. The bill has an emergency clause so each board will need to update their Open Meetings Act posters this summer.

**7. Forthcoming Update on Bidding Threshold.** This year, the State Board of Education will update the bidding threshold for construction, remodeling, or repair projects. This update will result in a future policy update.

**8. Changes to NPERS –** Two main bills changed different aspects of the Retirement System: LB’s 295 and 645. None of these require policy changes but are worth noting.

a. LB 295 largely makes technical changes to the retirement statutes. However, LB 295 makes some substantive changes that your business managers will want to follow any new procedures implemented by NPERS.

b. LB 645 will adjust both the employer, employee, and state retirement contribution percentages on an annual basis, depending on the state retirement plan’s funding ratio. When the plan is well-funded, contribution percentages will decrease. But when the plan needs additional funding, contributions will increase. This change will likely have a significant impact on negotiations moving forward, given that teachers’ retirement deductions will now fluctuate from year-to-year. We will provide more information on this change in the fall for your negotiations preparations.

**9. LB 383 –** LB 383 passed this session that adopts two main statutory frameworks: (1) criminalizing “deep fakes” and (2) generally requiring parental consent for a minor to create or maintain a social media account. To date, some County Attorneys have been reluctant to prosecute instances of “deep fakes,” so LB 383 establishes clear statutory authority for criminal charges moving forward. In addition, it remains to be seen how social media companies will respond to LB 383 in Nebraska, though your school’s technology coordinator will want to keep a close eye on any forthcoming changes.

**10. Computer Science and Technology** – Years ago, the Legislature adopted computer science and technology curriculum requirements. These requirements will begin to take effect during the 2025-2026 school year. Most (if not all) schools already incorporate technology into the curriculum, so this change may not be significant. However, next year (2027-2028), graduates must have completed a five-credit hour computer science course. These requirements can be found at Neb. Rev. Stat. 79-3304.

**11. LB 390 (Library Directory)** – LB 390 (passed this year) will require all school districts to adopt a policy requiring a catalog of all books in school libraries and allow parents the option of being notified when their student checks out a book. However, this policy does not need to be adopted until the beginning of the 2026-2027 school year, so we will wait to distribute a library catalog policy until next summer.

**12. School Psychologist Interstate Licensure Company** – The Legislature adopted the Interstate Compact to allow greater flexibility in licensed school psychologists to work in Nebraska schools. This does not require any policy updates but may be of interest to those schools looking to hire a school psychologist from a different state.

**13. New Anaphylaxis Policy Requirement** – LB 457 requires DHHS and NDE to the develop a model policy “for the prevention of anaphylaxis and during a medical emergency resulting from anaphylaxis.” This policy needs to be adopted by July 1, 2026. Since we do not have the model policy, we will wait until next summer to send the required anaphylaxis policy.

**14. Forthcoming NDE Rule 15 Changes** – The State Board of Education has not made substantive changes to NDE Rules over the past year, at least changes that require policy updates. The State Board is considering changes to NDE Rule 15 (English Language Learners) that might require policy updates next year, depending on the final version of Rule 15.

**15. NSAA Coaching Change.** Last year, the NSAA voted to change its bylaws. Previously, coaches were required to meet a certification requirement to coach NSAA activities. Now, NSAA Bylaw 2.12 waives the certification requirement. Moving forward, each school is responsible for vetting their coaches. Some districts have a policy requiring background checks on all hires (including coaches). This may be a discussion within your district on how you plan to handle evaluating coaching hires and positions.

As always, please let us know if you have any questions or concerns.