DATE:
TO: ESU #1 Board of Directors
FROM: Bill Heimann, Administrator
RE: Tuesday, August 8, 2023 Board Meeting

There will be a meeting of the ESU #1 Board of Directors, on Tuesday, August 8, 2023, at 5:30 PM in the

ESU #1 Conference Room
211 Tenth Street
Wakefield, NE 68784-5014

Consideration, discussion and any action necessary will be taken on the following items.

A. Public Hearing: Student Fees Policy
B. Notification of Open Meetings Law
C. Roll Call*
D. Appoint District 4 ESU1 Board Member
E. Consent Agenda*
    E.1. Previous Minutes (copy attached)
    E.2. Financial Reports
        E.2.a. Revenue Report/Treasurer's Report
        E.2.b. Cash Summary/Expenditure Report
    E.3. Bills for August
    E.4. Administrator's Monthly Report
        E.4.a. NDE Federal Grant Review
        E.4.b. Construction Update for ESU1 Remodeling Project
        E.4.c. ESU1 All-Staff Day
        E.4.d. School District Required Trainings and Mandates
        E.4.e. NDE Rule 84 Meeting
F. Public Comment
G. Election District Maps
H. Student Fee Policy*
I. Anti-Bullying Policy*
J. ESU1 Policy - Article 4, Section 1 Employment of Personnel, Item C Release from Contract*
K. Additional August Expenditures*
L. Hot Lunch Program Appointment*
M. Personnel*
    M.1. Consider, discuss, and take necessary action on employee contracts and personnel changes.
        M.1.a. Resignation(s)
        M.1.b. New Hire(s)
        M.1.c. Contract Change(s)
        M.1.d. Termination(s)
N. Adjournment

This agenda contains a list of subjects known at the time of its distribution on . A copy of the agenda reflecting any changes will be kept in the ESU #1 Administrative office and will be readily available for public inspection during normal office hours. Except for items of emergency nature, the agenda will not be enlarged later than twenty-four hours before the scheduled commencement of the meeting. The Board reserves the right to change the order of business discussed.

*Action Items

Student Fees

The ESU will not assess any fee to students in a manner inconsistent with the adopted Student Fee Policy of the school district in which the student is enrolled ("School District"). Further, the ESU will not assess any fee to students in the absence of specific authority within a contract for services between the ESU and the School District.

In the event that a student served by the ESU requires certain goods or services to be provided by the ESU when no counterpart service is available within the School District, any fees to be charged for any such goods or services by the ESU shall be specifically identified by the School District and the ESU. Any fees assessed by the ESU at the direction of, or by contract with, the School District shall be deemed a fee collected by the School District.

Legal Reference:	§§ 79-2,125 to 79-2,135 (Public Elementary and Secondary Student Fee Authorization Act)
Date of Adoption:	January 19, 2009

Nebraska Open Meetings Act

84-1407. Act, how cited. Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

84-1408. Declaration of intent; meetings open to public. It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

84-1409. Terms, defined. For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders, and (iii) the Judicial Resources Commission or subcommittees or subgroups of the commission;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as: (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body; (b) Discussion regarding deployment of security personnel or devices; (c) Investigative proceedings regarding allegations of criminal misconduct; (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length. Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; virtual conferencing authorized; requirements; emergency meeting without notice; appearance before public body.

(1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public. (b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's website. (ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such notice shall be published by: (A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's website; or (B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting. (iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee. (d) Each public body shall record the methods and dates of such notice in its minutes. (e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met: (i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity; (ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act; (iii) The governing body of a public power district having a chartered territory of more than one county in this state; (iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state; (v) An educational service unit; (vi) The Educational Service Unit Coordinating Council; (vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act; (viii) A community college board of governors; (ix) The Nebraska Brand Committee; (x) A local public health department; (xi) A metropolitan utilities district; (xii) A regional metropolitan transit authority; and (xiii) A natural resources district. (b) The requirements for holding a meeting by means of virtual conferencing are as follows: (i) Reasonable advance publicized notice is given as provided in subsection (1) of this section, including providing access to a dial-in number or link to the virtual conference; (ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be provided if virtual conferencing was not used; (iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and (iv) Except as otherwise provided in this subdivision or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, the organization may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing. The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by virtual conferencing if the governing body's quarterly meetings are not held by virtual conferencing.

(3) Virtual conferencing, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by virtual conferencing. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing.

(7)(a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body. (b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings. (c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsection (5) of section 84-1413. (8) In addition to any other statutory authorization for virtual conferencing, any public body not listed in subdivision (2)(a) of this section may hold a meeting by virtual conferencing if: (a) The purpose of the virtual meeting is to discuss items that are scheduled to be discussed or acted upon at a subsequent non-virtual open meeting of the public body; (b) No action is taken by the public body at the virtual meeting; and (c) The public body complies with subdivisions (2)(b)(i) and (2)(b)(ii) of this section.

84-1412. Meetings of public body; rights of public; public body; powers and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, a camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings, including meetings held by virtual conferencing. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if: (a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction; (b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience; (c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making virtual conferencing available at an instate location to members, the public, or the press, if requested twenty-four hours in advance; (d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state; (e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; and (f) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) Each public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at a meeting.

(8) Public bodies shall make available at the meeting or the instate location for virtual conferencing as required by subdivision (6)(c) of this section, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting, either in paper or electronic form. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

84-1413. Meetings; minutes; roll call vote; secret ballot; when; agenda and minutes; required on website; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written or kept as an electronic record and shall be available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing or keeping the minutes is absent due to a serious illness or emergency.

(6) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public website the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the website at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the website at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public website for at least six months.

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

84-1415. Open Meetings Act; requirements; waiver; validity of action. No motion, resolution, rule, regulation, ordinance, or formal action made, adopted, passed, or taken at a meeting as defined in section 84-1409 of a public body as defined in such section shall be invalidated because such motion, resolution, rule, regulation, ordinance, or formal action was made, adopted, passed, or taken at a meeting or meetings on or after March 17, 2020, and on or before April 30, 2021, pursuant to a Governor's Executive Order which waived certain requirements of the Open Meetings Act.

Revised 4-2022

Nebraska Open Meetings Act

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ESU #1 Board Meeting
Tuesday, June 13, 2023

A meeting of the ESU #1 Board of Directors convened in open and public session on Tuesday, June 13, 2023, at 5:30 PM, at ESU #1. **Present:** Josiah Boneschans, Tabitha Gilsdorf, Jim Gunsolley, Traci Haglund, Mr. Tucker Hight, AJ Johnson, Shannon Johnson, Duane Krusemark, Sally Reinert, Susan Strahm.

Notice of the meeting was given in advance by publication and/or posting, as shown below, in accordance with the Board approved method for giving notice of meetings. Notice of this meeting was given in advance to all members of the Board of Directors. The Recording Secretary maintains a list of news media requesting notification of 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 current copy of the Agenda was maintained as stated in the publicized notice. All proceedings of the Board of Directors, except as may be hereinafter noted, were taken while the convened meeting was open to the attendance of the public.

Published and/or Posted Locations:
- Wayne Herald (Thursday before meeting date)
- Central Office Front Door (Friday before meeting date)
- Sparq (Friday before meeting date)

A. Notification of Open Meetings Law
At the beginning of this meeting, President AJ Johnson announced and informed the public that a current copy of the Open Meetings Act is available at the meeting site and included electronically in the E-Meeting agenda.

B. Roll Call
All members were present at this meeting.

C. Consent Agenda*
Motion by Duane Krusemark, seconded by Susan Strahm, to approve all items on the consent agenda as provided: (May 9 Minutes, May Financial Reports, June bills of $1,160,908.40, and the Administrator's Report.) After discussion and on roll call vote, the Board voted as follows:

Motion Carried:
Josiah Boneschans: For, Tabitha Gilsdorf: For, Jim Gunsolley: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Duane Krusemark: For, Sally Reinert: For, Susan Strahm: For
For: 10, Against: 0

C.1. Previous Minutes (copy attached)

C.2. Financial Reports*

C.2.a. Revenue Report/Treasurer's Report

C.2.b. Cash Summary/Expenditure Report

C.3. Bills for June

C.4. Administrator's Monthly Report

C.4.a. School Mental Health Program
Administrator Heimann provided an overview of the Mental Health Training offered by ESU #1.

C.4.b. ESU1 Construction Project
Administrator Heimann provided an update on the progress of the construction.

D. Public Comment

E. ESU1 Technology Program Presentation
Director of Network and Information Systems, Andrew Contreras, provided an overview of technology services.

F. Payment of Grant Fund Expenditures and July bills*
Motion by Jim Gunsolley, seconded by Shannon Johnson, to authorize Administrator Heimann to expend remaining Perkins and PEAK grant funds, July payroll and expenditures. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:
Josiah Boneschans: For, Tabitha Gilsdorf: For, Jim Gunsolley: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Duane Krusemark: For, Sally Reinert: For, Susan Strahm: For
For: 10, Against: 0

G. External Auditor Contract*
Motion by Sally Reinert, seconded by Traci Haglund, to authorize Administrator Heimann to enter into a 3 year agreement with Dana F. Cole & Company to conduct the ESU #1 fiscal audit. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:
Josiah Boneschans: For, Tabitha Gilsdorf: For, Jim Gunsolley: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Duane Krusemark: For, Sally Reinert: For, Susan Strahm: For
For: 10, Against: 0

H. Legislation
Administrator Heimann provide a Legislative update.

I. ESU1 Annual Survey
Administrator Heimann shared the results from the 2023 Annual Survey.

J. ESU Core Service Funds
Administrator Heimann provided an update on the Core Service Funds for next year.

K. Board Member Resignation*
Motion by Jim Gunsolley, seconded by Traci Haglund, accept the resignation of ESU #1 District 4 board member Duane Krusemark, effective July 31, 2023. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:
Josiah Boneschans: For, Tabitha Gilsdorf: For, Jim Gunsolley: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Duane Krusemark: For, Sally Reinert: For, Susan Strahm: For
For: 10, Against: 0

L. Purchase Furniture*
Motion by Shannon Johnson, seconded by Susan Strahm, to authorize Administrator Heimann to purchase office furniture from Eakes Office Solutions in an amount not to exceed $195,000. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:
Josiah Boneschans: For, Tabitha Gilsdorf: For, Jim Gunsolley: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Duane Krusemark: For, Sally Reinert: For, Susan Strahm: For
For: 10, Against: 0

M. 2023-24 Budget Parameters/1% Approval*
Motion by Sally Reinert, seconded by Josiah Boneschans, to approve the additional 1% budget authority for 2023-24 as allowed by statute. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:
Josiah Boneschans: For, Tabitha Gilsdorf: For, Jim Gunsolley: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Duane Krusemark: For, Sally Reinert: For, Susan Strahm: For
For: 10, Against: 0

N. Contract Service for Technology Integration*
Motion by Tabitha Gilsdorf, seconded by Shannon Johnson, to authorize Administrator Heimann to enter into an agreement with ESU 2 for the 2023-24 school year for 70 days of professional development service at a cost not to exceed $36,175, plus expenses. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:
Josiah Boneschans: For, Tabitha Gilsdorf: For, Jim Gunsolley: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Duane Krusemark: For, Sally Reinert: For, Susan Strahm: For
For: 10, Against: 0

O. Personnel*

O.1. Consider, discuss, and take necessary action on employee contracts and personnel changes.

O.1.a. Resignation(s)

O.1.b. New Hire(s)

O.1.c. Contract Change(s)

Motion by Susan Strahm, seconded by Traci Haglund, to approve changing ESU #1 Early Development Network employees to a 12 month classification. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:
Josiah Boneschans: For, Tabitha Gilsdorf: For, Jim Gunsolley: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Shannon Johnson: For, Duane Krusemark: For, Sally Reinert: For, Susan Strahm: For
For: 10, Against: 0

O.1.d. Termination(s)

P. Adjournment
As there were no additional Agenda items, President AJ Johnson adjourned the meeting at 6:48 p.m.

Brittney Hampl, Recording Secretary

Susan Strahm, Board Secretary

Educational Service Unit One

Check Report

Begin Date: 08/01/2023; End Date: 08/31/2023; Check Type: Accounts Payable and Payroll Liability; Payee: [All]; Bank: BANKFIRST; Accounting Cycle: FY 2022-23; Limit Results to This Cycle: Yes; Account Expression: [All]; Show Detail by Voucher: Yes; Created On: 8/4/2023 5:04:21 PM

Payee	Check Date	Check Number	Description	Type	Amount
ABAGAIL GUSTAD	08/15/2023		MILEAGE 08/23	Accounts Payable	$842.33
ADAJ CORPORATION	08/15/2023	6352	CATERING	Accounts Payable	$151.50
ADMIN CHASE CREDIT CARD	08/15/2023	6353	CHASE ADMIN	Accounts Payable	$963.60
aha! Process Inc.	08/15/2023	6354	PREK-2 BOOKS	Accounts Payable	$3,357.75
ALLO COMMUNICATIONS	08/15/2023	6355	TOWER TELEPHONE	Accounts Payable	$212.43
AMAZON CAPITAL SERVICES	08/15/2023	6356	ALL STAFF DAY	Accounts Payable	$7.99
AMAZON CAPITAL SERVICES	08/15/2023	6356	BINDER RINGS	Accounts Payable	$44.82
AMAZON CAPITAL SERVICES	08/15/2023	6356	CATERING SUPPLIES	Accounts Payable	$11.80
AMAZON CAPITAL SERVICES	08/15/2023	6356	CENTRAL CREDIT CARD SLEEVES	Accounts Payable	$19.99
AMAZON CAPITAL SERVICES	08/15/2023	6356	CENTRAL LABELS	Accounts Payable	$18.00
AMAZON CAPITAL SERVICES	08/15/2023	6356	DEAF ED SUPPLIES	Accounts Payable	$28.99
AMAZON CAPITAL SERVICES	08/15/2023	6356	EC MTSS TECH SUPPLIES	Accounts Payable	$850.60
AMAZON CAPITAL SERVICES	08/15/2023	6356	EDN ENVELOPES	Accounts Payable	$20.62
AMAZON CAPITAL SERVICES	08/15/2023	6356	ELC CARTRIDGES	Accounts Payable	$197.80
AMAZON CAPITAL SERVICES	08/15/2023	6356	MEP	Accounts Payable	$102.53
AMAZON CAPITAL SERVICES	08/15/2023	6356	MEP CHILD SERVICES	Accounts Payable	$241.28
AMAZON CAPITAL SERVICES	08/15/2023	6356	MEP SUMMER	Accounts Payable	$190.56
AMAZON CAPITAL SERVICES	08/15/2023	6356	NEW STAFF SUPPLIES	Accounts Payable	$22.79
AMAZON CAPITAL SERVICES	08/15/2023	6356	POSTAGE MACHINE INK RETURN	Accounts Payable	($121.99)
AMAZON CAPITAL SERVICES	08/15/2023	6356	PREK-2 PROF DEV BOOK	Accounts Payable	$34.15
AMAZON CAPITAL SERVICES	08/15/2023	6356	SOAP CREDIT	Accounts Payable	($119.84)
AMAZON CAPITAL SERVICES	08/15/2023	6356	SPEECH SUPPLIES	Accounts Payable	$12.00
AMAZON CAPITAL SERVICES	08/15/2023	6356	STAFF DEV	Accounts Payable	$25.83
AMAZON CAPITAL SERVICES	08/15/2023	6356	STAFF SUPPLIES	Accounts Payable	$415.84
AMAZON CAPITAL SERVICES	08/15/2023	6356	TECH SUPPLIES	Accounts Payable	$473.63
AMAZON CAPITAL SERVICES	08/15/2023	6356	TECHNOLOGY	Accounts Payable	$1,420.55
AMAZON CAPITAL SERVICES	08/15/2023	6356	TOWER MATS	Accounts Payable	$239.97
AMGL	08/15/2023	6357	FLEX PLAN ADMIN	Accounts Payable	$333.00
AMY MUNDIL	08/15/2023		EXPREIMB	Accounts Payable	$29.89
AMY MUNDIL	08/15/2023		MILEAGE 08/23	Accounts Payable	$309.16
ANDREW CONTRERAS	08/15/2023		MILEAGE 08/23	Accounts Payable	$77.68
ANITA L MULLER	08/15/2023		MILEAGE 08/23	Accounts Payable	$22.27
ASCD	08/15/2023	6358	CONROY REGISTRATION - #02076420	Accounts Payable	$89.00
ASHLEY LYNN KERKMAN	08/15/2023		MILEAGE 08/23	Accounts Payable	$68.12
BILL R. HEIMANN	08/15/2023		CELL PHONE REIMB	Accounts Payable	$75.00
BILL R. HEIMANN	08/15/2023		MILEAGE 08/23	Accounts Payable	$480.77
BLUE CROSS/BLUE SHIELD OF NEBRASKA	08/15/2023	6425	Health-125	Payroll Liability	$23,844.30

BLUE CROSS/BLUE SHIELD OF NEBRASKA	08/15/2023	6425	Health-board	Payroll Liability	$92,863.26
BLUE CROSS/BLUE SHIELD OF NEBRASKA	08/15/2023	6425	Health-ded	Payroll Liability	$2,118.34
BOBBI J HIGHTREE	08/15/2023		MILEAGE 08/23	Accounts Payable	$1.31
BRANDY PRICE	08/15/2023		JULY TRAINING	Accounts Payable	$1,000.00
BRITTNEY HAMPL	08/15/2023		EXPREIMB	Accounts Payable	$20.22
BRITTNEY HAMPL	08/15/2023		MILEAGE 08/23	Accounts Payable	$0.98
BROOKE GEBERS	08/15/2023		MILEAGE 08/23	Accounts Payable	$292.13
BW PLUS MID NEBRASKA INN & SUITES	08/15/2023	6359	HURNER/LAHM HOTEL	Accounts Payable	$392.00
CANON FINANCIAL SERVICES INC	08/15/2023	6360	COPIER LEASE	Accounts Payable	$440.00
CARLSON WEST POVONDRA ARCHITECTS	08/15/2023	6361	REMODEL PROJECT	Accounts Payable	$1,010.19
CAROL JESSICA MCGUIRE	08/15/2023		MILEAGE 08/23	Accounts Payable	$232.53
CENTURY LINK	08/15/2023	6362	TELECOMMUNICATIONS	Accounts Payable	$437.88
CHARTWELLS DINING SERVICES	08/15/2023	6363	ALL STAFF DAY	Accounts Payable	$436.14
CHELSEA UMSCHEID	08/15/2023		MILEAGE 08/23	Accounts Payable	$179.80
CHERI LYNN MATTHEWS	08/15/2023		MILEAGE 08/23	Accounts Payable	$131.00
CITLALI RAMIREZ	08/15/2023		ELC TRAINING	Accounts Payable	$510.00
CITY OF WAKEFIELD	08/15/2023	6364	UTILITIES	Accounts Payable	$1,003.43
CITY OF WAYNE	08/15/2023	6365	UTILITIES	Accounts Payable	$501.55
COMFORT INN	08/15/2023	6366	RODRIGUEZ HOTEL	Accounts Payable	$259.90
CORNERSTONE LLC	08/15/2023	6367	TOWER STORAGE	Accounts Payable	$65.00
COURTYARD MARRIOTT	08/15/2023	6368	FILLIPI & LAHM HOTEL	Accounts Payable	$718.20
CRISIS PREVENTION INSTITUTE	08/15/2023	6369	CPI BOOKS	Accounts Payable	$1,557.15
CUBBYS INC	08/15/2023	6370	WORKSHOP SUPPLIES	Accounts Payable	$2.99
CULLIGAN	08/15/2023	6371	CENTRAL SALT	Accounts Payable	$49.26
CULLIGAN	08/15/2023	6371	TOWER SALT	Accounts Payable	$124.50
CURTIS F & COLEEN R JEFFRIES	08/15/2023	6372	LEAGL PAPER	Accounts Payable	$79.45
DAS STATE ACCOUNTING	08/15/2023	6373	TELECOMMUNICATIONS	Accounts Payable	$5,476.99
DAWN MURPHY	08/15/2023		JULY TRAININGS	Accounts Payable	$600.00
DEREK LAHM	08/15/2023		EXPREIMB	Accounts Payable	$78.97
DEREK LAHM	08/15/2023		MILEAGE 08/23	Accounts Payable	$334.71
DOLGENCORP, LLC	08/15/2023	6374	WORKSHOP SUPPLIES	Accounts Payable	$189.85
DONNA KRAFT	08/15/2023	6375	CORRECTIVE READING CATERING	Accounts Payable	$236.25
DONNA KRAFT	08/15/2023	6375	EIR CATERING	Accounts Payable	$262.50
DONNA KRAFT	08/15/2023	6375	REWARDS LEADERSHIP CADRE	Accounts Payable	$317.50
ECHO RUDLOFF	08/15/2023		MILEAGE 08/23	Accounts Payable	$599.26
ELBA OLIVERA	08/15/2023		MILEAGE 08/23	Accounts Payable	$339.71
ERIKA FINK	08/15/2023		MILEAGE 08/23	Accounts Payable	$288.20
ESU #1 CAFETERIA PLAN ACCOUNT	08/15/2023	6426	Flex Bene-childcare	Payroll Liability	$3,891.61
ESU #1 CAFETERIA PLAN ACCOUNT	08/15/2023	6426	Flex Benefit-medl	Payroll Liability	$4,486.82
ESU #1 GENERAL FUND	08/15/2023	6376	PRE-K PROF DEV PRINTING PROJECT	Accounts Payable	$192.98
ESU #1 GENERAL FUND	08/15/2023	6376	TOWER SCHOOL RENT	Accounts Payable	$20,000.00
ESU #2	08/15/2023	6377	NNNC 4th QTR	Accounts Payable	$10,603.11
ESU #3	08/15/2023	6378	FILLIPI & LAHM REGISTRATION	Accounts Payable	$520.00

ESU #6	08/15/2023	6379	JIM CAIN/SPANISH TRANSLATE	Accounts Payable	$1,890.00
FAIRFIELD INN	08/15/2023	6380	CLARK HOTEL	Accounts Payable	$259.90
FAIRFIELD INN	08/15/2023	6380	FILLIPI HOTEL	Accounts Payable	$159.00
FAIRFIELD INN	08/15/2023	6380	HEIMANN HOTEL	Accounts Payable	$538.85
FAITH REGIONAL PHYSICIANS SERVICES	08/15/2023	6381	FLORES SAUNDRES PHYSICAL	Accounts Payable	$91.00
Federal Reserve KC	08/15/2023	EFT	Direct Deposit	Payroll Liability	$442,564.63
FOUR MONKEYS PRESS	08/15/2023	6382	PREK-2 DEPT OF LITERACY	Accounts Payable	$1,200.00
FOUR MONKEYS PRESS	08/15/2023	6382	PREK-2 DEV OF WRITING & COLLAB MTG	Accounts Payable	$1,320.00
FOUR MONKEYS PRESS	08/15/2023	6382	PREK-2 NEW INSTITUTE TRAINING DAY 1 & 2	Accounts Payable	$1,680.00
FOUR MONKEYS PRESS	08/15/2023	6382	PREK-2 PROF DEV. CONTRACT SERVICE	Accounts Payable	$1,320.00
GEORGE R HEFNER	08/15/2023	6383	HEFNER SEVICES	Accounts Payable	$1,321.25
GRANT CHASE CREDIT CARD	08/15/2023	6384	GRANT CREDIT CARD	Accounts Payable	$2,664.18
HAMPL LAWN SERVICE	08/15/2023	6385	CENTRAL MOW	Accounts Payable	$950.00
HEATHER HACKETT	08/15/2023		MILEAGE 08/23	Accounts Payable	$11.79
INNOVATIVE OFFICE SOLUTI9HS	08/15/2023	6386	COOP	Accounts Payable	$1,035.09
INNOVATIVE OFFICE SOLUTI9HS	08/15/2023	6386	COOP SUPPLIES	Accounts Payable	$108.90
IOWA NEBRASKA STATE BANK-PY	08/15/2023	6427	Federal Withholding	Payroll Liability	$52,985.51
IOWA NEBRASKA STATE BANK-PY	08/15/2023	6427	FICA	Payroll Liability	$81,576.66
IOWA NEBRASKA STATE BANK-PY	08/15/2023	6427	Medicare	Payroll Liability	$19,078.30
JAIMI NICHOLSON	08/15/2023		MILEAGE 08/23	Accounts Payable	$26.20
JENNIFER BENSEN	08/15/2023		MILEAGE 08/23	Accounts Payable	$33.75
JESSE TITIML	08/15/2023		MILEAGE 08/23	Accounts Payable	$99.56
JESSICA J FISCHER	08/15/2023		MILEAGE 08/23	Accounts Payable	$99.56
JOURNEY ED.COM INC	08/15/2023	6387	ADOBLE LICENSES	Accounts Payable	$500.00
JUSTINE SCOTT	08/15/2023		MILEAGE 08/23	Accounts Payable	$48.47
KARY J. PFEIL	08/15/2023		MILEAGE 08/23	Accounts Payable	$93.67
KASSIDY A BROKAW	08/15/2023		MILEAGE 08/23	Accounts Payable	$60.92
KELLEN CONROY	08/15/2023		MILEAGE 08/23	Accounts Payable	$318.33
KELSIE SINGHISEN	08/15/2023		MILEAGE 08/23	Accounts Payable	$52.66
KRISTINE MARIE KLEVE	08/15/2023		MILEAGE 08/23	Accounts Payable	$28.95
LAURA NUNO	08/15/2023		MILEAGE 08/23	Accounts Payable	$162.44
LOFFLER COMPANIES	08/15/2023	6388	COPIER LEASE	Accounts Payable	$418.38
MADISON NATIONAL DISABILITY	08/15/2023	6429	Disability	Payroll Liability	$3,189.15
MADISON NATIONAL DISABILITY	08/15/2023	6429	Disability Hourly	Payroll Liability	$254.96
MADISON NATIONAL LIFE	08/15/2023	6428	Life-125	Payroll Liability	$154.00
MADISON NATIONAL LIFE	08/15/2023	6428	Life-ded	Payroll Liability	$117.00
MADISON NATIONAL LIFE	08/15/2023	6428	Madison Life-board	Payroll Liability	$1,483.25
MANHATTANLIFE ASSURANCE COMPANY OF AMERICA	08/15/2023	6430	ManhattanLife Assurance Co	Payroll Liability	$188.30
MANSON WESTERN CORPORATION	08/15/2023	6389	PSYCH SUPPLIES	Accounts Payable	$1,006.90
MARZANO RESOURCES, LLC	08/15/2023	6390	BEGINNING TEACHER'S FIELD GUIDE	Accounts Payable	$697.20
MAXIMIZE YOUR LIFE COACHING, LLC	08/15/2023	6391	1ST HALF COACHING TO SUCCESS & TRAIN OF TRAINERS	Accounts Payable	$9,000.00
MEAGAN RODRIGUEZ	08/15/2023		MILEAGE 08/23	Accounts Payable	$675.96
MG TRUST CO LLC	08/15/2023	6431	403(b) Pretax	Payroll Liability	$4,158.33

MG TRUST CO LLC	08/15/2023	6431	403(b) Pretax Percentage	Payroll Liability	$541.66
MG TRUST CO LLC	08/15/2023	6431	403(B) ROTH	Payroll Liability	$10,910.00
NATIONAL ART & SCHOOL SUPPLIES	08/15/2023	6392	COOP SUPPLIES	Accounts Payable	$145.95
NCS PEARSON INC	08/15/2023	6393	23-24 AIMSWEB	Accounts Payable	$27,545.00
NEBRASKA COUNCIL OF SCHOOL ADMINISTRATORS	08/15/2023	6394	ADMIN DAYS	Accounts Payable	$1,404.00
NEBRASKA COUNCIL OF SCHOOL ADMINISTRATORS	08/15/2023	6394	RODRIGUEZ ADMIN DAYS	Accounts Payable	$421.00
Nebraska Dept of Education (ESU #3)	08/15/2023	6395	RODRIGUEZ TRAINING	Accounts Payable	$50.00
NEBRASKA DEPT OF REVENUE	08/15/2023	6432	State Withholding - NE	Payroll Liability	$24,985.68
NEBRASKA EXTENSION IN CEDAR COUNTY	08/15/2023	6396	ELC TRAINING	Accounts Payable	$207.76
NEBRASKA EXTENSION IN MADISON COUNTY	08/15/2023	6397	ELC TRAINING	Accounts Payable	$675.00
NEBRASKA RETIREMENT SYSTEM	08/15/2023	6433	Retirement	Payroll Liability	$131,746.37
NORTHEAST COMMUNITY COLLEGE	08/15/2023	6398	APRIL-JUNE NENCAP CLAIM	Accounts Payable	$1,045.46
NORTHEAST COMMUNITY COLLEGE	08/15/2023	6398	MEP ROOM RENTAL	Accounts Payable	$675.00
NORTHEAST NEBRASKA NEWS COMPANY	08/15/2023	6399	STUDENT FEE POLICY	Accounts Payable	$37.30
ONE SOURCE, THE BACKGROUND CHECK CO INC	08/15/2023	6400	BACKGROUND CHECKS	Accounts Payable	$21.00
PAC N SAVE INC	08/15/2023	6401	WORKSHOP SUPPLIES	Accounts Payable	$28.87
PERRY GUTHERY HAASE & GESSFORD PC, LLC	08/15/2023	6402	LEGAL FEES	Accounts Payable	$144.00
QHA CLEANING, LLC	08/15/2023	6403	CENTRAL CLEANING	Accounts Payable	$5,500.00
QHA CLEANING, LLC	08/15/2023	6403	JANITOR	Accounts Payable	$1,237.50
QHA CLEANING, LLC	08/15/2023	6403	JANITOR TOWER	Accounts Payable	$1,250.00
QUADIENT INC.	08/15/2023	6404	MAIL MACHINE INK	Accounts Payable	$215.65
REBECCA DIANNE JEPSEN	08/15/2023		MILEAGE 08/23	Accounts Payable	$258.73
REGINA R DUTCHER	08/15/2023		MILEAGE 08/23	Accounts Payable	$419.20
RIVERSIDE INSIGHTS	08/15/2023	6405	PSYCH SUPPLIES	Accounts Payable	$1,928.52
SAMANTHA SACHAU	08/15/2023		MILEAGE 08/23	Accounts Payable	$265.28
SARA LYNNE JAIXEN	08/15/2023		MILEAGE 08/23	Accounts Payable	$221.88
SARA ORTIZ	08/15/2023		EXPREIMB	Accounts Payable	$105.53
SARA ORTIZ	08/15/2023		MILEAGE 08/23	Accounts Payable	$525.31
SARAH ELIZABETH HANSEN	08/15/2023		CELLPHONE REIMB	Accounts Payable	$75.00
SARAH ELIZABETH HANSEN	08/15/2023		MILEAGE 08/23	Accounts Payable	$252.83
SCOTT MCINTOSH	08/15/2023		MILEAGE 08/23	Accounts Payable	$41.92
SHEILA HOLLANDER-BRODERSEN	08/15/2023	6406	JULY TRAINING	Accounts Payable	$650.00
SHERI FILLIPI	08/15/2023		EXPREIMB	Accounts Payable	$10.80
SHERI FILLIPI	08/15/2023		MILEAGE 08/23	Accounts Payable	$315.06
STACI LEANN FETHKENHER	08/15/2023		MILEAGE 08/23	Accounts Payable	$25.55
STEPHANIE ELLIS	08/15/2023		MILEAGE 08/23	Accounts Payable	$176.20
STERLING COMPUTERS	08/15/2023	6407	TECH EQUIP	Accounts Payable	$11,314.50
STRIV AV, LLC	08/15/2023	6408	COOP	Accounts Payable	$22.11
STUART JAMES CLARK	08/15/2023		CELL PHONE	Accounts Payable	$75.00
STUART JAMES CLARK	08/15/2023		MILEAGE 08/23	Accounts Payable	$514.18
STUREK MEDIA INC	08/15/2023	6409	STUDENT FEE POLICY	Accounts Payable	$62.21
TAESE/USU	08/15/2023	6410	REMAINDER OF CLARK REGISTRATION	Accounts Payable	$5.00

TATIANA FIGUEROA	08/15/2023		MILEAGE 08/23	Accounts Payable	$323.83
THE CORNHUSKER MARRIOTT HOTEL	08/15/2023	6411	CONROY STAY	Accounts Payable	$159.00
THE DISCOVERY SOURCE	08/15/2023	6412	PREK-2 PROF DEV SUPPLIES	Accounts Payable	$7,076.37
THE WAKEFIELD REPUBLICAN	08/15/2023	6413	MEP ADVERTISING	Accounts Payable	$60.00
TROY YOUNG	08/15/2023	6414	CENTRAL LAWN CARE	Accounts Payable	$285.00
VERIZON WIRELESS SERVICES LLC	08/15/2023	6415	CELL PHONE	Accounts Payable	$427.67
VERIZON WIRELESS SERVICES LLC	08/15/2023	6415	CELL PHONES	Accounts Payable	$267.71
VERNAE I LUHR	08/15/2023		MILEAGE 08/23	Accounts Payable	$113.32
VIRGELINA SIERRA-RIOS	08/15/2023		MILEAGE 08/23	Accounts Payable	$1,208.48
VISION SERVICE PLAN	08/15/2023	6434	Vision Insurance - 125	Payroll Liability	$932.88
VISION SERVICE PLAN	08/15/2023	6434	Vision Insurance-Deduction	Payroll Liability	$177.68
WAKEFIELD COMMUNITY SCHOOL	08/15/2023	6416	MEP SUMMER SCHOOL	Accounts Payable	$16,070.73
WASTE CONNECTIONS OF NE	08/15/2023	6417	CENTRAL TRASH	Accounts Payable	$103.00
WASTE CONNECTIONS OF NE	08/15/2023	6417	TOWER TRASH	Accounts Payable	$138.50
WENDY S CONSOLI	08/15/2023		MILEAGE 08/23	Accounts Payable	$43.23
WHITE DOG LAWN SERVICE	08/15/2023	6418	TOWER MOWING	Accounts Payable	$1,000.00
WILLIAM J DAVID	08/15/2023		MILEAGE 08/23	Accounts Payable	$235.80
Woodriver Energy, LLC	08/15/2023	6419	UTILITIES	Accounts Payable	$110.98
Sub Total					**$1,076,249.57**

Educational Service Unit One

Check Report

Begin Date: 07/01/2023; End Date: 07/31/2023; Check Type: Accounts Payable and Payroll Liability; Payee: [All]; Bank: BANKFIRST; Accounting Cycle: FY 2022-23; Limit Results to This Cycle: Yes; A
Expression: [All]; Show Detail by Voucher: Yes; Created On: 8/4/2023 5:07:15 PM

Payee	Check Date	Check Number	Description	Type	Amount
20/20 TECHNOLOGIES LLC	07/14/2023	6348	TECH LICENSES	Accounts Payable	$1,144.00
ABAGAIL GUSTAD	07/14/2023		EXPREIMB	Accounts Payable	$9.43
ABAGAIL GUSTAD	07/14/2023		MILEAGE 07/23	Accounts Payable	$1,025.73
ACCO BRANDS USA LLC	07/14/2023	6265	COOP	Accounts Payable	$51.60
ADAJ CORPORATION	07/14/2023	6266	PHIL WARRICK CATERING	Accounts Payable	$96.00
ADMIN CHASE CREDIT CARD	07/14/2023	6267	CREDIT CARD	Accounts Payable	$5,828.16
ADRIAN JOHNSON	07/14/2023	6268	MILEAGE 07/23	Accounts Payable	$179.21
aha! Process Inc.	07/14/2023	6269	PREK-2 PROF DEV	Accounts Payable	$14,000.00
ALLO COMMUNICATIONS	07/14/2023	6270	TOWER INTERNET	Accounts Payable	$212.38
AMAZON CAPITAL SERVICES	07/14/2023	6271	CENTRAL CARDSTOCK	Accounts Payable	$89.88
AMAZON CAPITAL SERVICES	07/14/2023	6271	CREDIT MEMO	Accounts Payable	$59.92
AMAZON CAPITAL SERVICES	07/14/2023	6271	ELC BOOKS	Accounts Payable	$142.53
AMAZON CAPITAL SERVICES	07/14/2023	6271	ELC CC	Accounts Payable	$28.99
AMAZON CAPITAL SERVICES	07/14/2023	6271	IPAD CASE CREDIT	Accounts Payable	($366.00)
AMAZON CAPITAL SERVICES	07/14/2023	6271	ipad cases	Accounts Payable	($915.00)
AMAZON CAPITAL SERVICES	07/14/2023	6271	LAMINATING POUCHES	Accounts Payable	$74.35
AMAZON CAPITAL SERVICES	07/14/2023	6271	MEP SUMMER	Accounts Payable	$2,459.63
AMAZON CAPITAL SERVICES	07/14/2023	6271	NEW STAFF NOTES	Accounts Payable	$41.98
AMAZON CAPITAL SERVICES	07/14/2023	6271	POSTAGE INK	Accounts Payable	$121.99
AMAZON CAPITAL SERVICES	07/14/2023	6271	PREK-2 PROF DEV BOOK	Accounts Payable	$32.49
AMAZON CAPITAL SERVICES	07/14/2023	6271	PREK-2 SUPPLIES	Accounts Payable	$326.97
AMAZON CAPITAL SERVICES	07/14/2023	6271	STAFF DEV BOOK	Accounts Payable	$60.69
AMAZON CAPITAL SERVICES	07/14/2023	6271	STAFF DEV BOOKS	Accounts Payable	$359.50
AMAZON CAPITAL SERVICES	07/14/2023	6271	TECH PURCHASE	Accounts Payable	$5,076.19
AMERICAN PRINTING HOUSE FOR THE BLIND	07/14/2023	6272	VISION	Accounts Payable	$188.00
AMGL	07/14/2023	6273	FLEX PLAN ADMIN	Accounts Payable	$666.00
AMY MUNDIL	07/14/2023		MILEAGE 07/23	Accounts Payable	$311.78
ANDREA J. JANZEN	07/14/2023		MILEAGE 07/23	Accounts Payable	$15.72
ANDREW CONTRERAS	07/14/2023		EXPREIMB	Accounts Payable	$43.80
ANDREW CONTRERAS	07/14/2023		MILEAGE 07/23	Accounts Payable	$250.67
ANITA L MULLER	07/14/2023		MILEAGE 07/23	Accounts Payable	$37.99
APPLE COMPUTER INC	07/14/2023	6274	LABOR CREDIT	Accounts Payable	($204.00)
APPLE COMPUTER INC	07/14/2023	6274	TECH PURCHASE	Accounts Payable	$77,597.00
ASHLEY LYNN KERKMAN	07/14/2023		MILEAGE 07/23	Accounts Payable	$125.11
ASHLEY TAPPER	07/14/2023		MILEAGE 07/23	Accounts Payable	$330.13
BECKY RIEKEN	07/14/2023		MILEAGE 07/23	Accounts Payable	$95.76
BEVERLIN SAHAGUN	07/14/2023		MILEAGE 07/23	Accounts Payable	$5.57

BILL R. HEIMANN	07/14/2023		CELL PHONE REIMB	Accounts Payable	$75.00
BILL R. HEIMANN	07/14/2023		MILEAGE 07/23	Accounts Payable	$557.41
BLICK ART MATERIALS	07/14/2023	6275	COOP	Accounts Payable	$16.24
BLUE CROSS/BLUE SHIELD OF NEBRASKA	07/14/2023	6254	Health-125	Payroll Liability	$24,385.63
BLUE CROSS/BLUE SHIELD OF NEBRASKA	07/14/2023	6254	Health-board	Payroll Liability	$94,733.33
BLUE CROSS/BLUE SHIELD OF NEBRASKA	07/14/2023	6254	Health-ded	Payroll Liability	$2,118.34
BLYTHE REINERT	07/14/2023		MILEAGE 07/23	Accounts Payable	$13.76
BOBBI J HIGHTREE	07/14/2023		MILEAGE 07/23	Accounts Payable	$3.93
BRANDY PRICE	07/14/2023		ELC TRAINING	Accounts Payable	$1,000.00
BRITTNEY HAMPL	07/14/2023		MILEAGE 07/23	Accounts Payable	$1.57
BROOKE GEBERS	07/14/2023		MILEAGE 07/23	Accounts Payable	$1,084.68
BSN SPORTS	07/14/2023	6276	COOP	Accounts Payable	$35.13
CARLSON WEST POVONDRA ARCHITECTS	07/14/2023	6277	REMODEL PROJECT	Accounts Payable	$5,368.55
CAROL JESSICA MCGUIRE	07/14/2023		MILEAGE 07/23	Accounts Payable	$159.82
CASEY HURNER	07/14/2023		MILEAGE 07/23	Accounts Payable	$218.77
CENTURY LINK	07/14/2023	6278	CENTRAL TELEPHONE	Accounts Payable	$215.40
CHANTELLE R NELSEN	07/14/2023		MILEAGE 07/23	Accounts Payable	$498.45
CHELSEA UMSCHEID	07/14/2023		MILEAGE 07/23	Accounts Payable	$115.08
CHERI LYNN MATTHEWS	07/14/2023		MILEAGE 07/23	Accounts Payable	$62.88
CITLALI RAMIREZ	07/14/2023		ELC TRAINING	Accounts Payable	$510.00
CITY OF WAKEFIELD	07/14/2023	6279	UTILITIES	Accounts Payable	$926.09
CITY OF WAKEFIELD - RENTALS	07/14/2023	6280	POOL RENTAL	Accounts Payable	$100.00
CITY OF WAYNE	07/14/2023	6281	POOL PARTY	Accounts Payable	$150.00
CITY OF WAYNE	07/14/2023	6281	UTILITIES	Accounts Payable	$412.48
CONFERENCE TECHNOLOGIES INC	07/14/2023	6282	ESU #1 BUILDOUT	Accounts Payable	$7,113.00
CORNERSTONE LLC	07/14/2023	6283	TOWER STORAGE	Accounts Payable	$65.00
COUNTRY NURSERY INC	07/14/2023	6284	LANDSCAPE IMPROVEMENTS	Accounts Payable	$2,317.50
CUBBYS INC	07/14/2023	6286	WORKSHOP EXPENSES	Accounts Payable	$36.26
CULLIGAN	07/14/2023	6287	TOWER SALT	Accounts Payable	$26.50
DANA F. COLE & COMPANY, LLP	07/14/2023	6288	2022 AUDITS	Accounts Payable	$15,350.00
DAS STATE ACCOUNTING	07/14/2023	6289	TELECOMMUNICATIONS	Accounts Payable	$5,476.99
DAWN MURPHY	07/28/2023		TRAINING	Accounts Payable	$600.00
DEREK LAHM	07/14/2023		EXPREIMB	Accounts Payable	$74.73
DEREK LAHM	07/14/2023		MILEAGE 07/23	Accounts Payable	$706.09
DOLGENCORP, LLC	07/14/2023	6290	MEP SUMMER	Accounts Payable	$136.80
DONNA KRAFT	07/14/2023	6291	BOARD MTG	Accounts Payable	$131.25
DONNA KRAFT	07/14/2023	6291	MENTAL HEALTH INST	Accounts Payable	$296.00
DONNA KRAFT	07/14/2023	6291	STRUCTURED TEACHING	Accounts Payable	$463.75
DUANE KRUSEMARK	07/14/2023	6292	MILEAGE 07/23	Accounts Payable	$110.04
EAKES OFFICE SOLUTIONS	07/14/2023	6293	CENTRAL NAME BADGES & EC MTSS	Accounts Payable	$78.50
ECHO RUDLOFF	07/14/2023		MILEAGE 07/23	Accounts Payable	$588.39
EGAN SUPPLY	07/14/2023	6294	COOP	Accounts Payable	$38.53
ELBA OLIVERA	07/14/2023		MILEAGE 07/23	Accounts Payable	$286.13
EMPOWERING STUDENT LEADERS LLC	07/14/2023	6295	MEP LEADERSHIP PROGRAM	Accounts Payable	$3,750.00

ERIKA FINK	07/14/2023		MILEAGE 07/23	Accounts Payable	$203.05
ESU #1 ADMINISTRATIVE ACCOUNT	07/14/2023	6296	JUNE TRANSFER	Accounts Payable	$50.00
ESU #1 ADMINISTRATIVE ACCOUNT	07/14/2023	6296	MEP TRANSFER	Accounts Payable	$25.00
ESU #1 CAFETERIA PLAN ACCOUNT	07/14/2023	6255	Flex Bene-childcare	Payroll Liability	$3,891.61
ESU #1 CAFETERIA PLAN ACCOUNT	07/14/2023	6255	Flex Benefit-medl	Payroll Liability	$4,715.97
ESU #1 GENERAL FUND	07/14/2023	6297	LAMINATING	Accounts Payable	$1.43
ESU #1 GENERAL FUND	07/14/2023	6297	MEP LAMINATING	Accounts Payable	$12.80
ESU #1 GENERAL FUND	07/14/2023	6297	SPED LAMINATING	Accounts Payable	$17.34
ESU #1 GENERAL FUND	07/28/2023	6349	BIRSST GRANT INDIRECT FEE	Accounts Payable	$217.31
ESU #1 GENERAL FUND	07/28/2023	6349	PEAK GRANT INDIRECT FEE	Accounts Payable	$6,413.46
ESU #10	07/14/2023	6298	TLT WORKSHOP	Accounts Payable	$75.00
ESU #3	07/14/2023	6299	HACKETT EL COLLABORATIVE	Accounts Payable	$50.00
ESU COORDINATING COUNCIL	07/14/2023	6300	PDO FEES	Accounts Payable	$540.00
FAIRFIELD INN	07/14/2023	6301	FILLIPI HOTEL	Accounts Payable	$159.00
FAITH REGIONAL HEALTH SERVICES	07/14/2023	6302	HEIMANN PHYSICAL	Accounts Payable	$191.00
Federal Reserve KC	07/14/2023	EFT	Direct Deposit	Payroll Liability	$466,194.12
FOUR MONKEYS PRESS	07/14/2023	6303	PREK-2 COLLAB MTG	Accounts Payable	$3,960.00
FUN AND FUNCTION	07/28/2023	6350	BIRRST SUPPLIES	Accounts Payable	$1,025.48
GEORGE R HEFNER	07/14/2023	6304	JUNE SERVICES	Accounts Payable	$469.90
GEORGE R HEFNER	07/14/2023	6304	LABOR CREDIT	Accounts Payable	$102.00
GRANT CHASE CREDIT CARD	07/14/2023	6305	GRANT CHASE CARD	Accounts Payable	$8,117.16
GRANT CHASE CREDIT CARD	07/28/2023	6351	CONCUSSION EVENT KIT	Accounts Payable	$1,690.95
HAMPL LAWN SERVICE	07/14/2023	6306	LAWN SERVICE	Accounts Payable	$620.00
HAMPTON INN - KEARNEY	07/14/2023	6307	GEBERS HOTEL	Accounts Payable	$229.00
HCI CONSTRUCTION	07/14/2023	6308	REMODEL	Accounts Payable	$78,840.01
HEATHER HACKETT	07/14/2023		MILEAGE 07/23	Accounts Payable	$620.81
HOLIDAY INN EXPRESS LEXINGTON	07/14/2023	6309	MEP HOTEL ROOMS	Accounts Payable	$196.00
HOLIDAY INN- KEARNEY, NE	07/14/2023	6310	DARTER HOTEL	Accounts Payable	$196.00
HOLIDAY INN- KEARNEY, NE	07/14/2023	6310	WAKEMAN ROOMS	Accounts Payable	$2,058.00
HOLT COUNTY EXTENSION	07/14/2023	6311	ELC TRAINING	Accounts Payable	$400.00
HOLT COUNTY EXTENSION	07/14/2023	6311	SWY TRAINING	Accounts Payable	$400.00
IOWA NEBRASKA STATE BANK-PY	07/14/2023	6256	Federal Withholding	Payroll Liability	$53,837.75
IOWA NEBRASKA STATE BANK-PY	07/14/2023	6256	FICA	Payroll Liability	$85,553.22
IOWA NEBRASKA STATE BANK-PY	07/14/2023	6256	Medicare	Payroll Liability	$20,008.42
JAIMI NICHOLSON	07/14/2023		EXPREIMB	Accounts Payable	$17.44
JAIMI NICHOLSON	07/14/2023		MILEAGE 07/23	Accounts Payable	$27.64
JAMF	07/14/2023	6312	JAMF RENEWAL	Accounts Payable	$5,524.50
JENNIFER BENSEN	07/14/2023		MILEAGE 07/23	Accounts Payable	$38.65
JESSE TITIML	07/14/2023		MILEAGE 07/23	Accounts Payable	$106.11
JESSICA J FISCHER	07/14/2023		MILEAGE 07/23	Accounts Payable	$165.72
JIMMY JOHNS #4356	07/14/2023	6313	CATERING	Accounts Payable	$107.90
JIMMY JOHNS #4356	07/14/2023	6313	MEP CATERING	Accounts Payable	$139.86
JOSIAH BONESCHANS	07/14/2023	6314	MILEAGE 07/23	Accounts Payable	$131.65
JUSTINE SCOTT	07/14/2023		MILEAGE 07/23	Accounts Payable	$64.71

KARY J. PFEIL	07/14/2023		MILEAGE 07/23	Accounts Payable	$670.72
KELLEN CONROY	07/14/2023		MILEAGE 07/23	Accounts Payable	$651.07
KELSIE SINGHISEN	07/14/2023		MILEAGE 07/23	Accounts Payable	$57.44
KLINT G CONROY	07/14/2023		MILEAGE 07/23	Accounts Payable	$289.51
KRISTINE MARIE KLEVE	07/14/2023		MILEAGE 07/23	Accounts Payable	$55.41
LAURA NUNO	07/14/2023		MILEAGE 07/23	Accounts Payable	$257.45
LAVISTA ES CATERING CO, INC	07/14/2023	6315	HURNER HOTEL	Accounts Payable	$102.90
LEXIA LEARNING SYSTEMS LLC	07/14/2023	6316	MUNDIL LETRS RENEWAL	Accounts Payable	$207.00
MADISON NATIONAL DISABILITY	07/14/2023	6258	Disability	Payroll Liability	$3,189.15
MADISON NATIONAL DISABILITY	07/14/2023	6258	Disability Hourly	Payroll Liability	$292.86
MADISON NATIONAL LIFE	07/14/2023	6257	Life-125	Payroll Liability	$154.00
MADISON NATIONAL LIFE	07/14/2023	6257	Life-ded	Payroll Liability	$117.00
MADISON NATIONAL LIFE	07/14/2023	6257	Madison Life-board	Payroll Liability	$1,483.25
MANHATTANLIFE ASSURANCE COMPANY OF AMERICA	07/14/2023	6259	ManhattanLife Assurance Co	Payroll Liability	$188.30
MARZANO RESOURCES, LLC	07/14/2023	6317	PHIL WARRICK	Accounts Payable	$12,800.00
MEAGAN RODRIGUEZ	07/14/2023		MILEAGE 07/23	Accounts Payable	$822.03
MG TRUST CO LLC	07/14/2023	6260	403(b) Pretax	Payroll Liability	$4,158.33
MG TRUST CO LLC	07/14/2023	6260	403(b) Pretax Percentage	Payroll Liability	$541.67
MG TRUST CO LLC	07/14/2023	6260	403(B) ROTH	Payroll Liability	$10,910.00
MIOTEES	07/14/2023	6318	MEP TEE'S	Accounts Payable	$820.50
NACIA	07/14/2023	6319	FILLIPI DUES	Accounts Payable	$40.00
NCS PEARSON INC	07/14/2023	6320	AIMSWEB OVERAGE	Accounts Payable	$756.00
NEBRASKA COUNCIL OF SCHOOL ADMINISTRATORS	07/14/2023	6321	HEIMANN REGISTRATION	Accounts Payable	$50.00
NEBRASKA DEPT OF REVENUE	07/14/2023	6261	State Withholding - NE	Payroll Liability	$25,886.65
NEBRASKA EXTENSION IN MADISON COUNTY	07/14/2023	6322	ELC ONLINE	Accounts Payable	$600.00
NEBRASKA RETIREMENT SYSTEM	07/14/2023	6262	Retirement	Payroll Liability	$129,626.49
NICOLE R SWAIN	07/14/2023		MILEAGE 07/23	Accounts Payable	$0.66
NORTHEAST NEBRASKA INS AGENCY INC	07/14/2023	6323	TREASURERBOND	Accounts Payable	$329.00
NORTHEAST NEBRASKA INS AGENCY INC	07/14/2023	6323	WORKER'S COMP AUDIT	Accounts Payable	$6,213.00
ORKIN EXTERMINATING INC	07/14/2023	6324	PEST TREATMENT	Accounts Payable	$193.28
PAC N SAVE INC	07/14/2023	6325	WORKSHOP EXPENSES	Accounts Payable	$75.53
PERRY GUTHERY HAASE & GESSFORD PC, LLC	07/14/2023	6326	LEGAL	Accounts Payable	$1,750.00
PERRY GUTHERY HAASE & GESSFORD PC, LLC	07/14/2023	6326	LEGAL SERVICES	Accounts Payable	$200.00
QHA CLEANING, LLC	07/14/2023	6327	CENTRAL CLEANING	Accounts Payable	$1,650.00
QHA CLEANING, LLC	07/14/2023	6327	TOWER CLEANING	Accounts Payable	$2,500.00
QUALITY SOUND & COMMUNICATIONS INC	07/14/2023	6328	WATER COOLER	Accounts Payable	$147.00
REBECCA DIANNE JEPSEN	07/14/2023		MILEAGE 07/23	Accounts Payable	$448.41
REGENCY FAMILY DENTAL CARE, PC	07/14/2023	6329	MEP DENTIST VISIT	Accounts Payable	$138.00
REGINA R DUTCHER	07/14/2023		MILEAGE 07/23	Accounts Payable	$159.17
SALLY REINERT	07/14/2023	6330	MILEAGE 07/23	Accounts Payable	$71.00
SAMANTHA SACHAU	07/14/2023		MILEAGE 07/23	Accounts Payable	$202.20
SARA LYNNE JAIXEN	07/14/2023		MILEAGE 07/23	Accounts Payable	$295.00

SARA ORTIZ	07/14/2023		EXPREIMB	Accounts Payable	$28.18
SARA ORTIZ	07/14/2023		MILEAGE 07/23	Accounts Payable	$267.24
SARAH ELIZABETH HANSEN	07/14/2023		CELL PHONE	Accounts Payable	$75.00
SARAH ELIZABETH HANSEN	07/14/2023		MILEAGE 07/23	Accounts Payable	$298.68
SCHOOL HEALTH	07/14/2023	6331	COOP	Accounts Payable	$11.92
SCHOOL SPECIALTY	07/14/2023	6332	COOP	Accounts Payable	$16.67
SCOTT MCINTOSH	07/14/2023		MILEAGE 07/23	Accounts Payable	$98.25
SECURITY SHREDDING SERVICES	07/14/2023	6333	DOC SHREDDING	Accounts Payable	$52.50
SHANNON JOHNSON	07/14/2023		MILEAGE 07/23	Accounts Payable	$178.68
SHEILA HOLLANDER-BRODERSEN	07/14/2023	6334	CONSULTANT SERVICES	Accounts Payable	$75.00
SHEILA MARIE BECKER	07/14/2023		MILEAGE 07/23	Accounts Payable	$68.78
SHERI FILLIPI	07/14/2023		EXPREIM 07/23	Accounts Payable	$23.84
SHERI FILLIPI	07/14/2023		EXPREIMB	Accounts Payable	$34.20
SHERI FILLIPI	07/14/2023		FILLIPI HOTEL	Accounts Payable	$239.40
SHERI FILLIPI	07/14/2023		MILEAGE 07/23	Accounts Payable	$852.29
STACI LEANN FETHKENHER	07/14/2023		MILEAGE 07/23	Accounts Payable	$81.88
STEPHANIE ELLIS	07/14/2023		MILEAGE 07/23	Accounts Payable	$125.76
STUART JAMES CLARK	07/14/2023		CELL PHONE REIMB	Accounts Payable	$75.00
STUART JAMES CLARK	07/14/2023		MILEAGE 07/23	Accounts Payable	$1,350.61
SUSAN BETH STRAHM	07/14/2023		MILEAGE 07/23	Accounts Payable	$71.92
TABITHA GILSDORF	07/14/2023	6335	MILEAGE 07/23	Accounts Payable	$170.30
TAESE/USU	07/14/2023	6336	GEBERS, CLARK, HANSEN TRI STATE LAW	Accounts Payable	$750.00
TAMMY DEE CLODFELTER	07/14/2023		EXPREIMB	Accounts Payable	$1,264.32
TAMMY DEE CLODFELTER	07/14/2023		MILEAGE 07/23	Accounts Payable	$3.60
TATIANA FIGUEROA	07/14/2023		MILEAGE 07/23	Accounts Payable	$468.46
THE WAKEFIELD REPUBLICAN	07/14/2023	6337	ADVERTISING	Accounts Payable	$60.00
THE WAKEFIELD REPUBLICAN	07/14/2023	6337	SUBSCRIPTION RENEWAL	Accounts Payable	$45.00
TROY YOUNG	07/14/2023	6338	LAWNCARE	Accounts Payable	$570.00
TUCKER HIGHT	07/14/2023		MILEAGE 07/23	Accounts Payable	$41.66
UMO "HO" NATION PUBLIC SCHOOL	07/14/2023	6339	STANSBERRY CONTRACT	Accounts Payable	$25,233.00
UNO CENTER FOR PUBLIC AFFAIRS RESEARCH	07/14/2023	6340	REDISTRICTED ADD'L MAPS	Accounts Payable	$250.00
VERIZON WIRELESS SERVICES LLC	07/14/2023	6341	MEP CELL PHONE	Accounts Payable	$422.22
VERIZON WIRELESS SERVICES LLC	07/14/2023	6341	MEP/ELC/EDN CELL PHONE	Accounts Payable	$264.51
VERNAE I LUHR	07/14/2023		MILEAGE 07/23	Accounts Payable	$125.76
VIRGELINA SIERRA-RIOS	07/14/2023		MILEAGE 07/23	Accounts Payable	$892.77
VISION SERVICE PLAN	07/14/2023	6263	Vision Insurance - 125	Payroll Liability	$1,034.40
VISION SERVICE PLAN	07/14/2023	6263	Vision Insurance-Deduction	Payroll Liability	$177.68
WASTE CONNECTIONS OF NE	07/14/2023	6342	CENTRAL TRASH	Accounts Payable	$103.00
WASTE CONNECTIONS OF NE	07/14/2023	6342	ESU TOWER SCHOOL	Accounts Payable	$138.50
WAYNE CITY TRANSIT	07/14/2023	6343	TOWER RIDES	Accounts Payable	$108.00
WAYNE HERALD	07/14/2023	6344	BOARD ADVERTISING	Accounts Payable	$32.00
WENDY S CONSOLI	07/14/2023		MILEAGE 07/23	Accounts Payable	$33.41
WHITE DOG LAWN SERVICE	07/14/2023	6345	TOWER MOWING	Accounts Payable	$625.00

WILDCAT LANES	07/14/2023	6346	TOWER BOWLING	Accounts Payable	$100.00
WILLIAM J DAVID	07/14/2023		MILEAGE 07/23	Accounts Payable	$334.05
Woodriver Energy, LLC	07/14/2023	6347	UTILITIES	Accounts Payable	$266.10
Sub Total					**$1,274,057.64**

Account

Educational Service Unit One

Check Report

Begin Date: 06/16/2023; End Date: 06/30/2023; Check Type: Accounts Payable and Payroll Liability; Payee: [All]; Bank: BANKFIRST; Accounting Cycle: FY 2022-23; Limit Results to This Cycle: Yes; Account Expression: [All]; Show Detail by Voucher: Yes; Created On: 8/4/2023 5:08:43 PM

Payee	Check Date	Check Number	Description	Type	Amount
ABBIE PIEKE	06/26/2023	6222	PERKINS	Accounts Payable	$408.01
ALLEN CONSOLIDATED SCHOOL	06/26/2023	6223	HORTON PERKINS	Accounts Payable	$1,111.89
ALLISON CLAUSSEN	06/26/2023	6224	PERKINS	Accounts Payable	$205.67
AMBER HORTON	06/26/2023	6225	NCE CONF	Accounts Payable	$295.41
ASHLEY TREMAYNE- ZISKA	06/26/2023	6226	PERKINS	Accounts Payable	$317.02
AUSTIN LAMBERT	06/26/2023	6227	PERKINS	Accounts Payable	$320.95
BLOOMFIELD COMMUNITY SCHOOLS	06/26/2023	6228	SCHMECKPEPER PERKINS	Accounts Payable	$300.00
BROOKE SCHMECKPEPER	06/26/2023	6229	PERKINS REIM	Accounts Payable	$265.93
COLBEY LUEBBE	06/26/2023	6230	PERKINS	Accounts Payable	$256.76
CRAIG FLAMING	06/26/2023	6231	PERKINS	Accounts Payable	$814.59
CREIGHTON COMMUNITY SCHOOL	06/26/2023	6232	MAYO PERKINS REIMB	Accounts Payable	$1,046.56
CREIGHTON COMMUNITY SCHOOL	06/26/2023	6232	NCE CONF	Accounts Payable	$535.80
CROFTON COMMUNITY SCHOOL	06/26/2023	6233	MANN PERKINS	Accounts Payable	$854.80
CROFTON COMMUNITY SCHOOL	06/26/2023	6233	PERKINS	Accounts Payable	$854.80
DEBI DOERR	06/26/2023	6234	PERKINS REIM	Accounts Payable	$557.56
DYLAN HUBER	06/26/2023	6235	PERKINS	Accounts Payable	$1,010.26
EMILY CLAYTON	06/26/2023	6236	PERKINS	Accounts Payable	$312.44
EMMA LAMMERS	06/26/2023	6237	PERKINS	Accounts Payable	$268.55
HARTINGTON-NEWCASTLE SCHOOL	06/26/2023	6238	PERKINS	Accounts Payable	$300.00
JONELLE THOENE	06/26/2023	6239	PERKINS	Accounts Payable	$268.55
JULIE LAMOUREUX	06/26/2023	6240	PERKINS	Accounts Payable	$382.20
KIM NELSON	06/26/2023	6241	PERKINS	Accounts Payable	$328.16
KIRK HAMM	06/26/2023	6242	PERKINS	Accounts Payable	$254.14
LAUREL CONCORD COLERIDGE PUBLIC SCHOOLS	06/26/2023	6243	PERKINS	Accounts Payable	$410.32
PENDER PUBLIC SCHOOL	06/26/2023	6244	PERKINS	Accounts Payable	$674.85
SHANI RAMIREZ	06/28/2023		EXPREIMB 06/23	Accounts Payable	$263.05
STEPHANIE MANN	06/26/2023	6245	PERKINS	Accounts Payable	$266.32
TONI RASMUSSEN	06/26/2023	6246	PERKINS	Accounts Payable	$233.18
UMO "HO" NATION PUBLIC SCHOOL	06/26/2023	6247	PERKINS	Accounts Payable	$2,660.30
WAYNE PUBLIC SCHOOLS	06/26/2023	6248	PERKINS	Accounts Payable	$882.00
WINSIDE PUBLIC SCHOOL	06/26/2023	6249	PERKINS	Accounts Payable	$315.00
Sub Total					**$16,975.07**

TEL 402.471.2295
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Lincoln, NE 68509-4987
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July 18, 2023

Educational Service Unit 1
Bill Heimann, Administrator
211 10th Street
Wakefield, NE 68784

Dear Mr. Heimann:

The Nebraska Department of Education (NDE) would like to express its appreciation for the cooperation received during the comprehensive fiscal monitoring desktop review conducted over the past few weeks.

Fiscal monitoring is conducted pursuant to the Departments' regulatory authority under 2 CFR § 200.332, A review covers the following core activities, but not limited to the following: Time and Effort reporting, payment/cash management, internal controls, policies, procedures, audit resolution, and records management.

The period of review for this monitoring event included grant activities occurring during the 2021-22 grant year.

With the acceptance of federal subrecipient awards comes accountability in various financial arenas: internal controls, equipment, indirect costs, salary and benefits, conflict of interest, procurement, record retention, financial management, and suspension and debarment. Attached you will find an outline of what is required under each of these areas, as well as examples of required supporting documentation.

District records supporting expenditures related to the Federal subrecipient grants awarded were made available and monitored.

NDE followed up on prior exit findings and noted that all were corrected.

The compliance review of the 2021-22 school year noted the following:

- Federal Programs
  - Noted Migrant claimed Salary and Benefits. Time and effort appeared reasonable. Migrant also claimed Services and Supplies. Documentation provided supported those expenditures.

- IDEA/SPED
  - Noted 6416 claimed services and supplies/ Documentation provided supported those expenditures.

- Perkins
    - Noted Perkins claimed Services and Supplies. Documentation provided supported those expenditures. Perkins also claimed capital assets which appeared reasonable. Informed ESU to make sure they are inventorying those items.

Internal Controls

The entity's Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

- The district's had all policies and procedures as required per 2 CFR 200. 2 CFR 200 is updated on a regular basis, and it is, therefore, recommended the district review and update their policies are required.

As a result of these issues, NDE will follow up next time your district comes up for review Federal award subrecipients are subject to fiscal monitoring efforts based on risk assessment at any given point of time in a three (3) years cycle at a minimum.

The compliance review issues disclosed are the result of only items reviewed during the review. Compliance with all Federal laws and regulations applicable to the school district is the responsibility of the school district's management. The compliance review issues only reflect the results of the compliance review sample and should not be misconstrued as an endorsement of areas not reviewed.

If you have any comments or concerns about the results of this compliance review, please notify us by July 31, 2023.

Sincerely,

Tom Goeschel

Tom Goeschel
Director of Grants Compliance
(402) 890-8912
Email – Tom.Goeschel@nebraska.gov

cc: Jen Utemark, Sara Leber, Amy Rhone, Jamie Chambers, Beth Wooster, Greg Prochazka, Melody Hobson, Katie Graham, Jan Handa, Merci Suarez, Lisa Laws

#1 ESU 1 ALL STAFF DAY

August 8, 2023 | 8:30 AM

AGENDA:

- Administrator Welcome
- New Staff / Years of Service Recognition
- Agency Improvement
- Wellness
- Business Office Updates
- Technology Update
- QPR Training
- 403(b)
- Lunch
- Department Meetings

Wayne State College
Frey Student Center
(Corner of Lindahl & Schreiner Drive)

REFRESHMENTS 8:00 - 8:30 AM

WSC Campus & parking lots

Student Center room guide

REMINDERS:

- Campus & parking layouts are accessible through the QR's above
- Bring your technology devices to participate in department meetings
- Supplies & audiometers will be at Tower School until 4:00pm
- Contact Tracey if you need any business cards, lanyards, etc....

DEPARTMENT ROOMS:

COTTONWOOD	ECSE / EDN
GOLDENROD	EC SLP
LIBRARY 208	GRANTS
FREY	MIGRANT EDUCATION
BLUESTEM	OT / PT
LIBRARY 209	PST
MEADOWLARK	PSYCH / LMHP
ELKHORN	SPEECH
MCC LOUNGE	VISION
TOWER	TOWER

PICTURES:

DON'T FORGET YOUR HEADSHOT!

- 8:00 - Administrators
- 8:10 - TLT
- 10:00 - Central Office
- 10:05 - Technology
- 10:10 - Vision, Audio, Deaf Ed, SPED Consultant, Transition
- 11:00 - Tower
- 11:10 - Grants
- 11:20 - OT / PT
- 11:30 - PSP Teams (ALL)
- 11:45 - ECSE / EDN / EC SLP
- 1:00 - Psych / LMHP
- 1:20 - Speech

REMEMBER! SOCIAL AT THE 4TH JUG AFTER ASD

If something arises & you cannot make All Staff Day, please contact Brittney (402) 802-0425.

NEBRASKA esu Coordinating Council

School District Plans, Policies, and Annual Trainings' Requirements

**Important or Highlighted - May Not Be An All-Inclusive List*

❑ Date Completed:	**Behavioral Intervention Training and Teacher Support Act**
	LB 705
	• **Required - Section 3:**
	  ○ Educational Service Unit Coordinating Council (ESUCC) ensures training is available statewide with a system of support for teachers in place (2024-25 school year),
	  ○ School districts ensure that each administrator, teacher, paraprofessional, school nurse, and counselor receives behavioral awareness training (beginning in school year 2026-27) and have behavioral awareness review training at least once every 3 years thereafter
	  ○ On or before July 1, 2025, and on or before July 1 of each year thereafter, each school district shall submit a behavioral awareness training report to the ESUCC
	• **Required - Section 4:**
	  ○ Each school district designates one or more school employees as a behavioral awareness point of contact for each school building or other division as determined by such school district (2023-23 school year).
	  ○ Each point of contact must be trained in behavioral awareness and have knowledge of community service providers and other resources that are available for the students and families in their school district
	  ○ Each school district lists their point of contact(s) on the district website and in any school directory for the school(s) the contact serves
	• **Required Training:** Behavioral Awareness Training for administrators, teachers, paraprofessionals, school nurses, and counselors; Behavioral Awareness Training the district "Point of Contact(s)"
	• **Resources:**
	  ○ Nebraska Department of Education - Coordinated Student Support Services
	• Reference:
	  ○ Legislative Bill 705, Sections 2-5

❑ Date Completed:	**Bullying**
	Statute: 79-2, 137; Rule 10, Code Section 011: School Environment (011.01F)
	• **Required:** Policy and Comprehensive Training/Education Plan
	  ○ Training and instruction of all groups ***(certified, non-certified staff, students, parents/community, volunteers, etc.)*** with a comprehensive training/education plans that should be updated annually
	• **Required Training:** Introductory staff development provides awareness of bullying and can be conducted through direct presentations, meetings, role plays, video resources, literature, etc.
	• References:
	  ○ Rule 10, page 3
	  ○ Nebraska Department of Education

❑ Date Completed:	**Concussion Awareness** Concussion Awareness Act • **Required:** Protocols and Practice for *Removal from Play*, *Return to Plan, and Return-to-Learn* • **Required Training:** All coaches, youth athletes, and their parents or guardians must be provided with education about the risks and symptoms • Reference: Department of Health and Human Services

❑
Date Completed:
	Dating Violence Prevention
	See also: Title IX as dating violence is included in the definition of sexual harassment
	State Statute 79-2, 141
	Rule 10, Code Section 011: School Environment (011.01G)
	• **Required:** Policy, Published policy in School District Handbook or similar manual or publication
	• **Required Training:**
	  ○ ***Staff that are deemed appropriate by a school district's administration*** and shall include, but not be limited to, basic awareness of dating violence, warning signs of dating violence, and the school district's dating violence policy.
	• References:
	  ○ Nebraska Department of Education
	  ○ NE State Board of Education

❑
Date Completed:
	Driver Qualifications and Operational Procedures
	Title 92, Chapter 91
	• **Required: To be a Pupil Transportation Driver (003.02)**
	  ○ **Eligibility** (003.02A, A1, A2, A3, A4)
	  ○ Specific Vehicle Operator's License (003.02B)
	  ○ ***Initial Training*** Requirements for Qualification (003.02C, C1, C2, C3)
	  ○ *Requirements* for an individual to ***Maintain Status*** (003.02D)
	• **Required: Employer Responsibilities (003.03) and Procedures & Safety (004 & 005)**
	  ○ Must include having a valid Medical Examiner's Certificate, driving records annually obtained from the Nebraska Department of Motor Vehicles, and a criminal history record that includes information from the Nebraska State Patrol for all individuals that are to be employed as pupil transportation vehicle drivers.
	  ○ Procedures & operating regulations are in place & followed (004.01-004.07M / 005.01-005.03A)
	• **Required Training:** Employers shall annually provide a minimum of two (2) hours of inservice training for all pupil transportation vehicle drivers that, at a minimum, include emergency evacuations, loading/unloading, student management, vehicle inspections and the school's Safe Pupil Transportation Plan (003.02E)

❑
Date Completed:
	Harassment and Discrimination
	Statute: 79-2, 137; Title IX
	• **Required:** Policies *(Nondiscrimination, harassment, complaint/grievance procedures, etc.);* The updated Title IX Rule ***specifically requires schools to post on their websites***:
	  1. *The contact information for the school's Title IX Coordinator(s);*
	  2. *The school's non-discrimination policy; and*
	  3. *Training materials used to train the school's Title IX personnel.*
	• **Required Training:** For "Title IX Personnel" (i.e., Title IX Coordinator(s), mediators, investigators, review panels, etc.)
	• **All-Staff Training: NOT Required, but highly recommended**

	• References:
	  ○ Nebraska Sexual Harassment Training
	  ○ NE Equal Opportunity Commission
	  ○ U.S. Department of Education Office of Civil Rights

❑
Date Completed:
	School Safety and Security Plan
	Statute: 79-2, 144; Rule 10, Code Section 011: School Environment (011.01B, C, and D)
	• **Required:** A Plan, a Committee, and an Annual Review and Site Visit
	• **Required Training:** Fire Drills, Tornado Drills, Intruder Drill
	• References:
	  ○ Rule 10, page 3
	  ○ The Nebraska Department of Education

❑ Date Completed:	**School Safety and Security Reporting System** LB322; State Statute: to amend section 79-2, 144 • **Required:** The Nebraska Department of Education must undertake certain efforts *(e.g., establish a Safe2HelpNE report line statewide, track and evaluate the effectiveness and usage of the Safe2HelpNE report line, appoint state school security director, adopt and promulgate rules and regulations to carry out the School Safety and Security Reporting System Act)* ***and*** • **Required Training:** NDE must provide training for the members of any threat assessment team serving a public or nonpublic school. • Reference: LB322
❑ Date Completed:	**Seclusion and Restraints** Rule 10, Code Section 011: School Environment (011.01E) • **Required:** Policy • **Required Training:** Identified key educators utilizing restraints

❑
Date Completed:
	Seizures Safe Schools Act
	LB639
	• **Required:** The State Board of Education must adopt and promulgate rules and regulations to carry out this Act and includes training requirements for school employees, procedures for developing seizure action plans, and the content of a seizure action plan.
	• **Required Training:**
	  ○ Section 3: One school employee at each school who has met the training requirements necessary to administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms as approved by the United States FDA.
	  ○ Section 4: In addition to any other professional development and collegial planning activities for certificated school employees, each certificated school employee shall participate in a minimum of one hour of self-study review of seizure disorder materials at least once in every two school years.
	• Resources: Nebraska Department of Education - School Health Services
	• References:
	  ○ LB639
	  ○ The Nebraska Department of Education: School Health Services

❑	**SRO Training** State Statute 79-2704 *(20 hours of Training)*

Date Completed:	• **Required Training:** (2) Require a minimum of one administrator in each elementary or secondary school where a school resource officer or security guard is assigned to attend a minimum of **twenty hours** of training focused on school-based law enforcement, including, but not limited to, coursework focused on school law, student rights, understanding special needs students and students with disabilities, conflict de-escalation techniques, ethics for school resource officers and security guards, teenage brain development, adolescent behavior, implicit bias training, diversity and cultural awareness, trauma-informed responses, and preventing violence in school settings.
	• References:
	  ○ LB390
	  ■ Important: Memorandum of Understanding and Training Requirements
	  ○ Nebraska Department of Education
	  ■ Model MOU for SRO
	  ■ Model MOU for Security Agency

❑
Date Completed:
	State Assessments
	Standards, Assessment, and Accountability (SAA)
	Updated each year by NDE and located on DAC page
	• **Required:**
	  ○ Identify a District Assessment Contact (DAC) each year
	  ○ Prevent Assessment Irregularities (e.g., maintaining security of test materials, proper test preparation guidelines and administration procedures, incident reporting procedures, etc.)
	  ○ ESSA - Alternate Assessment guidelines are followed
	• **Required Training:** Annual training at the district and school level for all individuals involved in test administration

❑
Date Completed:
	Suicide Prevention
	Updated in LB705
	State Statute 79-2, 145-146
	• **Required Training:**
	  ○ *"Beginning in school year 2023-24, all public school employees who interact with students and any other appropriate personnel, as determined by the school superintendent, shall receive at least one hour of behavioral and mental health training with a focus on suicide awareness and prevention training each year.*
	  ○ *Such training may include, but need not be limited to, topics such as identification of early warning signs and symptoms of behavioral and mental health issues in students, appropriate and effective responses for educators to student behavioral and mental health issues, trauma-informed care, and procedures for making students and parents and guardians aware of services and supports for behavioral and mental health issues.*
	  ○ *This training shall be provided within the framework of existing inservice training programs offered by the State Department of Education or as part of required professional development activities."*
	• References:
	  ○ Nebraska Department of Education
	  ○ Legislative Bill 705, Section 77

Required Policies and Practices *with "highly recommended" trainings*	
❑	**Bloodborne Pathogens** Department of Labor: Occupational Safety and Health Administration, Standard 29 CFR 1910.1030

Date Completed:	• **Required:** Employers safeguard employees who face potential occupational exposure to blood or other potentially infectious materials • **Training: NOT Required, but recommended as a way to protect employees and reduce the risk of exposure.** • Reference: Nebraska Safety Council
❑ Date Completed:	**Child Abuse Reporting** State Statute 28-711 • **Required:** District Policy and Prodecures for Mandatory Reporting; State Law, *"When any school employee has reasonable cause to believe a child has been subjected to child abuse or neglect or observes such child being subjected to…"* • **Training: NOT Required, but recommended to train staff on this law requirement and the district's mandatory reporting policy and procedures** • Reference: Revised State Statute 28-711
District Requirements	

❑
Date Completed:
	Dyslexia
	LB298
	• **Required:**
	  ○ Districts collect and maintain data as identified in LB298, Section 1 (1a, 1b, 1c) beginning in the 2023-2024 school year with guidance provided by the Nebraska Department of Education
	• **NOTE:** This supplements the Nebraska Legislatures previous Nebraska Reading Improvement Act intended to remove barriers to students' progress in reading
	• References:
	  ○ LB298, Section 1 and Nebraska Reads

❑ Date Completed:	**Financial Literacy Act** LB705 Update to LB452; State Statute: to amend section 79-729, Reissue Revised Statutes of Nebraska, and section 79-760.01 • **Required:** For students attending public schools – "beginning in school year 2023-24, at least five of the minimum credit hours shall be a high school course in personal finance or financial literacy." • Reference: Legislative Bill 705, Section 79

❑
Date Completed:
	Option Enrollment
	LB 705; State Statute 79-238
	• **Required:**
	  ○ By October 15th, 2023 and for the purpose of option enrollment, school districts must adopt by resolution specific capacity standards for acceptance and ejection of applications for the 2024-2025 school year.
	  ○ This is inclusive of the district having a plan, process, and individualized communication related to the "capacity for special education services operated by an option school district shall be determined on a case-by-case basis."
	  ○ Keep records of option enrollment applications and data to report to the Nebraska Department of Education
	• Reference: Legislative Bill 705, Sections 55-57

❑ Date Completed:	**Property Tax Request Joint Hearing** LB644 and LB727 (2023) ● **Update - Required from LB727 (2023):** ○ If the district participates in the hearing, *at least one elected official (board member) from each participating political subdivision shall attend the joint public hearing* (Sec. 50, 3b) ● Districts need to prepare for and review LB 644 and the budget and tax request process and timelines. ● Districts need to sufficiently plan to ensure that they meet the new law's very specific and condensed time frame. ● Of note: ○ There is a tab on the auditor's budget document to calculate the allowable growth percentage and related requirements. ○ A school district will only have one certified allowable growth percentage to represent total growth across all counties. Districts that land in multiple counties will need to make sure that they take this into consideration. ● Districts are strongly encouraged to work with their counties over the summer to plan for this joint hearing to avoid any last-minute confusion or delays. ● References: ○ LB644 ○ LB727 (Section 50)
❑ Date Completed:	**School Board Policies** ● Check with your school attorney for Annual vs. Time Frame (i.e., "every 3 years") reviews
❑ Date Completed:	**State Reporting Requirements** ADVISER, Consolidated Data Collection, Grants Management, etc. ● Contact NDE for guidance, utilize NDE Weekly Digest/NDE Bulletin for timelines and reporting updates
❑ Date Completed:	**Student Discipline Act Updates** LB 705; State Statute 79-256 ● **Required:** School Board Policies and Student Handbook(s) reflective of the changes in sections 61-74 of LB705 which includes, but is not limited to: ○ suspensions, expulsions, mandatory reassignments, access to education and completing school work, and reporting and process requirements (timelines and communication) ● Reference: Legislative Bill 705, Sections 61-74
❑ Date Completed:	**Suspensions for PreKindergarten - 2nd Grade Student** LB 705 ● **Required:** ● Policy stating *"an elementary school shall not suspend a student in pre-kindergarten through second grade. Each school district shall develop a policy to implement this section which shall include disciplinary measures inside the school as an alternative to suspension.*" ● NOTE: "*An elementary school may suspend a student in pre-kindergarten through second grade if such student brings a deadly weapon on school grounds, in a vehicle owned, leased, or contracted*

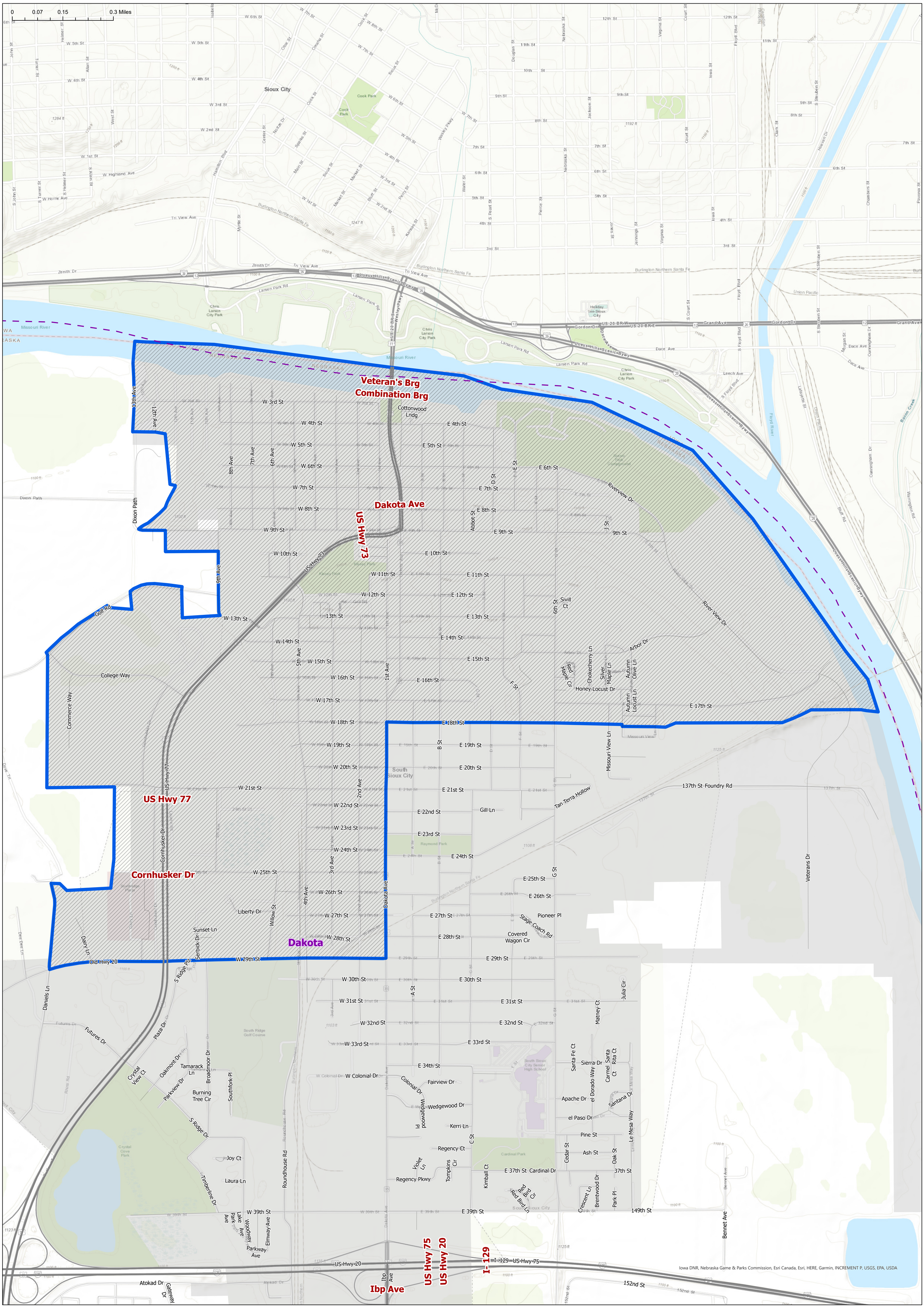
	by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or his or her designee, or at a school-sponsored activity or athletic event." ● Reference: Legislative Bill 705, Section 60
❑ Date Completed:	**Youth Organizations** LB 705 ● **Required:** Each school district shall, upon request, allow a representative of any youth organization to provide (i) oral or written information to the students of such school district regarding the youth organization and how such youth organization furthers the educational interests and civic involvement of students in a manner consistent with good citizenship and (ii) services and activities to any student of such school district who is a member of such youth organization. ● NOTE: Groups are limited to those youth organizations with a corporation chartered by Congress and listed in 36 U.S.C. Subtitle II, Part B, as of January 1, 2023. ● Reference: Legislative Bill 705, Section 126
Legislation Impacting Future Requirements	
❑ Date Completed:	**Behavioral Intervention and Management** LB 705 ● **Required: Policy** ○ *"On or before July 1, 2025, the State Department of Education shall develop and adopt a model policy relating to behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in school. The model policy shall include appropriate training for school employees on behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in schools and how frequently such training shall be required."* ○ *"On or before August 1, 2025, each school district shall develop and adopt a policy consistent with or comparable to the model policy developed by the State Department of Education pursuant to subsection of this section, which shall be a requirement for accreditation in accordance with section 79-703. Such policy shall be filed with the Commissioner of Education. The policy developed and adopted by a school district pursuant to this subsection shall be included with any notifications required under the Student Discipline Act."* ○ *"Beginning in school year 2026-27, each school district shall ensure that any school employee who has behavioral management responsibilities participates in behavioral awareness and intervention training consistent with the school district policy developed and adopted in accordance with subsection (2) of this section. Such training shall be provided by the school district or such school district's educational* ○ *service unit."* ● Reference: Legislative Bill 705, Sections 59 and 78
❑ Date Completed:	**Computer Science and Technology Education Act** LB705; State Statute 79-729 Update to LB1112: provide and change graduation requirements and academic content standards ● **Required:** For students attending public schools – ***"****Beginning in school year 2027-28 at least five of the minimum credit hours shall include computer science and technology education as required under section 79-3304."* ● Reference: Legislative Bill 705, Section 79

❑ Date Completed:	**Dress Codes for Students** LB298 ● **Required:** "On or before July 1, 2025, the school board of each school district shall adopt a written dress code and grooming policy to be implemented at the start of the 2025-26 school year that is consistent with the model policy developed by the State Department of Education in accordance with section 3 of this act and may include any other procedures and provisions the school board deems appropriate." ● Reference: LB298, Section 2
❑ Date Completed:	**Financial Aid for Students** LB705; State Statute 79-729 ● **Required:** ***"****Beginning in school year 2024-25, each public high school student shall complete and submit to the United States Department of Education a Free Application for Federal Student Aid prior to graduating from such high school except as otherwise provided in this subsection."* ● NOTE: There are exceptions in this section (b-i, b-ii, and b-iii) ● Reference: Legislative Bill 705, Section 79

ESU #1 - District #1

District Boundary | County Boundaries | Places | Streets - Primary

UNIVERSITY OF NEBRASKA AT OMAHA
CENTER FOR PUBLIC AFFAIRS RESEARCH



ESU #1 - District #9

District Boundary | County Boundaries | Places | Streets - Primary

UNIVERSITY OF NEBRASKA AT OMAHA
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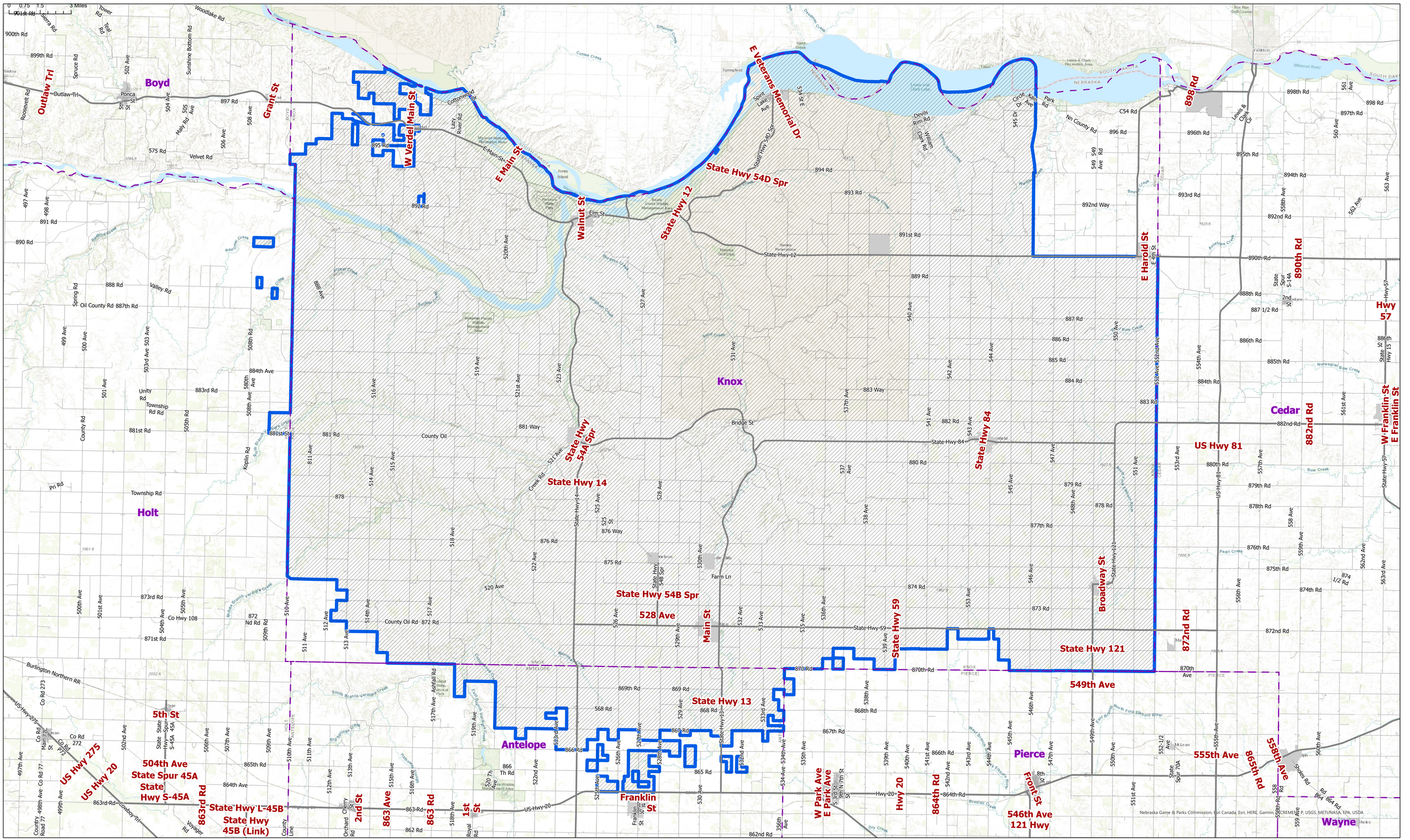

ESU #1 - District #8

District Boundary | County Boundaries | Places | Streets - Primary

UNIVERSITY OF NEBRASKA AT OMAHA
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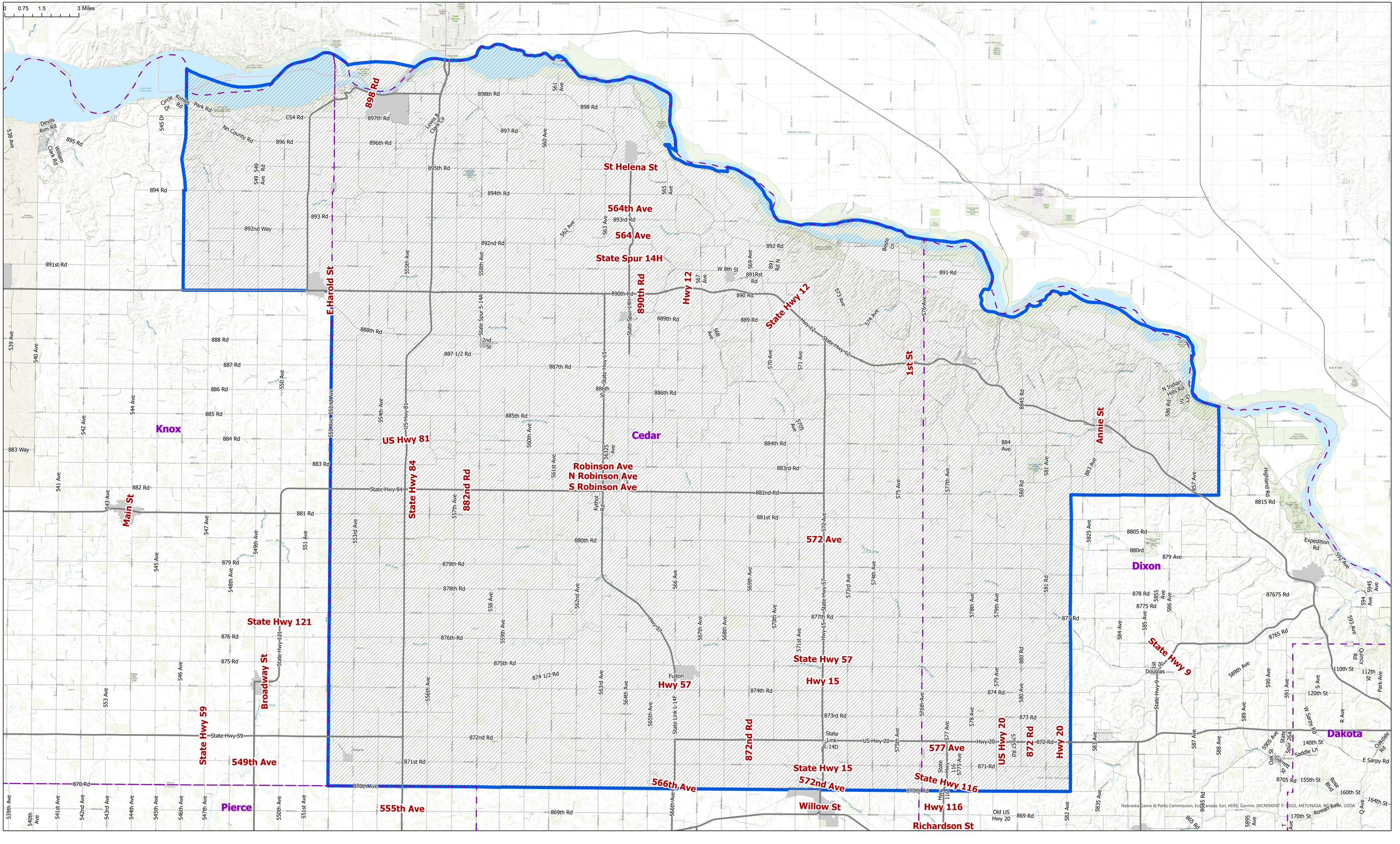

ESU #1 - District #7

District Boundary | County Boundaries | Places | Streets - Primary

UNIVERSITY OF NEBRASKA AT OMAHA
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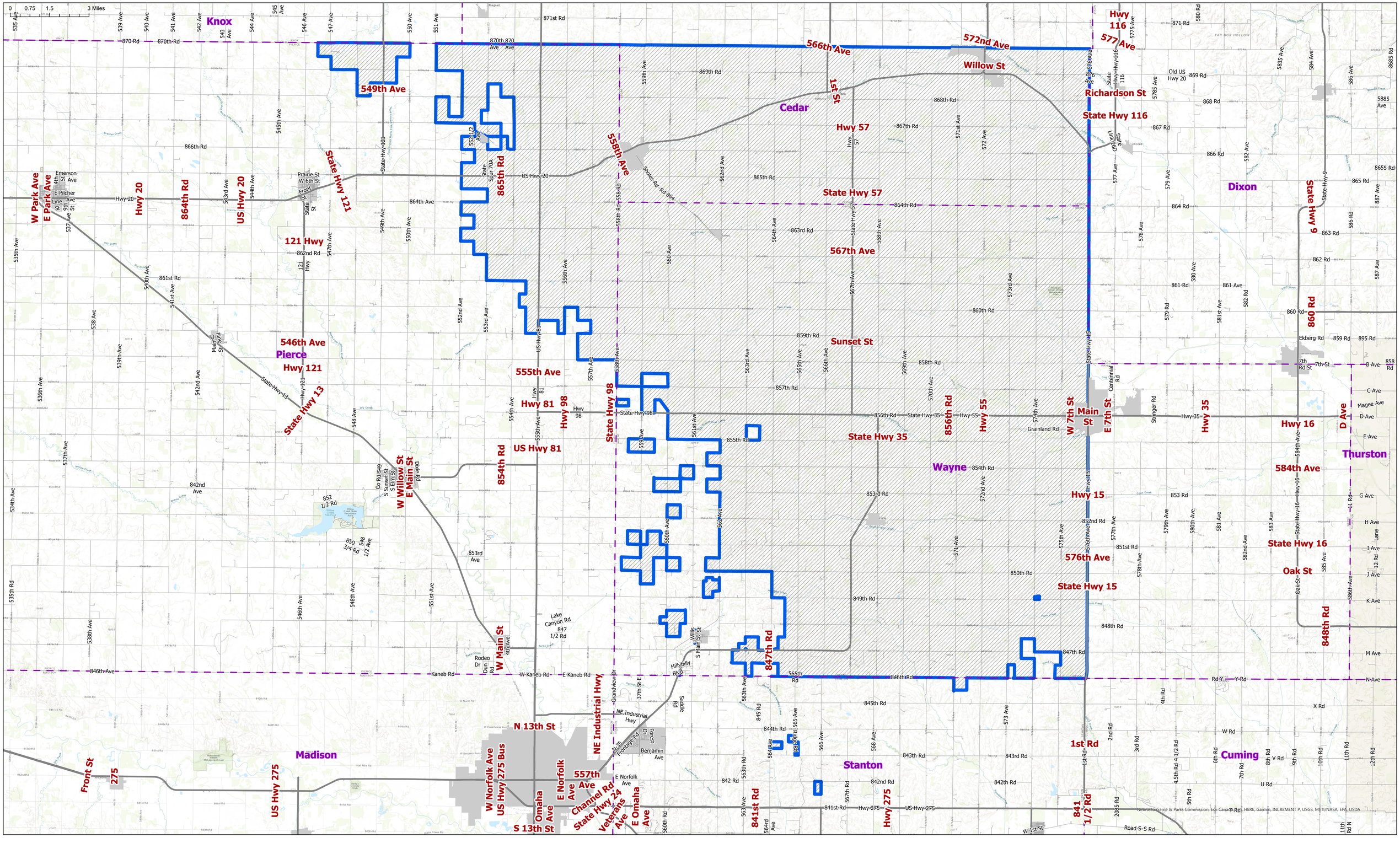

ESU #1 - District #6

UNIVERSITY OF NEBRASKA AT OMAHA
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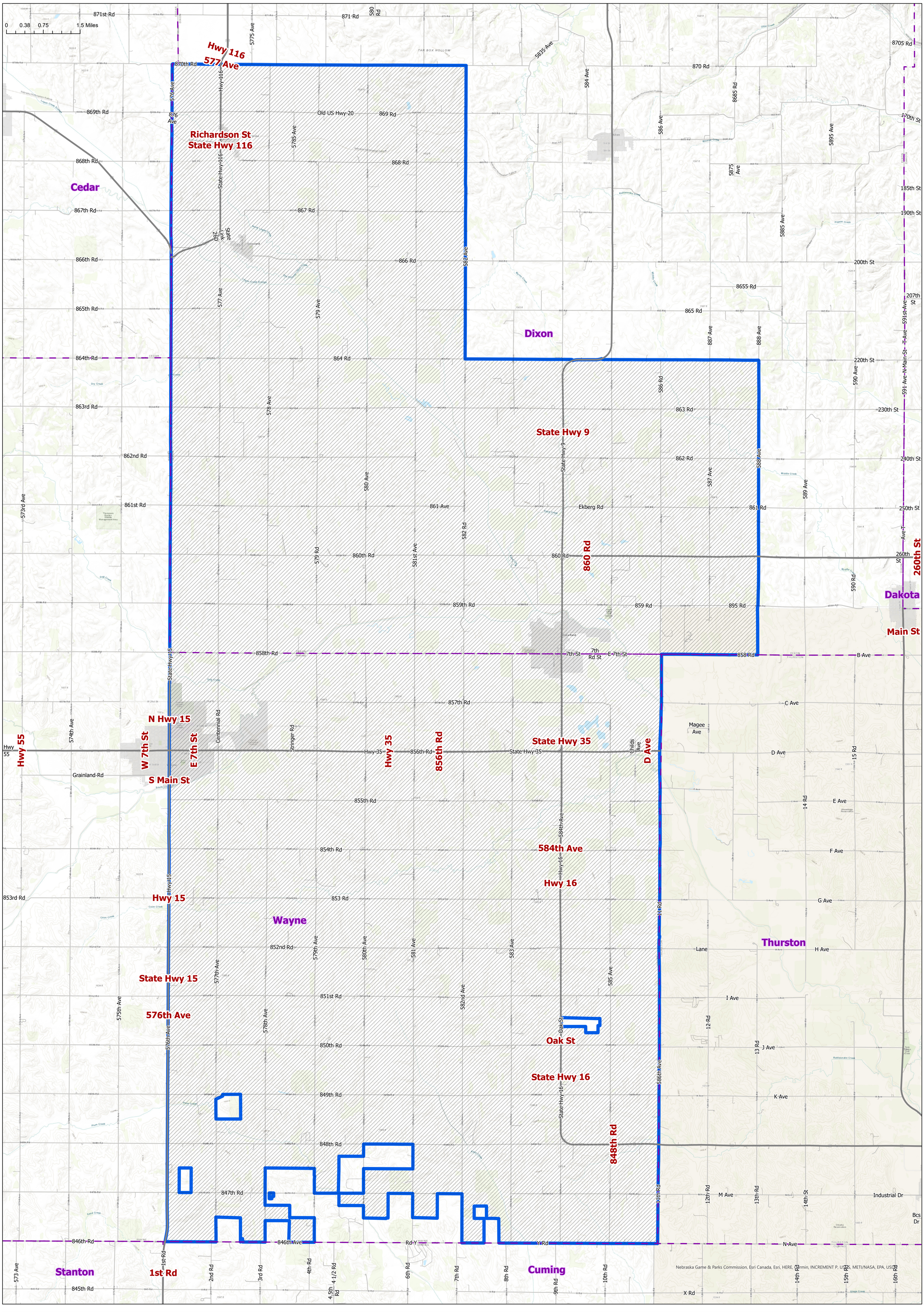
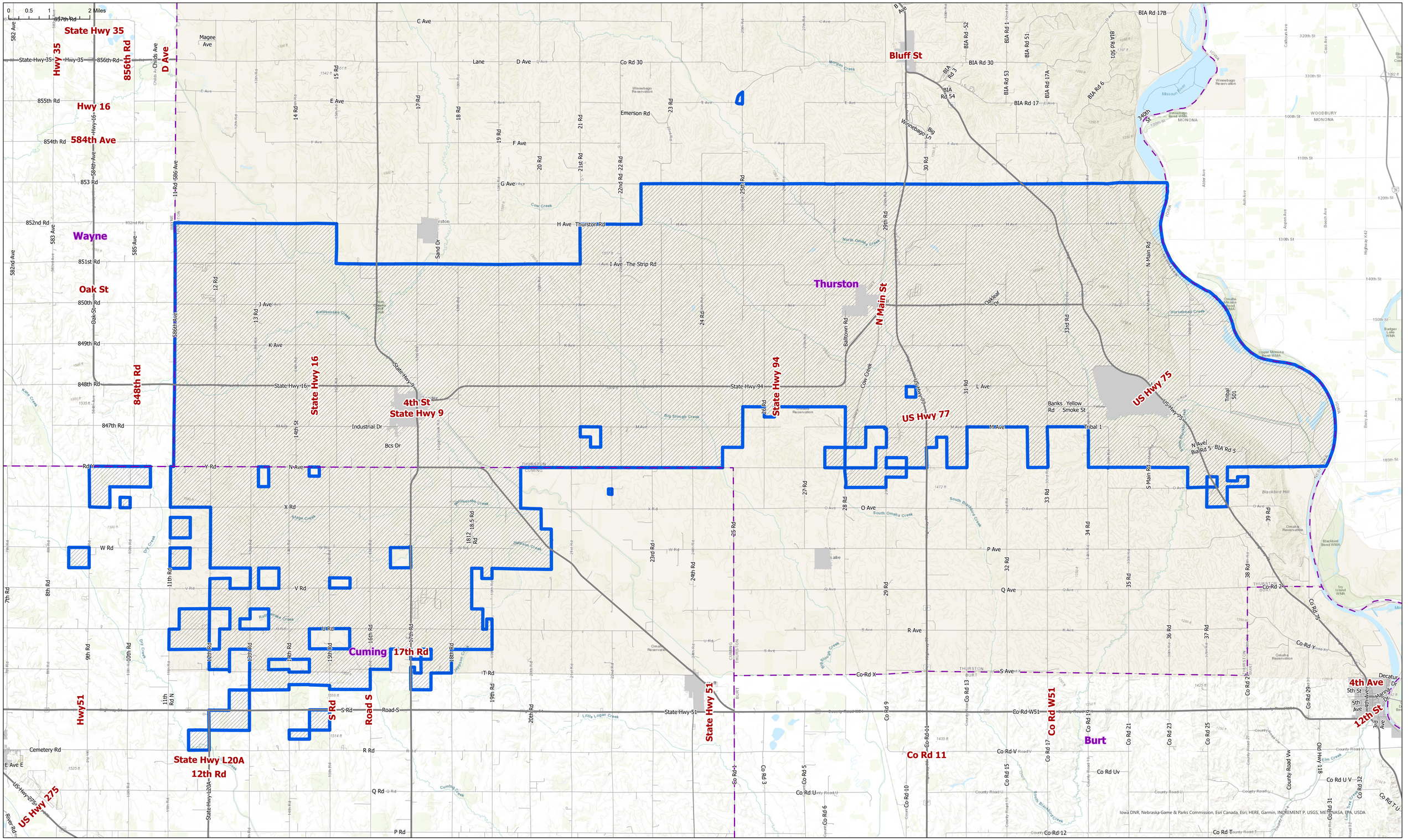
District Boundary | County Boundaries | Places | Streets - Primary



ESU #1 - District #5

District Boundary | County Boundaries | Places | Streets - Primary

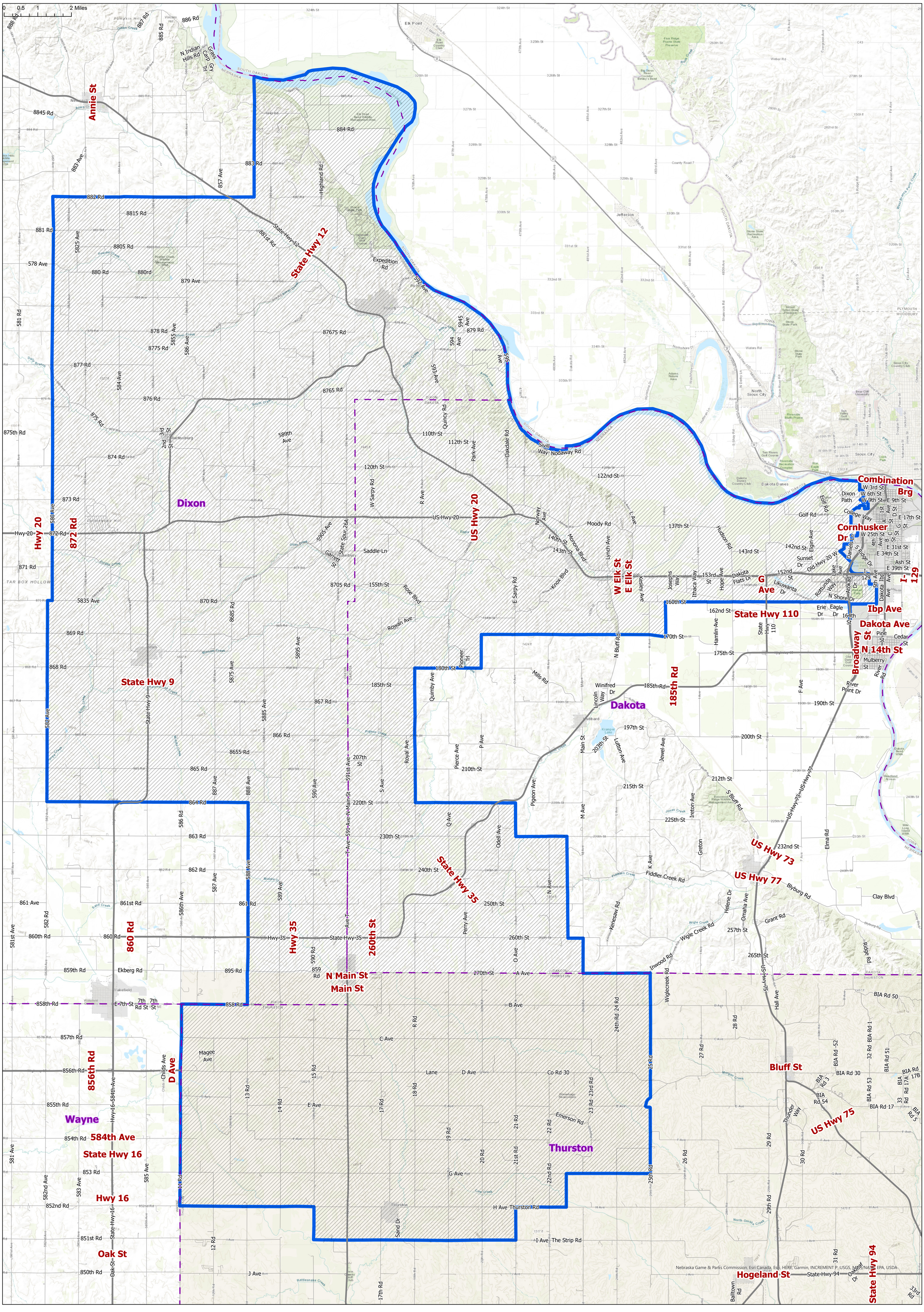
UNIVERSITY OF NEBRASKA AT OMAHA
CENTER FOR PUBLIC AFFAIRS RESEARCH



ESU #1 - District #4

District Boundary | County Boundaries | Places | Streets - Primary

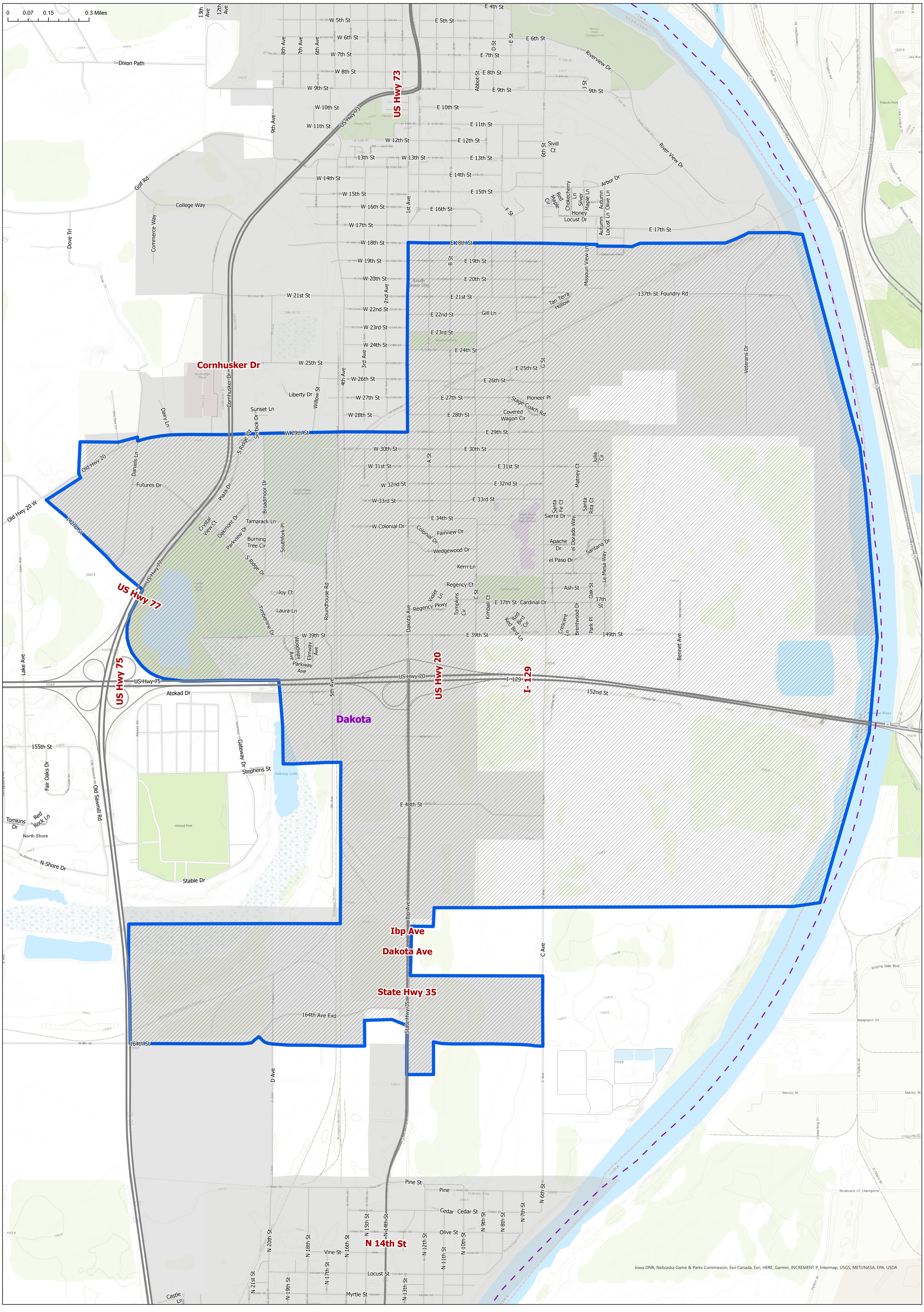
UNIVERSITY OF NEBRASKA AT OMAHA
CENTER FOR PUBLIC AFFAIRS RESEARCH



ESU #1 - District #3

District Boundary | County Boundaries | Places | Streets - Primary

UNIVERSITY OF NEBRASKA AT OMAHA
CENTER FOR PUBLIC AFFAIRS RESEARCH



PERSONNEL

Section 1 Employment of Personnel

A. Recruitment and Selection

The administration is to recruit and recommend for employment the best qualified personnel to implement and fulfill the mission, goals and policies of the ESU. All applicants so selected and recommended must satisfy the standards set by the Board and any applicable legal requirements.

All personnel shall be recommended for hiring by the Administrator with the final approval by the Board prior to hiring. The final approval by the Board should generally follow closely the recommendation of the Administrator, but such approval of recommendation is not mandatory on the Board.

Legal Reference:	
Date of Adoption:	August 14, 2018

B. Equal Opportunity Employment

ESU 1 is an equal opportunity employer. It is the policy of ESU 1 to employ the best qualified applicant for each position without regard to sex, disability, race (including skin color, hair texture and protective hair styles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other 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 (including skin color, hair texture and protective hair styles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status.

There shall be no discrimination by school officials against any employee because of membership or activity in an employee organization or because of protected free speech activities.

Legal Reference:	Title VI--34 CFR §100 et seq. Title VII--42 U.S.C. §2000e, et seq. Title IX--20 U.S.C §1681; 34 CFR 106.1 et seq. ADEA--29 U.S.C. §621 et seq. ADA-42 U.S.C. §12101 et seq.; 28 CFR §35.101 et seq. Rehabilitation Act of 1973, Section 504--29 U.S.C. §791, et seq.; 34 CFR §104, et seq. Nebraska Fair Employment Practices Act, Neb. Rev. Stat. §§48-1101 to 48-1126; Neb. Rev. Stat §20-168
Date of Adoption:	August 10, 2021

C. Release from Contract

Certificated employees are encouraged to notify their immediate supervisor of their plans to resign as soon as practicable. The Board of Education will generally accept all tendered resignations, effective at the end of the current school year, submitted prior to March 15th.

The Board delegates to the Administrator the authority to formally ask certificated employees in writing whether they intend to accept employment with the ESU for the following school year. The Administrator shall give employees a deadline to respond to such requests, so long as the deadline occurs after March 14th. Any employee who fails to respond or declines to accept employment for the following school year may be terminated from employment if they refuse to resign.

The Administrator is further authorized to file a complaint with the Professional Practices Commission for any teacher who abrogates their contract with the ESU.

Notwithstanding anything to the contrary herein, the Board is not obligated to accept or reject any tendered resignation if the employee is involved in a disciplinary matter or for any other reason that the Board deems to be in the best interest of the ESU.

Legal Reference:	Neb. Stat. §79-819; §79-820; §79-821; §79-817; et seq, NDE Rule 27
Date of Adoption:	August 8, 2023

Section 2 Staff Handbooks

The administration is responsible for preparing and distributing staff handbooks and job descriptions. Staff handbooks and job descriptions approved by the Board shall have the effect of Board-approved policy and, if approved by the Board later in time to any conflicting Board policy, shall control over conflicting Board policy.

Legal Reference:	
Date of Adoption:	August 14, 2018

Section 3 Conflicts of Interest

A. Employment of Board Members

No board member of ESU 1 shall be employed by ESU 1.

Legal Reference:	§ 79-1219
Date of Adoption:	August 14, 2018

B. Employment of Immediate Family Members

A member of the Board or an employee with supervisory responsibilities may employ or recommend or supervise the employment of an immediate family member only if:

1. He or she does not abuse his or her official position. Abuse of an official position includes, but is not limited to, employing an immediate family member:

(a) Who is not qualified for and able to perform the duties of the position;
(b) For an unreasonably high salary; or
(c) Who is not required to perform the duties of the position.

2. He or she makes a full disclosure on the record to the Board and a written disclosure to the Administrator and/or Secretary of the Board; and
3. The Board approves the employment or supervisory position.

No immediate family member of a Board member or of an employee with supervisory responsibilities shall be employed by the ESU:

1. Without first having made a reasonable solicitation and consideration of applications for such employment;
2. Who is not qualified for and able to perform the duties of the position;
3. For an unreasonably high salary; and
4. Who is not required to perform the duties of the position.

Neither the Board nor an employee with supervisory responsibilities shall terminate the employment of an employee so as to make funds or a position available for the purpose of hiring an immediate family member.

This policy shall not apply to an immediate family member of a member of the Board or an employee with supervisory responsibilities who was previously employed in a position with the ESU prior to the election or appointment of the Board member or of the supervisory employee. Prior to or as soon as reasonably possible after the official date a Board member takes office or an employee assumes supervisory responsibilities, such Board member or employee shall make a full disclosure of any immediate family member employed in a position subject to this policy.

Legal Reference:	§ 49-1499.04; § 49-1499.05
Date of Adoption:	August 14, 2018

Section 4 Fitness for Duty

Applicants must be physically and mentally capable of performing the essential functions of the position for which application is made, with or without reasonable accommodations. Some positions have physical requirements which must be demonstrated by satisfactorily completing a post-offer physical exam or post-offer questionnaire to establish the ability to perform the essential functions of the position. This will only be required after a conditional offer of employment has been made.

Employees must be physically and mentally capable of performing the essential functions of their position, with or without reasonable accommodations. Employees shall be required, upon request of the Administrator or designee, to respond or submit to medical inquiries or examinations which are related and necessary to performance of essential functions of their position where there is evidence of a job performance or safety problem and when required or otherwise permitted by law.

Employees are required to disclose any medical restrictions that limit their ability to perform the essential functions of the assigned position to their supervisor or the Administrator and are to

request a meeting with the ADA Coordinator to discuss the provision of reasonable accommodations. Supervisors are required to notify the Administrator of any employees with restrictions that limit their ability to perform the essential functions of their assignment. The ESU shall make reasonable accommodations to qualified individuals with a disability in accordance with law.

The ESU complies with all federal and state laws regarding the collection and maintenance of health and medical information.

Legal Reference:	ADA-42 U.S.C. §12101 et seq.; 28 CFR §35.101 et seq. Rehabilitation Act of 1973, Section 504--29 U.S.C. §791, et seq.; 34 CFR §104, et seq. Nebraska Fair Employment Practices Act, Neb. Rev. Stat. §§48-1101 to 48-1126; Neb. Rev. Stat §20-168
Date of Adoption:	August 14, 2018

Section 5 Standards of Conduct

A. Drug-Free Work Place

It is the policy of ESU 1 to eliminate the influence of drugs, alcohol and other chemicals within the work environment and to educate students against the usage of drugs, alcohol and illegal substances. The ESU will implement regulations and practices which will insure compliance with laws relating to drugs and alcohol, including: the Drug-Free Workplace Act and the Omnibus Transportation Employee Testing Act of 1991, and all regulations and rules promulgated pursuant thereto.

The ESU has established a drug-free workplace. The drug-free workplace for this purpose includes ESU property, ESU-utilized vehicles, any place in which ESU employees perform duties, and any place in which ESU activities are held. The ESU recognizes that the use, possession, or being under the influence of illicit drugs or alcohol constitutes a hazard to the positive development of students and employees and a substantial interference with the ESU's mission and goals.

1. The unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited in the work place. Employees are also prohibited from possessing, using or distributing illicit drugs or alcohol, or being under the influence of illicit drugs or alcohol, on any ESU property or at any ESU sponsored event. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol in the work place or on duty time shall be a violation of the drug-free workplace.

2. The possession or distribution of a look-alike drug or look-alike controlled substance is prohibited. In addition, employees are expected to serve as role models for students and will be considered to have violated the ESU's expectations in the event the employee commits a criminal drug or alcohol offense off the work place or off duty time.

3. As a condition of employment, employees will abide by the ESU's drug-free workplace policies and notify the Administrator or designee of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.

4. Disciplinary sanctions, up to and including termination of employment and referral for prosecution, will be imposed upon employees who violate the aforementioned standards of conduct. If employment is not terminated, sanctions may include the requirement that the employee complete an appropriate rehabilitation program.

5. Employees shall be advised through employee publications about drug and alcohol counseling and rehabilitation and reentry programs that are available.

The ESU will implement a drug and alcohol testing program in compliance with law for all employees whose position requires a commercial driver's license (CDL) or who are otherwise in "safety-sensitive" positions as defined by federal or state law. Refusal to submit to pre-employment testing, or testing positive, shall disqualify an applicant for any position requiring such testing from employment. Reasonable suspicion, random, post-accident, return-to-duty, and follow-up testing shall also be conducted. Employees who test positive shall be immediately removed from safety-sensitive positions and be terminated from employment.

This policy supplements and is in addition to all other policies, regulations, practices, procedures and contractual provisions regarding or related to the improper or unlawful possession, use, or distribution of illicit drugs and alcohol.

Employees shall be furnished with a paper or digital copy of this policy.

Legal Reference:	41 U.S.C. §§ 701 to707 (Drug-Free Workplace Act of 1988) 49 U.S.C. § 31306 and 49 CFR Part 382 (Omnibus Transportation Employee Testing Act of 1991)
Date of Adoption:	August 14, 2018

B. Notification of Arrest, etc.

Employees must notify the Administrator by the next business day after:

1. Arrest or Criminal Charges. The employee is arrested, ticketed, or issued a criminal charge where:
   a. The maximum penalty for the crime equals or exceeds six months incarceration;
   b. The crime relates to abuse, neglect or endangerment of a minor, a minor was allegedly a victim or a witness, or the crime involves alleged sexual misconduct;
   c. Conviction would impact performance of employee's job responsibilities, including offenses that:
      i. Would impact the responsibility to be a role model for students or relations with other employees of the ESU or schools served by the ESU;

ii. Would impact the employee's ability to operate a motor vehicle if the employee at times needs to travel during duty time or the employee at times drives students; or

iii. Would impact the employee's Commercial Drivers License if the employee's job requires that the employee have a CDL.

d. The arrest or the alleged criminal activity occurred while the employee was on duty, on property of the ESU or a school, or in an ESU or school owned or utilized vehicle, or at a school-supervised activity or school-sponsored function.

Employees must also promptly report to the Administrator whenever the employee has been sentenced to be incarcerated for any period of time, even if the offense is not otherwise reportable.

2. Certificate or License. The employee becomes aware that a complaint has been filed against the employee that could affect a certificate or license required for the employee's position. This includes proceedings of the Nebraska Department of Education related to an alleged violation of the NDE Standards of Conduct and Ethics, Chapter 27, and proceedings of the Health and Human Services related to an alleged violation of the professional standards of conduct for the employee's position.

3. Child Abuse. The employee becomes aware that a report of child abuse or neglect has been made against the employee under the Child Protection Act.

   Further, employees must give full disclosure of any Child Protection Act investigation that resulted in an "inconclusive" determination that occurred at any time. Current employees must give such disclosure within ten days following adoption of this Policy. As a condition of employment, applicants for employment must give such disclosure prior to commencement of employment. Any hiring made without such disclosure shall be subject to being immediately revoked in the event the required disclosure was not given.

Employees must give full disclosure of the existence and nature of the above proceedings and must also promptly notify the Administrator of the disposition of the proceedings.

Legal documents relating to the proceedings shall be treated and maintained as part of the employee's confidential criminal background file.

Failure to notify as required under this policy may subject the employee to disciplinary action, up to and including termination.

Legal Reference:	
Date of Adoption:	August 14, 2018

C. Weapons

Employees shall not bring or possess a weapon in any facility or in any vehicle owned or under the control of ESU 1 or, while on duty, on any school property or at any ESU or school activity.

This prohibition includes employees with a permit to carry a concealed handgun. Possession of a weapon includes, without limitation, a weapon in an employee's personal possession or control, including a weapon in an employee's motor vehicle, desk, locker, backpack or purse. Any employee found to be in violation of this policy shall be subject to disciplinary action, up to and including termination.

An exception may be allowed for an employee to carry mace or other similar chemical agents in quantity and/or concentration typically designed for individual personal defensive purposes for self-defense where it is established that the employee is presented with a clear and substantial risk to personal safety. An exception may also be allowed where the employee requests to possess a weapon for instructional purposes.

Any exception must receive prior approval of the Administrator and be cleared with the school(s) at which the employee is assigned, where applicable. Any exception must be limited to a non-lethal weapon. Further, the weapon must be possessed and used only in the manner approved and must be maintained in such manner as the Administrator has directed so as to prevent it from being used by any non-permitted person or from causing anxiety or harm to others.

Legal Reference:	§ 69-2441
Date of Adoption:	

D. Civility

All employees shall behave with civility, fairness and respect in dealing with fellow employees, students, parents, patrons, visitors, and anyone else having business with the ESU. Uncivil behaviors are prohibited. Employees may be subject to disciplinary action up to and including termination for engaging in uncivil behaviors.

Uncivil behaviors are any behaviors that are physically or verbally threatening, either overtly or implicitly, as well as behaviors that are coercive, intimidating, violent or harassing. Such interactions are prohibited in all forms of communication, including telephone conversations, voice mail messages, face-to-face conversations, written communications, and email messages.

Any employee aware of another employee's uncivil behavior shall report the conduct to the employee's immediate supervisor or to the Administrator. There will be no retaliation against a person for making the report.

Legal Reference:	
Date of Adoption:	August 14, 2018

E. Professional Boundaries Between Employees and Students

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of professional boundaries will be regarded as a form of misconduct and may result in disciplinary action.

The following non-exclusive list of actions may be considered a violation of the professional

boundaries that employees are expected to maintain with a student:

- Using e-mail, text messaging, instant messaging or social networking sites to discuss with a student a matter that does not pertain to school or ESU related activities. Electronic communications with students are to be sent simultaneously to multiple recipients, not to just one student, except where the communication is clearly school-related and inappropriate for persons other than the individual student to receive (for example, e-mailing a message about a student's grades).
- Engaging in social-networking friendships with a student on MySpace, Facebook, or other social networking site. Material that employees post on social networks that is publicly available to those in the school community must reflect the professional image applicable to the employee's position and not impair the employee's capacity to maintain the respect of students and parents or impair the employee's ability to serve as a role model for children.
- Engaging in sexual activity, a romantic relationship or dating a student or a former student within one year of the student graduating or otherwise leaving the District.
- Making any sexual advance – verbal, written, or physical – towards a student.
- Showing sexually inappropriate materials or objects to a student.
- Discussing sexual topics with a student that are not related to a specific curriculum.
- Telling sexual jokes to a student.
- Invading a student's physical privacy (e.g., walking in on the student in a restroom).
- Hugging or other physical contact with a student that is initiated by the employee when the student does not seek or want this attention.
- Being overly "touchy" with a specific student.
- Allowing a specific student to get away with misconduct that is not tolerated from other students, except as appropriate for students with an IEP or 504 Plan.
- Discussing with a student the employee's problems that would normally be discussed with adults (e.g., marital problems).
- Giving a student a ride in the employee's personal vehicle without express permission of the student's parent or school administrator unless another adult is in the vehicle.
- Taking a student on an outing without obtaining prior express permission of the student's parent or school administrator.
- Inviting a student to the employee's home without prior express permission of the student's parent and school administrator.
- Going to the student's home when the student's parent or a proper chaperone is not present.
- Giving gifts of a personal nature to a specific student.

Appropriate exceptions are permitted to the foregoing for legitimate health or educational purposes and for reasons of familial relationships between employees and their children.

Legal Reference:	
Date of Adoption:	August 14, 2018

F. Visitors to Employees

Employees are not to have visitors while on duty other than as appropriate for the performance of their duties except on a short-term basis and only with permission of the Administrator or their supervisor. Included in the definition of visitors are family members of the employee. Employees are responsible for ensuring that their visitors follow posted procedures for being on ESU or school property. Employees are not to bring their children to work with them in lieu of taking them to childcare.

Legal Reference:	
Date of Adoption:	August 14, 2018

G. Other Employment

Employees shall not perform duties unrelated to their employment duties during their regularly assigned schedule. In addition, employees shall not engage in employment which conflicts with their duties for the ESU.

Employees are to notify the ESU of outside employment to the extent such is required for the ESU to comply with Nebraska School Employees Retirement System Act or other laws, or Board policy.

Legal Reference:	
Date of Adoption:	August 14, 2018

Section 6 Safety

ESU 1 is committed to providing and maintaining a safe and healthy work environment. The administration is to make the safety of employees an integral part of the management function. Each employee is to make safety an integral part of their duties by following established safety regulations and procedures, assisting in accident prevention activities by reporting any job-related injury to the administration immediately, reporting unsafe conditions immediately, and providing suggestions to eliminate accidents and injuries. Failure to follow safety rules may lead to disciplinary action up to and including termination.

Safety and health management is the ultimate responsibility of the Board. Functional authority for continued development and implementation of health and safety is hereby delegated to the Administrator or the Administrator's designee.

The Safety Committee shall maintain documentation of its compliance with this policy.

Legal Reference:	§ 48-443 to § 48-445
Date of Adoption:	August 14, 2018

Section 7 Employee Files and Privacy

A. Employee Files

The administration shall protect the confidentiality of personal information in records regarding personnel beyond salaries and routine directory information. Job application materials submitted

by applicants, other than finalists, who have applied for employment, shall also be maintained as confidential records. Such confidential records information shall be released only to the extent required by law or as appropriate for the operations of the ESU.

The following information is designated as "directory information" and may be given to parents or guardians of students served by the ESU upon request:

1. Whether a certificated staff member has met State qualifications and licensing criteria for the grade levels and subject areas in which the certificated staff member provides instruction.

2. Whether the certificated staff member is teaching under an emergency or provisional teaching certificate.

3. The baccalaureate degree major of the certificated staff member, along with information about other graduate certification or degrees held by the certificated staff member, and the field of discipline of the certification or degree.

4. The qualifications of a paraeducator assigned to their child.

Information regarding an employee's medical condition or history is to be maintained in a separate medical file and treated as confidential, including employment background checks related to physical or mental condition and records pertaining to FMLA leaves for health related reasons. Records maintained pursuant to the federal drug and alcohol testing laws, including drug and alcohol tests of employees and driver investigation history files for new or prospective drivers, are to be maintained in a separate file in a location with controlled access.

To the extent the ESU conducts any functions within the purview of HIPAA, which may include group health plans or student health services, it designates the ESU as a hybrid entity as to any such functions. The administration shall develop and implement all necessary practices and procedures to comply with laws governing protected health information (PHI) to the extent applicable and to maintain the privacy of PHI that the ESU receives, obtains, or transmits. The Administrator is designated as the HIPAA privacy officer for the ESU.

Legal Reference:	§ 84-712.05 (7) and (15) (Public Records Act) 34 CFR 200.61 (NCLB) 29 CFR § 1630.14 (ADA regulations) 29 CFR § 825.500 (FMLA regulations) 49 CFR 391.23 (Drug Testing regulations) Health Insurance Portability and Accountability Act (HIPAA)
Date of Adoption:	August 14, 2018

B. Social Security Numbers

Employee social security numbers shall be kept confidential to the extent required by law. Use of more than the last four digits of an employee's social security number shall be made by the ESU only for:

1. Legal Mandates. Compliance with state or federal laws, rules, or regulations.

2. Internal Administration. Internal administrative purposes, including provision of employee social security numbers to third parties for such purposes as administration of personnel benefits and employment screening and staffing. However, the internal administrative uses shall not permit use of employee social security numbers:
   a. As an identification number for occupational licensing.
   b. As an identification number for drug-testing purposes except when required by state or federal law.
   c. As an identification number for ESU meetings.
   d. In files with unrestricted access within the ESU.
   e. In files accessible by any temporary employee unless the temporary employee is bonded or insured under a blanket corporate surety bond or equivalent commercial insurance.
   f. For posting any type of ESU information.

3. Voluntary Transactions. Commercial transactions freely and voluntarily entered into by the employee with the ESU for the purchase of goods or services.

The ESU will not use or require an employee to use more than the last four digits of an employee's social security number for:

1. Public Posting or Display. Any public posting or display available to the general public or to an employee's co-workers.
2. Internet Transmission. Transmission over the Internet unless the connection is secure or the information is encrypted.
3. Internet Access. To access an Internet web site unless a password, unique personal identification number, or other authentication device is also required to access the Internet web site.
4. Identifier. As an employee number for any type of employment-related activity.

Legal Reference:	§ 48-287; 5 USC § 552a (note) (Privacy Act of 1974)
Date of Adoption:	August 14, 2018

C. Shredding Consumer Reports (Background Checks)

The administration shall take reasonable measures to protect against unauthorized access to consumer information from consumer reports.[1] A consumer report includes criminal background checks performed on applicants or employees by a third party. It does not include criminal checks performed by ESU staff.

[1] "The term 'consumer report' means any written, oral, or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living which is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for . . . employment purposes." Fair Credit Reporting Act, 15 U.S.C. § 1681a(3).

Reasonable measures to protect against unauthorized access to or use of consumer information in connection with its disposal include the following examples. These examples are illustrative only and are not exclusive or exhaustive methods for complying with this directive.

1. Shredding of papers containing consumer information so that the information cannot practicably be read or reconstructed. Burning or pulverizing such papers are also options where appropriate.
2. Destruction or erasure of electronic media containing consumer information so that the information cannot practicably be read or reconstructed.
3. After due diligence,[2] entering into and monitoring compliance with a contract with another party engaged in the business of record destruction to dispose of material in a manner consistent with this directive.

This policy does not require that the consumer reports information be disposed of. Rather, it specifies the action to be taken whenever such disposal occurs. Questions regarding the disposal of consumer reports information should be directed to the Administrator or the Administrator's designee.

Legal Reference:	FTC Rule on Disposal of Consumer Report Information and Records, 16 CFR Part 682
Date of Adoption:	August 14, 2018

D. Prohibition on Aiding and Abetting Sexual Abuse

An employee, contractor, or agent of the ESU is prohibited from assisting another ESU employee, contractor or agent in obtaining a new job if the individual knows or has probable cause to believe, that such other employee, contractor, or agent engaged in sexual misconduct with a minor or student in violation of the law.

"Assisting" does not include the routine transmission of administrative and personnel files.

Exceptions to giving such assistance may only be made where the exception is authorized by the Every Student Succeeds Act (for example, where the matter has been investigated by law enforcement and the person has been exonerated and approved by the Administrator or designee.)

Legal Reference:	ESSA sec. 8038, § 8546
Date of Adoption:	August 14, 2018

E. Workplace Privacy Policy

[2] The FTC rule states: "In this context, due diligence could include reviewing an independent audit of the disposal company's operations and/or its compliance with this rule, obtaining information about the disposal company from several references or other reliable sources, requiring that the disposal company be certified by a recognized trade association or similar third party, reviewing and evaluating the disposal company's information security policies or procedures, or taking other appropriate measures to determine the competency and integrity of the potential disposal company."

1. The ESU will abide by the Nebraska Workplace Privacy Act and will not:

    a. Require or request that an employee or applicant provide or disclose any user name or password or any other related account information in order to gain access to the employee's or applicant's personal Internet account by way of an electronic communication device;
    b. Require or request that an employee or applicant log into a personal Internet account by way of an electronic communication device in the presence of the ESU in a manner that enables the ESU to observe the contents of the employee's or applicant's personal Internet account or provides the ESU access to the employee's or applicant's personal Internet account;
    c. Require an employee or applicant to add anyone, including the ESU, to the list of contacts associated with the employee's or applicant's personal Internet account or require or otherwise coerce an employee or applicant to change the settings on the employee's or applicant's personal Internet account which affects the ability of others to view the content of such account;
    d. Take adverse action against, fail to hire, or otherwise penalize an employee or applicant for failure to provide or disclose any of the information or to take any of the actions prohibited by the Workplace Privacy Act.
    e. Require an employee or applicant to waive or limit any protection granted under the Workplace Privacy Act as a condition of continued employment or of applying for or receiving an offer of employment.

Notwithstanding anything to the contrary, all employees must abide by the ESU's technology policies, procedures and guidelines, including the ESU's Internet Use policy and/or practice. Pursuant to the Workplace Privacy Act, the ESU may also:

    a. Monitor, review, access, or block electronic data stored on an electronic communication device supplied by or paid for in whole or in part by the ESU or stored on the ESU's network, to the extent permissible under applicable laws;
    b. Access information about an employee or applicant that is in the public domain or is otherwise obtained in compliance with the Workplace Privacy Act;
    c. Conduct an investigation or require an employee to cooperate in an investigation if the ESU has specific information about potentially wrongful activity taking place on the employee's personal Internet account, for the purpose of ensuring compliance with applicable laws, regulatory requirements, or prohibitions against work-related employee misconduct;
    d. Any other reason permitted by the Workplace Privacy Act.

Legal Reference:	48-3501 to 48-3511
Date of Adoption:	August 14, 2018

Section 8 Fair Labor Standards Act (Minimum Wage & Overtime)

Work week: The work week for overtime purposes shall be 12:00 a.m. Sunday until 11:59 p.m. Saturday. The Administrator may establish a different 7-day period workweek from time to time for specified employees or employee groups.

Overtime: Overtime will be paid to non-exempt employees as required by law; that is, when a non-exempt employee works more than 40 hours in a work week. Compensatory pay in-lieu of overtime pay may be implemented in accordance with law. A non-exempt employee shall not work overtime without the express approval of the employee's supervisor.

Deductions from Salary: The ESU's policy is to not permit improper deductions from the salary of exempt employees who are required to meet a "salaried basis" test in order to be exempt from overtime. (Note: Teaching professionals are not subject to the salaried basis test). An employee who feels an improper deduction affecting exemption status has occurred may submit a complaint to the Administrator or the Administrator's designee, who shall promptly investigate the complaint. Reimbursement shall be made and a good faith commitment to comply in the future will be given in the event it is determined that an improper deduction affecting overtime exemption has been made.

Wage and Deduction Information: Within ten working days after a written request is made by an employee, the Administrator or designee shall furnish the employee with an itemized statement listing the wages earned and the deductions made from the employee's wages for each pay period that earnings and deductions were made. The statement may be in print or electronic format.

The ESU's policy is to authorize unpaid disciplinary suspensions of a full day or more for infractions of workplace conduct rules and to apply such policy uniformly to all similarly situated employees, including exempt employees who are required to meet a "salaried basis" test in order to be exempt from overtime. Unpaid disciplinary suspensions of a partial day or of a full day or more may be implemented for infractions of safety rules of major significance. Deductions of pay of a partial day or of a full day or more may be made for FMLA leaves and in the first and last weeks of employment. In addition, based on principles of public accountancy, deductions from pay of a partial day or of a full day or more will be made for absences for illness, injury or personal reasons when accrued leave is not used or not available, and for absences due to any budget-required furlough.

Legal Reference:	Fair Labor Standards Act, 29 U.S.C. § 201 et seq.; 29 CFR §§ 541.303; 541.602-03; 541.710; 553.20-.28; 771.105 Neb. Rev. Stat. § 48-1230
Date of Adoption:	August 14, 2018

Section 9 Attendance and Leaves of Absence—Generally

A. Attendance

The ESU depends on each employee to be reliable and punctual in reporting for work in order to provide its services and programs safely and efficiently. Regular, dependable, in-person attendance at work is an essential function of each employment position.

Employees are to be absent from scheduled work only to the extent reasonably unavoidable. Appointments are to be scheduled for non-work hours whenever possible.

Leaves are to be used for the purpose intended. Abuse of leave privileges will not be tolerated. Such abuse may result in disciplinary action, up to and including termination of employment.

Legal Reference:	
Date of Adoption:	August 14, 2018

B. Reporting Absences and Making Leave Requests

Employees are to utilize the appropriate notification and approval procedures for all absences. It is important to give as much advance notice of the need to take a leave as possible.

1. *Requesting Use of Leave Days*. An employee who wants to use available leave is to submit a Request for Leave form to the employee's supervisor. The request is to be submitted at least 5 days days prior to the leave. The supervisor may require that more advance notice be given depending on the nature of the employee's duties or the need to schedule a substitute. Leave requests should be made as soon as practicable under the circumstances.

2. *Giving Notice of Unscheduled Absences*. An employee who is unable to request prior advance approval for an absence because of the nature of the circumstance requiring the absence (such as personal illness or unforeseen emergency) is to report the need to be absent as soon as the situation is known. Before the end of the day on the first day of the absence, and on each subsequent day of absence, the employee is to report whether the employee will be able to return to work on the next duty day.

Legal Reference:	
Date of Adoption:	August 14, 2018

C. Returning from Absences

1. *Justification for Absences Taken Without Prior Approval*. If an employee is absent without prior approval either: (1) the day immediately preceding or immediately following a regularly scheduled school break (such as winter break, spring break, and quarter or semester breaks) or (2) during the first two weeks or the last two weeks of school (student contact days), the employee will be required to give verification (for example, a doctor's note) to establish that the employee was unable to work for an excusable condition or excusable reason.

2. *Establishing Fitness for Duty*. Employees must present a written statement from their physician or health care provider to their supervisor when the employee is absent for any period of time because of injury requiring care from a physician or health care provider, or absent from work for 10 days or more due to a personal health condition. The statement is to clearly verify that the employee is mentally

and physically able to return to duty. This statement is to be presented in person, or by other methods agreed upon by both parties, to the employee's supervisor before the employee returns to duty in order that the readiness to perform work can be observed and/or discussed.

Employees are required to disclose any medical restrictions that limit their ability to perform the essential functions of their position to their supervisor and to request a meeting with the Americans with Disabilities Act (ADA) Coordinator to discuss the provision of reasonable accommodations. The ESU will not discriminate against any employee due to disability and will provide reasonable accommodations. Information provided about medical conditions or disabilities shall be treated as confidential, as required by state and federal statutes, and will be divulged only to the extent necessary to provide reasonable accommodations.

Legal Reference:	
Date of Adoption:	August 14, 2018

D. Paid Leaves

1. *Paid Leaves Available*. ESU 1 makes the following forms of paid leaves available: Sick Leave, Bereavement Leave, Personal Leave, Emergency Leave, Administrative Leave, Vacation Leave and Professional Leave. In addition, ESU 1 complies with laws that require leaves to be allowed without loss of pay, such as for military service and jury duty.

2. *Negotiated Agreement*. Paid leaves are provided for in the negotiated agreement with the designated association of certified employees. The negotiated agreement will control where there is any direct conflict with this policy.

3. *Nature of Paid Leave*. Paid leave is available to employees when the following specific conditions are met: (1) the employee is currently employed by the ESU; (2) the paid leave day is taken on a day the employee would otherwise be expected to be at work; and (3) the employee has met the conditions that are applicable to the type of paid leave that has been requested.

4. *Leave Year*. The leave year for paid leaves is ESU 1's fiscal year unless otherwise stated by individual contract.

5. *Leave Days*. Paid leave days are provided based on the same number of hours the employee is scheduled to work on the day the leave is taken, except for any day in which premium pay may be paid. For example, if an employee is scheduled to work 6 hours on a day that sick leave is used, the use of the sick leave on that day constitutes the use of 1 full sick day. Paid leave days may not be used in increments of less than one-half day unless otherwise specified or approved.

6. *Eligibility Based on Employment Status*. For purposes of eligibility for paid leave days, employees are identified as:

i. *Full-Time Employees*—Employees scheduled to work in one position at least 1,387.5 hours per leave year. Eligibility for full-time status treatment based on combinations of positions is subject to prior written approval of the Administrator.

ii. *Part-Time Employees*—Employees who are contracted to work at least 9 months in the leave year and who are scheduled to work at least 20 hours per week. Except as otherwise specified, Part-Time Employees are provided paid leaves on a pro rata basis measured against a 1,387.50 hour work year (185 days x 7.5 hours).

iii. *Ineligible Employees*—Employees who are not Full-Time or Part Time Employees, as defined above, including any employees employed on a substitute or temporary basis. Ineligible Employees are not eligible for any paid leaves.

iv. *New Classified Employees*—Employees who have been employed with the ESU less than 4 months and who are employed in a position that does not require NDE or HHS certificate or license. New Classified Employees are not eligible for paid leaves. Upon reaching the 4 month employment anniversary, the employee becomes eligible for paid leaves for the remainder of the leave year, including the 4 month probationary period, on a pro rata basis.

7. *Unused Days*. There is no pay for unused paid leave either during or upon ending of employment except as may be provided in the negotiated agreement with the designated association of certified employees or in written employment contracts approved by the Board, and except as required by law. A condition of paid leave being available is that the employee not engage in misconduct warranting termination. Accordingly, in the event the Administrator or the Board determines that an employee has engaged in misconduct, there shall be no pay for unused leave days. In the event unused leave days are required to be paid, the employee will be paid at the employee's daily rate of pay at the time the unused paid leave days first became available.

Legal Reference:	§§ 48-1228 to 48-1232 (Wage Payment and Collection Act)
Date of Adoption:	August 14, 2018

E. Sick Leave

1. *Days Per Leave Year*. Employees have 14 days sick leave available per leave year.
2. *Availability*. Sick leave is a paid work day when the employee may be absent from duties. Sick days are only available when the employee is unable to perform assigned duties due to the illness or temporary disability of the employee or due to the employee needing to care for a member of the employee's immediate family who is ill or has a serious health condition. Immediate family for purposes of sick leave means the employee's spouse, and dependent child. Employees are to use sick leave when unable to work. Activities other than caring for their own health or that of an immediate family member reflect an abuse of sick leave. Employees may

utilize up to two days of Non-Dependent Sick Leave for family members outside of the immediate family member definition. Use of Non-Dependent Leave is subject to Administrative approval and is subtracted from the Sick Leave accumulation.

3. *Carry-over and Accumulation*. Unused sick leave may be carried over from one leave year to the next succeeding leave year to a maximum of 65 sick leave days. Once the maximum is accumulated, no further sick leave days will be available or granted for the ensuing leave year or years until the accumulated number of days is less than 65, and then only to the extent necessary to restore the total number of available sick leave days to the maximum of 65 days.

Legal Reference:	
Date of Adoption:	August 14, 2018

F. Bereavement Leave

1. *Immediate Family*. Paid family bereavement leave of 3 consecutive days is available in the event of the death of an immediate family member. The term "immediate family" for this purpose means the employee's spouse, child, parent, grandparent, grandchild and sibling; and family members standing in the same relation to the employee's spouse (in-laws). Family bereavement leave of 3 days is available for each such death, provided that the total paid family bereavement taken in a leave year not exceed 10 days.
2. *Non-Immediate Family*. Non-family bereavement leave of 1 day is available for the death of a person who is not an immediate family member, but with whom the employee was so close that the employee would be expected to attend the person's funeral. Non-family bereavement leave requires advance approval of the employee's supervisor. The combination of family and non-family bereavement leave may not exceed 10 days in the leave year.
3. *Use of Bereavement Leave*. Bereavement leave is to be used for purposes of addressing issues related to the death and to attend funeral services. The taking of a bereavement leave without attending funeral services would be an abuse of bereavement leave, except in the case of the death of the employee's parent, child or spouse, where grief would be expected to impair the employee's ability to function at work. Bereavement Leave will be deducted from an employee's sick leave balance.
4. *Carry-over and Accumulation*. There is no carry-over or accumulation of unused bereavement leave. Sick, Personal or Emergency leave may, at the employer's option, be granted beyond the provisions noted above.

Legal Reference:	
Date of Adoption:	August 14, 2018

G. Personal Leave

1. *Days Per Leave Year*. Employees have 2 days of personal leave available per leave year. Employees in their first year of employment have 1 day of personal leave each semester.
2. *Availability*. The availability of personal leave is to be determined at the discretion of the Administrator.
3. *Carry-over and Accumulation*. There is no carry-over or accumulation of unused personal leave.

Legal Reference:	
Date of Adoption:	August 14, 2018

H. Emergency Leave

1. *Days Per Leave Year*. Employees have 2 days of emergency leave available per leave year and may be paid or unpaid leave.
2. *Availability*. Emergency leave is available when all other forms of paid leave have been exhausted. Emergency leave is for the rare, unusual circumstance, where the taking of a leave is unavoidable and very clearly reasonable. An employee shall request only that portion of the day needed to alleviate the situation. The availability of emergency leave is to be determined in the discretion of the Administrator. The type of requests that might be determined to be eligible for emergency leave are:
    a. Legal arrangements related to the immediate family of the employee.
    b. Compliance with a court summons other than for an employee's criminal violations, civil lawsuits, or matters in which the employee is supporting a relative or friend.
    c. Transactions of serious personal business.
    d. Necessary extension of bereavement leave.
3. *Carry-over and Accumulation*. There is no carry-over or accumulation of unused emergency leave.

Legal Reference:	
Date of Adoption:	August 14, 2018

I. Professional Leave

1. *Days Per Leave Year*. Certificated and professional/licensed employees may be granted up to 3 days paid professional leave per leave year.
2. *Availability*. Professional leave is available for attendance at local, regional, state, or national functions provided attendance is judged by the Administrator or designee to be for professional development of the employee in an aspect of the employee's employment duties or of potential benefit to the ESU or schools served by the employee. Attendance at such functions is to be determined at the discretion of the Administrator. Expenses for attendance, including transportation, meals, registration fees, and other function-related expenses deemed necessary and

approved by the Administrator will be paid in accordance with the Coffee Act Policy.

3. *Carry-over and Accumulation*. There is no carry-over or accumulation of unused professional leave.

Legal Reference:	
Date of Adoption:	August 14, 2018

J. Administrative Leave

1. *Days Per Leave Year*. Administrative Leave is at the sole discretion of the Administrator and may be used when there is potential benefit to school clients, for the general welfare of the employee, or for the general welfare of the Unit.
2. *Availability*. Administrative Leave is available only after Professional Leave has been used or as determined by the Administrator.
3. *Carry-over and Accumulation*. There is no carry-over or accumulation of unused professional leave.

K. Vacation Leave

1. *Days Per Leave Year*. As determined by individual agreements for Administrative and Classified staff.
2. *Availability*. Vacation leave is available on an annual basis as determined by individual contracts.
3. *Carry-over and Accumulation*. There is no carry-over and accumulation of unused vacation leave.

L. Unpaid Leaves

Should an employee be absent from work in excess of the employee's available paid leaves, the absence will be an unpaid leave. The employee's salary and fringe benefits (including the cost of premiums for group health insurance) may be subject to reduction for the day or days of work missed.

Legal Reference:	
Date of Adoption:	August 14, 2018

M. Discretionary Leave of Absence

An employee may apply to the Board for a leave of absence from duties. The Board will consider such requests on a case-by-case basis. No leave of absence shall extend beyond one leave year. All discretionary leaves shall be without pay except as may be individually negotiated.

Legal Reference:	
Date of Adoption:	August 14, 2018

N. FMLA

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 usage.

Substitution of accrued paid leaves for otherwise unpaid FMLA leaves may be required at the discretion of the Administrator 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.

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 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, in the Administrator 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, or experience, or other indicia. In the case of coaching or other similar extracurricular duty assignments, "equivalent position" can be any extracurricular duty assignment. In the case of other employees or positions, "equivalent position" can be one with or at equivalent pay, benefits, and working conditions, involving similar or related duties, as determined by the Administrator or the Board.

By law, FMLA leave is available only to employees who meet certain conditions. One of the conditions is that the employee "is employed at a worksite where 50 or more employees are employed by the employer within 75 mile of that worksite."

The ESU will allow employees who do not meet this condition due to the location of their worksite to take unpaid leaves on the same terms and conditions as other ESU employees are allowed to take FMLA leaves. Such unpaid leaves will be allowed as an ESU provided benefit and not as an FMLA protected leave.

Legal Reference:	29 USC Sections 2611 to 2618 and 29 CFR Part 82
Date of Adoption:	August 14, 2018

O. Military and Family Military Leave

Military leave and family military leave will be granted to the extent required by state and federal law.

Employees requesting military leave must notify the Administrator as soon as they receive notification of activation. Employees are to attach a copy of their orders to a leave request form when they prepare the request for military leave.

Employees requesting to take family military leave under the Nebraska statutes must notify the Administrator at least 14 days in advance of taking such a leave if the leave will be for 5 or more consecutive days, consult with their supervisor to schedule the leave so as to not unduly disrupt operations of the ESU. For leaves of less than 5 days, the employee is to notify the Administrator of the leave request as soon as practicable.

Family military leave under the FMLA will be provided in accordance with that law and subject to the provisions of the Board policy pertaining to FMLA leave.

Legal Reference:	Neb. Rev. Stat. §§ 55-160 to 55-166 Neb. Rev. Stat. §§ 55-501 to 55-507 29 U.S.C. §§ 2611, et seq.; 29 CFR Part 825 (FMLA) 38 U.S.C. §§ 4301 to 4333;20 CFR Part 1002 (USERRA)
Date of Adoption:	August 14, 2018

P. Adoption Leave

Adoption leave will be permitted to be taken by an adoptive parent for the same time and on the same terms as an employee is permitted to take a leave of absence upon the birth of the employee's child.

The adoptive parent leave of absence begins following the commencement of the parent-child relationship. The parent-child relationship commences, for purposes of adoption leave, when the child is placed with the employee for purposes of adoption. The employee shall be deemed to have waived any adoptive leave days not taken following the commencement of the parent-child relationship, except as the Administrator and the employee may otherwise agree. Advance notice of an anticipated adoption shall be provided by the employee to the Administrator as early as possible.

Legal Reference:	§ 48-234
Date of Adoption:	August 14, 2018

Q. Jury Duty Leave

An employee who is summoned for jury service must promptly notify the employee's immediate supervisor. The employee will be allowed time off for jury duty. There will be no loss of salary or deduction in leave time for time spent in jury services. The ESU may at its discretion reduce salary by an amount equal to any compensation, other than expenses, paid by the court for jury duty.

If an employee reports for jury duty in the morning and is then dismissed from jury duty for the remainder of the day, the employee is to report for work and resume duties for the balance of the day, except as may be otherwise arranged by the employee's immediate supervisor.

Legal Reference:	§ 25-1640
Date of Adoption:	August 14, 2018

R. Subpoena to Testify Leave

An employee must promptly notify the employee's immediate supervisor when the employee receives a lawfully issued subpoena to testify in court or to give a deposition that may require an absence from duty.

In the event the subpoena involves a job-related matter in which the employee is testifying on behalf of the ESU, the absence will be treated similar to a jury duty leave.

In the event the subpoena involves a personal matter, the employee will be required to use available leave days. A subpoena will be considered to involve a personal matter whenever the employee or a family member or friend of the employee is a party to the legal proceeding, unless the employee's involvement in the legal matter is solely due to actions taken in connection with the employee's work duties, the actions of the employee were not inappropriate, and the ESU is not an opposing party in the legal matter.

Legal Reference:	
Date of Adoption:	August 14, 2018

S. Voting Leave

Employees will be allowed paid time off to vote in an election if the employee: (a) is a registered voter; (b) does not have 2 consecutive hours during which the employee is not required to be present at work in the period between the time of the opening and closing of the polls; and (c) applies for voting leave prior to or on election day.

Voting leave will not be available to most employees because elections are typically scheduled for 8 a.m. to 8 p.m. Most employees are off duty on or before 6 p.m. If not off work by 6 p.m., the employee is usually not on duty before 10 a.m.

When voting leave is available, an employee will be entitled to be absent from work on election day for such period of time as will, when considering the employee's non-working time, total 2 consecutive hours between the time of the opening and closing of the polls. When voting leave is used, no deduction shall be made from the employee's salary or wages on account of such absence. The employee's supervisor may specify the hours during which the employee may be absent for voting leave.

Legal Reference:	§ 32-922
Date of Adoption:	August 14, 2018

Section 10 Professional Employees

A. Professional Employees Defined

Professional employees include "certificated employees," which for purposes of the Board policies, means any teacher, nurse, or other employee in a position or assignment which requires a certificate issued by the Commissioner of Education.

Professional employees for purposes of the Board policies also include employees in a position or assignment which may or may not require a special service certificate issued by the Commissioner of Education or a professional license issued by the Nebraska Health and Human Services. Designation in the Board policies of an employee as a "professional employee" shall not extend continuing contract rights to any employee who is not defined by statute as "certificated employee."

Legal Reference:	§ 79-1234(2)
Date of Adoption:	August 14, 2018

B. Qualifications and Assignment

All ESU staff who have professional or teaching responsibilities for students shall hold valid Nebraska teaching certificates pursuant to NDE Rule 21. Teaching assignments shall be made only to ESU teachers who hold valid Nebraska teaching certificates having appropriate endorsements, provided such endorsements are being offered by a Nebraska standard institution of higher education.

Special service certificate holders shall be limited to providing those services specified on their Nebraska Special Services Certificate.

All ESU staff who have responsibilities that require a professional license issued by the Nebraska Health and Human Services shall possess and maintain valid licensure as required by law as a condition of employment and continued employment.

Legal Reference:	NDE Rule 84, sections 5.02-.04
Date of Adoption:	August 14, 2018

C. Supervision, Assignment and Evaluation When Serving Schools

The policies governing the supervision, assignment and evaluation of ESU employees when they are serving on the instructional or service faculty of a school are as follows:

1. Supervision. Employees assigned to serve a school remain responsible for adhering to the policies of the ESU and to the directives of their ESU supervisor. Employees must further adhere to the policies of the school applicable to their assignment and duties and to the directives of the school's Superintendent or designated administrator of the school; provided such are consistent with ESU policies and

directives and with the employee's assignment. The employee's supervisor is to coordinate and communicate with the employee and with the school's administration and make such personal visits to the employee at the school as needed to ensure that the employee is adhering to such responsibilities and receiving the necessary resources and proper treatment. The employee's supervisor is to establish a protocol to ensure that the employee is at the school at the times the employee is responsible to be at the school.

2. Assignment. In making assignments of employees to serve schools, consideration will be given to the wishes of the employee and the schools. However, the ESU reserves the right to assign and reassign in the best interests of the ESU as determined by the Administrator.

3. Evaluation. When evaluating the performance of an employee assigned to serve a school, the evaluator is to consider, and solicit as needed, information from the school administration related to the performance of the employee while performing duties at schools. Observations of performance of the employee at the school should be made as appropriate to complete the evaluation.

Legal Reference:	NDE Rule 84, section 3.05
Date of Adoption:	August 14, 2018

D. Professional Growth

The equivalent of at least two days of professional growth shall be provided to all ESU professional staff annually. The equivalent of two days means professional growth activities over a period of hours equaling the total number of hours in two regular days of employment

Legal Reference:	NDE Rule 84, section 3.04E
Date of Adoption:	August 14, 2018

E. Standards of Ethical and Professional Performance for Professional Employees

The State of Nebraska and the Board of ESU 1 recognize that teaching and its related services, including administrative and supervisory services, are a profession with all of the rights, responsibilities, and privileges accorded other recognized professions. The Board recognizes and endorses the Standards of Ethical and Professional Performance as established by the Nebraska Department of Education.

As a minimal performance expectation, all professional employees shall comply with the ethics standards set forth by the Nebraska Department of Education as such standards may be modified from time to time. Professional employees in a position or assignment which requires a professional license issued by the Nebraska Health and Human Services (HHS) shall, in addition, comply with the ethics standards established by HHS for their respective profession. For purposes of this Policy, "educator" shall include all professional employees of the ESU.

Preamble to Certificated Employees' Code of Ethics

The educator shall believe in the worth and dignity of human beings. Recognizing the supreme importance of the pursuit of truth, the devotion to excellence and the nurture of democratic citizenship, the educator shall regard as essential to these goals the protection of the freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator shall accept the responsibility to practice the profession to these ethical standards.

The educator shall recognize the magnitude of the responsibility he or she has accepted in choosing a career in education, and engages, individually and collectively with other educators, to judge his or her colleagues, and to be judged by them, in accordance with the provisions of this code of ethics.

The standards listed in this section are held to be generally accepted minimal standards for all educators with respect to ethical and professional conduct.

Principle I - Commitment as a Professional Educator:
Fundamental to the pursuit of high educational standards is the maintenance of a profession possessed of individuals with high skills, intellect, integrity, wisdom, and compassion. The educator shall exhibit good moral character, maintain high standards of performance and promote equality of opportunity.

In fulfillment of the educator's contractual and professional responsibilities, the educator:

1. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, patrons, or ESU board members.
2. Shall not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hair styles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status in its programs and activities.
3. Shall not use coercive means, or promise or provide special treatment to students, colleagues, patrons, or ESU board members in order to influence professional decisions.
4. Shall not make any fraudulent statement or fail to disclose a material fact for which the educator is responsible.
5. Shall not exploit professional relationships with students, colleagues, parents, patrons, or ESU board members for personal gain or private advantage.
6. Shall not sexually harass students, parents or patrons, employees, or ESU board members.
7. Shall not have had revoked for cause in Nebraska or another state a teaching certificate, administrative certificate, or any certificate enabling a person to engage in any of the activities for which an educator’s certificate is issued in Nebraska.
8. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties.
9. Shall promptly report to the Administrator any known violation of these standards.
10. Shall seek no reprisal against any individual who has reported a violation of these standards.

Principle II - Commitment to the Student:

Mindful that a profession exists for the purpose of serving the best interests of the client, the educator shall practice the profession with genuine interest, concern, and consideration for the student. The educator shall work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall permit the student to pursue reasonable independent scholastic effort, and shall permit the student access to varying points of view.
2. Shall not deliberately suppress or distort subject matter for which the educator is responsible.
3. Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety.
4. Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student.
5. Shall keep in confidence personally identifiable information that has been obtained in the course of professional service, unless disclosure serves professional purposes, or is required by law.
6. Shall not tutor for remuneration students assigned to his or her classes unless approved by the ESU Board.
7. Shall not discipline students using corporal punishment.
8. Shall not engage in physical or sexual abuse of students, including engaging in inappropriate sexual behaviors with students.

Principle III - Commitment to the Public:
The magnitude of the responsibility inherent in the education process requires dedication to the principles of our democratic heritage. The educator bears particular responsibility for instilling an understanding of the confidence in the rule of law, respect for individual freedom, and a responsibility to promote respect by the public for the integrity of the profession.

In fulfillment of the obligation to the public, the educator:

1. Shall not misrepresent an institution with which the educator is affiliated, and shall take added precautions to distinguish between the educator's personal and institutional views.
2. Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.
3. Shall neither offer nor accept gifts or favors that will impair professional judgment.
4. Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.
5. Shall not commit any act of moral turpitude, nor commit any felony under the laws of the United States or any state or territory.
6. Shall, with reasonable diligence, attend to the duties of his or her professional position.

Principle IV - Commitment to the Profession:
In belief that the quality of the services to the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to improve service, to promote a climate in which the exercise of professional judgment is encouraged, and to

achieve conditions which attract persons worthy of the trust to careers in education. The educator shall believe that sound professional relationships with colleagues are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to the profession, the educator:

1. Shall provide upon the request of an aggrieved party, a written statement of specific reasons for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
2. Shall not misrepresent his or her professional qualifications, nor those of colleagues.
3. Shall practice the profession only with proper certification, and shall actively oppose the practice of the profession by persons known to be unqualified.

Principle V - Commitment to Professional Employment Practices:
The educator shall regard the employment agreement as a pledge to be executed both in spirit and in fact. The educator shall believe that sound personnel relationships with governing boards are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to professional employment practices, the educator:

1. Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.
2. Shall not knowingly withhold information regarding a position from an applicant or employer, or misrepresent an assignment or conditions of employment.
3. Shall give prompt notice to the employer of any change in availability of service.
4. Shall conduct professional business through designated procedures, when available, that have been approved by the ESU Board.
5. Shall not assign to unqualified personnel tasks for which an educator is responsible.
6. Shall permit no commercial or personal exploitation of his or her professional position.
7. Shall use time on duty and leave time for the purpose for which intended.

Competent Professional Performance
Educators must possess the abilities and skills necessary to accomplish the designated task. Therefore, each educator shall:

1. Keep records for which he or she is responsible in accordance with law and policies of the school system;
2. Supervise others in accordance with law and policies of the ESU;
3. Recognize the role and function of community agencies and groups as they relate to the ESU and to his or her position, including but not limited to health and social services, employment services, community teaching resources, cultural opportunities, educational advisory committees, and parent organizations.

Each teacher and special services provider shall:

1. Utilize available instructional materials and equipment necessary to accomplish the designated task;
2. Adhere to and enforce written and dated administrative policy of the ESU which has been communicated to the teacher or special services provider;

3. Use channels of communication when interacting with administrators, community agencies, and groups, in accordance with policy.

Each administrator shall:

1. Use available instructional personnel, materials and equipment necessary to accomplish the designated task;
2. Adhere to and enforce school law, state board regulation, and written and dated board policy which has been communicated to the administrator;
3. Use channels of communication when interacting with teachers, community agencies and groups in accordance with policy.

Individual Needs and Individual Potential: The educator shall utilize or promote the utilization of diagnostic techniques to analyze the needs and the potential of individuals. These may include but need not necessarily be limited to:

1. Personal observation;
2. Analysis of individual performance and achievement;
3. Specific performance testing.

Instructional Procedures: Each educator shall seek accomplishment of the designated task through selection and utilization of appropriate instructional procedures. Therefore, each educator shall:

1. Create an atmosphere which fosters interest and enthusiasm for learning and teaching;
2. Use procedures appropriate to accomplish the designated task;
3. Encourage expressions of ideas, opinions and feelings.

Each teacher shall:

1. Create interest through the use of materials and techniques appropriate to the varying abilities and background of students;
2. Consider individual student interests and abilities when planning and implementing instruction.

Each administrator shall:

1. Support the creation of interest by providing the materials, equipment and encouragement necessary for the teacher to accomplish the designated task;
2. Make reasonable assignment of tasks and duties in light of individual abilities and specialties and available personnel resources.

Communication Skills: In communicating with students and other educators, each educator, within the limits prescribed by his or her assignment and role, shall:

1. Utilize information and materials that are relevant to the designated task;
2. Use language and terminology which are relevant to the designated task;
3. Use language which reflects an understanding of the ability of the individual or group;
4. Assure that the designated task is understood;
5. Use feedback techniques which are relevant to the designated task;
6. Consider the entire context of the statements of others when making judgments about what others have said;

7. Encourage each individual to state his ideas clearly.

Management techniques: The educator shall:

1. Resolve discipline problems in accordance with law, board policy, and administrative regulations and policies;
2. Maintain consistency in the application of policy and practice;
3. Use management techniques which are appropriate to the particular setting such as group work, seat work, lecture, discussion, individual projects and others;
4. Develop and maintain positive standards of conduct.

Competence in Specialization: Each educator shall:

1. Possess knowledge, within his or her area of specialization, consistent with his or her record of professional preparation;
2. Be aware of current developments in his or her field;
3. Possess knowledge of resources which may be utilized in improving instruction in his or her area of specialization.

Evaluation of Learning and Goal Achievement: An educator shall accept responsibility commensurate with delegated authority to evaluate learning and goals achievement. Each educator shall:

1. Utilize several types of evaluation techniques;
2. Provide frequent and prompt feedback concerning the success of learning and goal achievement efforts;
3. Analyze and interpret effectively the results of evaluation for judging instruction, the achievement of stated goals, or the need for further diagnosis;
4. Utilize the results of evaluation for planning, counseling and program modification;
5. Explain methods and procedures of evaluation to those concerned.

Human and Interpersonal Relationships: Educators shall possess effective human and interpersonal relations skills and therefore:

1. Shall allow others who hold and express differing opinions or ideas to freely express such ideas;
2. Shall not knowingly misinterpret the statement of others;
3. Shall not show disrespect for or lack of acceptance of others;
4. Shall provide leadership and direction for others by appropriate example;
5. Shall offer constructive criticism when necessary;
6. Shall comply with reasonable requests and orders given by and with proper authority;
7. Shall not assign unreasonable tasks;
8. Shall demonstrate self-confidence and self-sufficiency in exercising authority.

Personal Requirements: Each educator within the scope of delegated authority shall:

1. Be able to engage in physical activity appropriate to the designated task except for temporary disability;
2. Be able to communicate so effectively as to accomplish the designated task;
3. Appropriately control his or her emotions;
4. Possess and demonstrate sufficient intellectual ability to perform designated tasks.

Continuance in Professional Service: Continuance in professional service requires the maintenance of a valid teaching, administrative, or special services certificate in accordance with the laws of the State of Nebraska.

Contractual Obligations: Educators shall adhere fully to the terms of a contract or appointment.

Legal Reference:	NDE Rule 27
Date of Adoption:	August 14, 2018

F. Private Tutoring or Services

A professional employee may not provide private tutoring or professional services in exchange for compensation from a source other than the ESU or an ESU member school without advance approval of the Administrator:

1. to a child that the employee teaches or provides professional services in the course and scope of the employee's duties to the ESU; or

2. in an ESU facility or in an ESU member school facility; or

3. during the employee's duty hours.

Professional employees who accept engagements to provide private tutoring or professional services are to make clear that the services are not being provided on behalf of the ESU to the extent the recipient of the services may in any way otherwise be caused to believe the services are provided through the ESU.

Legal Reference:	NDE Rule 27, sections 27.402E, 27.403F and 27.404B
Date of Adoption:	August 14, 2018

G. Evaluations

The Board delegates to the Administrator the responsibility of developing, organizing and implementing a system-wide program for evaluating professional employees. The Administrator shall develop effective evaluation procedures and instruments. The evaluation process is to be conducted in such a manner as to be consistent with and advance the mission and goals of ESU.

This evaluation policy is intended to set forth expectations for the administration and not to give rights to employees. As such, a failure to complete observations or evaluations of the designated duration and frequency shall not give the professional employee rights with regard to continued employment. Such failures, however, are to be considered in evaluating the responsible evaluator's performance.

1. Communication of Evaluation Process. Annual written communication of the evaluation process to those being evaluated shall be made by distributing a copy of the evaluation instrument to the professional staff at the beginning of each evaluation year.

2. Duration and frequency of observations and written evaluations. The duration and frequency of observations and written evaluations are to be as follows:

a. Probationary Professional Employees.
   i. Probationary professional employee for purposes of this evaluation policy means a professional employee who has served under a contract with the ESU for less than three successive years.
   ii. Formal observations of probationary teachers are to be based upon actual classroom observations for an entire instructional period. For probationary professional employees other than teachers, the formal observations shall consist of in-person observations comparable to that for teachers.
   iii. Probationary employees are to be formally observed and evaluated at least once each semester.
   iv. The responsible evaluator is expected to complete the second semester evaluations of probationary professional employees prior to April 15 of each year.

b. Permanent Employees.
   i. Permanent professional employee for purposes of this evaluation policy means a professional employee who has served under a contract with the ESU for at least three successive years.
   ii. Formal observations and evaluations of permanent teachers are to be based upon actual classroom observations for an entire instructional period. For permanent professional employees other than teachers, the formal observations shall consist of in-person observations comparable to that for teachers.
   iii. Permanent professional employees are to be formally observed and evaluated at least once each school year. Where it is appropriate based on the permanent employee's employment with the ESU, overall experience, and prior evaluations, the responsible evaluator may establish an evaluation cycle of up to every three years, rather than an annual evaluation cycle.

c. Employees' Responsibility. Professional employees are expected to inform the responsible evaluator of instructional periods or professional activities that would be conducive to an evaluation and to make themselves readily available to be evaluated. In the event the responsible evaluator has not initiated the evaluation process nearing the time within which an evaluation is to be completed, the employee has the responsibility to notify the responsible evaluator such that the evaluation can be completed when due.

d. Informal Observations and Evaluations. Informal observations and evaluations may be conducted as the administration determines to be appropriate.

e. Additional Observations and Evaluations. The duration and frequency of observations and written evaluations is specified as a minimum expectation for the evaluators. Observations and evaluations of greater frequency or number

than required may be conducted and made at the request of the employee or in the discretion of the evaluator.

3. Evaluation Criteria. Professional employees performing instructional duties shall be evaluated based upon the following evaluation criteria:

   - Instructional Performance including Delivery of Service
     - Planning and Preparation
   - Classroom Organization and Management including Environment and Planning and Preparation
   - Professional Responsibilities and Personal and Professional Conduct

   For professional employees in non-instructional capacities, the Administrator shall establish such other evaluation criteria as the Administrator determines appropriate given the duties of the employee; provided that personal and professional conduct be included.

   In preparing summative evaluations, evaluators are to consider not only the formal observations conducted, but also informal observations and other relevant information concerning the performance of the employee in each of the evaluation criteria. Further, evaluators are to consider the input of administrators and other professional staff of the schools served by the employee, as applicable.

4. Communication of Deficiencies. The evaluation process is to include written communication and documentation to the evaluated employee specifying deficiencies, specific means for the correction of the noted deficiency, and an adequate timeline for implementing the concrete suggestions for improvement.

   As professionals, professional employees may be assigned responsibility to provide suggestions for improvement plans or job growth strategies and shall have the duty of complying with such requests. Further, in the event improvement plans or other similar performance measures are implemented, professional employees shall have the duty to comply with such plans.

   Professional employees are expected to be cooperative, professional, and to exhibit a willingness to improve performance and to accept the constructive criticisms and suggestions of the evaluator.

5. Responses to Evaluations. Professional employees will be given seven calendar days from receipt of an evaluation in which to give a written response to the evaluation.

6. Plan for Training Evaluators. All evaluators shall possess a valid Nebraska Administrator's Certificate and be trained to use the evaluation system. Training sessions in the use of the evaluation system will be provided by the Administrator or designee to all evaluators prior to their participation in evaluations. Refresher training is to be conducted as the Administrator determines to be needed.

Legal Reference:	NDE Rule 10 (as guidance only; not directly applicable to the ESU)
Date of Adoption:	August 14, 2018

H. Grievance Procedure

The purpose of this grievance procedure is to secure, at the lowest possible level, equitable solutions to problems that may from time to time arise concerning the terms and conditions of employment that are set forth in the negotiated agreement with the recognized bargaining unit(s) within the ESU (the "Association").

Step One (Informal to Supervisor)

a. If the Association or an employee has a grievance, the Association representative is to first discuss the matter with the administrator at the most-direct level or, in the case of an employee-grievant, the employee's immediate supervisor.
b. Step One is to be taken within 20 business days of the occurrence of the circumstance or action that creates the basis for the grievance.
c. An employee-grievant may have a local representative present.
d. The administrator or immediate supervisor to whom the grievance is presented is to give an oral or written response within 5 business days.

Step Two (Written to Supervisor)

a. If the Association or the employee-grievant feels that the grievance is not satisfactorily resolved at Step One, the Association or the employee-grievant is to prepare a written grievance statement and give the statement to the administrator or immediate supervisor to whom the oral grievance was submitted.
b. Step Two is to be taken within 5 business days of the immediate supervisor's response, or the passage of the response deadline in the event of a failure to respond at Step One.
c. The administrator or immediate supervisor is to give a written response within 5 business days.

Step Three (Written to Administrator)

a. If the grievance is not resolved at Step Two to the satisfaction of the Association or the employee-grievant, the Association or the teacher-grievant is to give the written grievance statement to the Administrator and request a response to the grievance from the Administrator.
b. Step Three is to be taken within 5 business days of the Step Two response, or the passage of the response deadline in the event of a failure to respond at Step Two.
c. The Administrator may request that the Association or the employee-grievant give additional information in support of the grievance.
d. The Administrator is to give a written response within the 5 business days of receipt of any information requested by the Administrator.

Step Four (To Board)

a. If the grievance is not resolved at Step Three to the satisfaction of the Association or the employee-grievant, the Association or the employee-grievant is to give the Administrator or the Board President a written grievance statement and request a response from the Board.
b. Step Four is to be taken within 5 business days of the Administrator's response, or the passage of the response deadline in the event of a failure to respond, at Step Three.
c. The Association or the employee-grievant and the administrators may provide Board members with written information concerning the grievance dispute in advance of the meeting at which the Board or a committee of the Board will consider the grievance.
d. The Board or a committee of the Board is to give a decision on the grievance. If the grievance is submitted to the Board at least 2 weeks prior to the next regularly scheduled Board meeting, the decision is to be given at (or if a committee is used, on or before the date of) that Board meeting. If the grievance is submitted to the Board within 2 weeks of the next regularly scheduled Board meeting, the decision on the grievance is to be given at (or if a committee is used, on or before the date of) the next following regularly scheduled Board meeting. The Board may give its decision at a special meeting so long as the decision is given within the foregoing time frames.
e. The decision at Step Four shall be final.

Conditions of Grievance Procedures

a. Time limits herein are provided in business days, which excludes time periods when the business office of the ESU are closed for regular operations.
b. Time limits may be extended by agreement of the grievant and the ESU administrator responsible at each particular grievance Step.
c. Failure of a grievant to comply with the time limits shall constitute a waiver of right to proceed to the next step.
d. Failure of an administrator to comply with the time limits at any level shall permit the grievant to proceed to the next step.
e. Administrators and employees shall not retaliate against the Association or a employee-grievant for good-faith use of the grievance procedure.

Legal Reference:	
Date of Adoption:	August 14, 2018

I. Reduction in Force

Reductions-in-force of certificated staff may occur due to decreasing enrollments in schools served, limited financial support, changes in financial support, budget restrictions, changes in programs, changes in services provided, changing needs for services by school districts, changes in full time equivalencies, or other changes in circumstances. If a change in circumstances occurs necessitating a reduction in force, the Administrator or designee shall recommend to the Board

those certificated employees to be reduced, and the Board shall take action thereon, in accordance with applicable laws.

Reductions in force may include termination of an employee's contract, amendment of an employee's contract to reduce the employee's full time equivalency from full-time to part-time or from part-time to a lesser part-time, amendment of an employee's contract to eliminate positions or assignments and compensation related to such positions or assignments, and any other change that is a termination, non-renewal, or amendment of an employee's contract under the continuing contract laws.

The criterion for determining the employee or employees to be reduced in force are as follows (not listed in order of importance):

1. Areas of certification and endorsement. It shall be the responsibility of all certificated employees to file with the Administrator a copy of their teaching certificate or administrative and supervisory certificate or other license, including endorsements, upon initial employment with the ESU. On or before March 15th of each year thereafter, for so long as the employee is employed in the ESU or has rights of recall, the employee shall file with the Administrator evidence of any changes in the employee's certification, endorsements, or licensure which have occurred since March 15th of the previous year or which are pending.
2. Special qualifications that may require specific training and/or experience.
3. Existing school assignment.
4. Staffing requests from schools.
5. Location of schools and assignments.
6. Programs to be offered.
7. State and federal regulations which may mandate certain employment practices.
8. Contributions beyond the standard duties of the certificated employee's position, including contributions to activity programs of the schools.
9. Qualifications based on past performance and competence as determined by the Administrator or the evaluator of the affected employees through employee evaluation procedures. The criteria for employee evaluations (including frequency of the evaluation, evaluation forms, number and length of classroom observations, if applicable) used for purposes of this policy consists of the ESU 1 Board policies and administrative rules, regulations, forms and practices related to the periodic evaluation of certificated employees in effect as of the time the evaluation was completed. Such evaluation policies, etc., are incorporated herein as though set forth in full.
10. The organizational and educational impact created by multiple part time certificated employees.
11. Any other criteria which are rationally related to the instruction and services provided by, and the administration of, the ESU.

No permanent employee may be reduced through a reduction-in-force while a probationary employee is retained to perform a service in a position that the permanent employee is qualified by certification and endorsement to perform or where certification is not applicable, by reason of college credits in the teaching area.

Due to the often intimate, confidential, and unique personal working relationship necessary between the administration and the Board, a certificated employee who is not currently serving in a predominantly administrative capacity shall have no rights under this policy to any administrative position within the ESU.

If, after consideration of the above, it is the opinion of the Administrator that no significant difference exists between certificated employees being considered for reduction-in-force, then the employee with the longest uninterrupted service to the ESU shall be retained. Uninterrupted service time shall accrue the same for all certificated employees regardless of their full time equivalency. Uninterrupted service time for employees employed less than a full school year shall accrue according to the number of contract days worked. Uninterrupted service time shall not accrue for certificated employees on leave of absence for more than forty days.

A certificated employee whose contract is terminated because of reduction-in-force shall be considered to have been dismissed with honor. The employee shall, upon request, be provided a letter to that effect. The employee shall have preferred rights to re-employment for a period of twenty-four months commencing at the end of the contract year. The employee shall be recalled on the basis of length of uninterrupted service to the ESU to any position for which the employee is qualified by endorsement or college preparation to teach. The employee shall, upon reappointment, retain any benefits which had accrued to the employee prior to the reduction, but such leave of absence shall not be considered as a year of employment by the ESU. An employee under contract to another educational institution may waive recall but such waiver shall not deprive the employee of his or her right to subsequent recall.

Any certificated employee whose employment contract is reduced as a result of reduction-in-force shall, during the period of recall, report current address information to the Administrator and inform the Administrator of any changes of address thereafter. If a vacancy occurs for which the employee has rights of recall, the offer of such employment may be sent by the Administrator to the employee's last reported address. If no acceptance of such offer is received from the employee within fourteen days of mailing and the Administrator has no personal knowledge of the whereabouts of the employee (other than said last known address), the employee shall be deemed to have waived rights to recall to that employment position.

Legal Reference:	§§ 79-846 to 79-848 §§ 79-1234 to 79-1239
Date of Adoption:	August 14, 2018

Section 11 Classified Employees

A. Classified and Non-Certificated Employees Defined

Classified employee, for purposes of the Board policies, means any employee or assignment which is not within the definition of "professional employee" as set forth in the Board policies.

"Non-certificated employee," for purposes of the Board policies, means any employee who is not a teacher, nurse, or otherwise in a position or assignment which requires a certificate issued by the Commissioner of Education.

Legal Reference:	§ 79-1234(2)
Date of Adoption:	August 14, 2018

B. "At Will" Status

All employees and assignments that do not require a certificate issued by the Commissioner of Education shall be on an "at will" basis. Non-certificated employees shall have no property right in continued employment and need not be given a hearing or any other procedural or substantive due process prior to termination of employment.

Nothing in board policy, administrative regulations or practices, employee handbooks, or in any evaluation instrument or in the evaluation process for non-certificated employees shall be or is intended to create or be a contract or part of a contract with a non-certificated employee which shall in any way be construed to be contrary to the "at will" employment of non-certificated employees. No administrator or other employee of the ESU has any authority to enter into any agreement of employment with a non-certificated employee for any specific period of time or to make any agreement contrary to an at-will employment relationship without specific Board approval.

Legal Reference:	
Date of Adoption:	August 14, 2018

C. Hiring, Assignment and Dismissal

The Board delegates to the Administrator the authority to hire, assign, reassign, suspend and dismiss classified and non-certificated employees. Such authority shall be exercised in compliance with the policies of the Board. The Board reserves the authority to modify or reverse any such action taken by the Administrator.

Dismissal of classified and non-certificated employees shall be on an at-will basis, as such employees are subject to termination at any time without cause, without prior disciplinary action or progressive discipline, and irrespective of the lack of any evaluation or the irregularity in any evaluation process.

Legal Reference:	
Date of Adoption:	August 14, 2018

D. Standards of Ethical and Professional Performance for Classified Staff. In fulfillment of a classified employee's minimum responsibilities, each classified employee:

1. Shall not interfere with the exercise of political and citizenship rights and responsibilities of other employees, students, parents, patrons, or ESU board members.

2. Shall not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hair styles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status in its programs and activities.
3. Shall not use coercive means, or promise or provide special treatment to other employees, students, parents, patrons, or ESU board members in order to influence professional decisions.
4. Shall not make any fraudulent statement or fail to disclose a material fact for which the employee is responsible.
5. Shall not exploit relationships for personal gain or private advantage.
6. Shall not harass in any manner students, parents or ESU patrons, employees, or board members.
7. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of duties.
8. Shall keep in confidence personally identifiable student or employee information that has been obtained in the course of service to the ESU, unless disclosure serves professional purposes or is required by law.
9. Shall not discipline students using corporal punishment.
10. Shall not misrepresent the ESU, and shall take added precautions to distinguish between the employee's personal and institutional views.
11. Shall abide by policies and regulations of the Board and the rules and standards established by the administration and the employee's supervisor.
12. Shall seek no reprisal against any individual who reports a violation of these standards.

Legal Reference:	NDE Rule 27 (as a guide)
Date of Adoption:	August 14, 2021

E. Evaluations

The Board delegates to the Administrator the responsibility to develop, organize and implement a program to evaluate classified employees. The evaluation process is to be conducted in such a manner as to be consistent with and to advance the mission and goals of ESU.

A failure to properly complete evaluations shall not give a classified employee rights with regard to continued employment. Such failure, however, is to be considered in evaluating the responsible evaluator's performance.

Legal Reference:	
Date of Adoption:	August 14, 2018

PERSONNEL

Section 1 Employment of Personnel

A. Recruitment and Selection

The administration is to recruit and recommend for employment the best qualified personnel to implement and fulfill the mission, goals and policies of the ESU. All applicants so selected and recommended must satisfy the standards set by the Board and any applicable legal requirements.

All personnel shall be recommended for hiring by the Administrator with the final approval by the Board prior to hiring. The final approval by the Board should generally follow closely the recommendation of the Administrator, but such approval of recommendation is not mandatory on the Board.

Legal Reference:	
Date of Adoption:	August 14, 2018

B. Equal Opportunity Employment

ESU 1 is an equal opportunity employer. It is the policy of ESU 1 to employ the best qualified applicant for each position without regard to sex, disability, race (including skin color, hair texture and protective hair styles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other 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 (including skin color, hair texture and protective hair styles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status.

There shall be no discrimination by school officials against any employee because of membership or activity in an employee organization or because of protected free speech activities.

Legal Reference:	Title VI--34 CFR §100 et seq. Title VII--42 U.S.C. §2000e, et seq. Title IX--20 U.S.C §1681; 34 CFR 106.1 et seq. ADEA--29 U.S.C. §621 et seq. ADA-42 U.S.C. §12101 et seq.; 28 CFR §35.101 et seq. Rehabilitation Act of 1973, Section 504--29 U.S.C. §791, et seq.; 34 CFR §104, et seq. Nebraska Fair Employment Practices Act, Neb. Rev. Stat. §§48-1101 to 48-1126; Neb. Rev. Stat §20-168
Date of Adoption:	August 10, 2021

C. Release from Contract

Certificated employees who wish to be released from their contract shall submit a written request for release to the ESU Board. The written request shall include a resignation.

The action on a release from contract received after May 1, each year shall be discretionary with the Board. The earlier the request for release is submitted, the greater will be the likelihood of the release being granted. Requests for release received by the Administrator after June 1, will ordinarily not be granted. Releases may be made subject to the conditions, including liquidated damages, payment of costs of securing a replacement, and the condition that a suitable replacement be secured.

There will be no penalty for release from the contract, though the certificated employee and the Board may negotiate and agree upon the terms of the release.

Where a certificated employee leaves employment without receiving an approved release, the Administrator is authorized to file a complaint with the Nebraska Professional Practices Commission. The Board also reserves the right to seek damages against any certificated employee as a result of breach of contract.

Legal Reference:	Neb. Stat. §79-819; §79-820; §79-821; §79-817; et seq, NDE Rule 27
Date of Adoption:	January 12, 2016

Section 2 Staff Handbooks

The administration is responsible for preparing and distributing staff handbooks and job descriptions. Staff handbooks and job descriptions approved by the Board shall have the effect of Board-approved policy and, if approved by the Board later in time to any conflicting Board policy, shall control over conflicting Board policy.

Legal Reference:	
Date of Adoption:	August 14, 2018

Section 3 Conflicts of Interest

A. Employment of Board Members

No board member of ESU 1 shall be employed by ESU 1.

Legal Reference:	§ 79-1219
Date of Adoption:	August 14, 2018

B. Employment of Immediate Family Members

A member of the Board or an employee with supervisory responsibilities may employ or recommend or supervise the employment of an immediate family member only if:

1. He or she does not abuse his or her official position. Abuse of an official position includes, but is not limited to, employing an immediate family member:
   (a) Who is not qualified for and able to perform the duties of the position;
   (b) For an unreasonably high salary; or

(c) Who is not required to perform the duties of the position.

2. He or she makes a full disclosure on the record to the Board and a written disclosure to the Administrator and/or Secretary of the Board; and
3. The Board approves the employment or supervisory position.

No immediate family member of a Board member or of an employee with supervisory responsibilities shall be employed by the ESU:

1. Without first having made a reasonable solicitation and consideration of applications for such employment;
2. Who is not qualified for and able to perform the duties of the position;
3. For an unreasonably high salary; and
4. Who is not required to perform the duties of the position.

Neither the Board nor an employee with supervisory responsibilities shall terminate the employment of an employee so as to make funds or a position available for the purpose of hiring an immediate family member.

This policy shall not apply to an immediate family member of a member of the Board or an employee with supervisory responsibilities who was previously employed in a position with the ESU prior to the election or appointment of the Board member or of the supervisory employee. Prior to or as soon as reasonably possible after the official date a Board member takes office or an employee assumes supervisory responsibilities, such Board member or employee shall make a full disclosure of any immediate family member employed in a position subject to this policy.

Legal Reference:	§ 49-1499.04; § 49-1499.05
Date of Adoption:	August 14, 2018

Section 4 Fitness for Duty

Applicants must be physically and mentally capable of performing the essential functions of the position for which application is made, with or without reasonable accommodations. Some positions have physical requirements which must be demonstrated by satisfactorily completing a post-offer physical exam or post-offer questionnaire to establish the ability to perform the essential functions of the position. This will only be required after a conditional offer of employment has been made.

Employees must be physically and mentally capable of performing the essential functions of their position, with or without reasonable accommodations. Employees shall be required, upon request of the Administrator or designee, to respond or submit to medical inquiries or examinations which are related and necessary to performance of essential functions of their position where there is evidence of a job performance or safety problem and when required or otherwise permitted by law.

Employees are required to disclose any medical restrictions that limit their ability to perform the essential functions of the assigned position to their supervisor or the Administrator and are to request a meeting with the ADA Coordinator to discuss the provision of reasonable accommodations. Supervisors are required to notify the Administrator of any employees with

restrictions that limit their ability to perform the essential functions of their assignment. The ESU shall make reasonable accommodations to qualified individuals with a disability in accordance with law.

The ESU complies with all federal and state laws regarding the collection and maintenance of health and medical information.

Legal Reference:	ADA-42 U.S.C. §12101 et seq.; 28 CFR §35.101 et seq. Rehabilitation Act of 1973, Section 504--29 U.S.C. §791, et seq.; 34 CFR §104, et seq. Nebraska Fair Employment Practices Act, Neb. Rev. Stat. §§48-1101 to 48-1126; Neb. Rev. Stat §20-168
Date of Adoption:	August 14, 2018

Section 5 Standards of Conduct

A. Drug-Free Work Place

It is the policy of ESU 1 to eliminate the influence of drugs, alcohol and other chemicals within the work environment and to educate students against the usage of drugs, alcohol and illegal substances. The ESU will implement regulations and practices which will insure compliance with laws relating to drugs and alcohol, including: the Drug-Free Workplace Act and the Omnibus Transportation Employee Testing Act of 1991, and all regulations and rules promulgated pursuant thereto.

The ESU has established a drug-free workplace. The drug-free workplace for this purpose includes ESU property, ESU-utilized vehicles, any place in which ESU employees perform duties, and any place in which ESU activities are held. The ESU recognizes that the use, possession, or being under the influence of illicit drugs or alcohol constitutes a hazard to the positive development of students and employees and a substantial interference with the ESU's mission and goals.

1. The unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited in the work place. Employees are also prohibited from possessing, using or distributing illicit drugs or alcohol, or being under the influence of illicit drugs or alcohol, on any ESU property or at any ESU sponsored event. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol in the work place or on duty time shall be a violation of the drug-free workplace.

2. The possession or distribution of a look-alike drug or look-alike controlled substance is prohibited. In addition, employees are expected to serve as role models for students and will be considered to have violated the ESU's expectations in the event the employee commits a criminal drug or alcohol offense off the work place or off duty time.

3. As a condition of employment, employees will abide by the ESU's drug-free workplace policies and notify the Administrator or designee of any criminal drug

statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.

4. Disciplinary sanctions, up to and including termination of employment and referral for prosecution, will be imposed upon employees who violate the aforementioned standards of conduct. If employment is not terminated, sanctions may include the requirement that the employee complete an appropriate rehabilitation program.

5. Employees shall be advised through employee publications about drug and alcohol counseling and rehabilitation and reentry programs that are available.

The ESU will implement a drug and alcohol testing program in compliance with law for all employees whose position requires a commercial driver's license (CDL) or who are otherwise in "safety-sensitive" positions as defined by federal or state law. Refusal to submit to pre-employment testing, or testing positive, shall disqualify an applicant for any position requiring such testing from employment. Reasonable suspicion, random, post-accident, return-to-duty, and follow-up testing shall also be conducted. Employees who test positive shall be immediately removed from safety-sensitive positions and be terminated from employment.

This policy supplements and is in addition to all other policies, regulations, practices, procedures and contractual provisions regarding or related to the improper or unlawful possession, use, or distribution of illicit drugs and alcohol.

Employees shall be furnished with a paper or digital copy of this policy.

Legal Reference:	41 U.S.C. §§ 701 to707 (Drug-Free Workplace Act of 1988) 49 U.S.C. § 31306 and 49 CFR Part 382 (Omnibus Transportation Employee Testing Act of 1991)
Date of Adoption:	August 14, 2018

B. Notification of Arrest, etc.

Employees must notify the Administrator by the next business day after:

1. Arrest or Criminal Charges. The employee is arrested, ticketed, or issued a criminal charge where:
   a. The maximum penalty for the crime equals or exceeds six months incarceration;
   b. The crime relates to abuse, neglect or endangerment of a minor, a minor was allegedly a victim or a witness, or the crime involves alleged sexual misconduct;
   c. Conviction would impact performance of employee's job responsibilities, including offenses that:
      i. Would impact the responsibility to be a role model for students or relations with other employees of the ESU or schools served by the ESU;
      ii. Would impact the employee's ability to operate a motor vehicle if the employee at times needs to travel during duty time or the employee at times drives students; or

iii. Would impact the employee's Commercial Drivers License if the employee's job requires that the employee have a CDL.

d. The arrest or the alleged criminal activity occurred while the employee was on duty, on property of the ESU or a school, or in an ESU or school owned or utilized vehicle, or at a school-supervised activity or school-sponsored function.

Employees must also promptly report to the Administrator whenever the employee has been sentenced to be incarcerated for any period of time, even if the offense is not otherwise reportable.

2. Certificate or License. The employee becomes aware that a complaint has been filed against the employee that could affect a certificate or license required for the employee's position. This includes proceedings of the Nebraska Department of Education related to an alleged violation of the NDE Standards of Conduct and Ethics, Chapter 27, and proceedings of the Health and Human Services related to an alleged violation of the professional standards of conduct for the employee's position.

3. Child Abuse. The employee becomes aware that a report of child abuse or neglect has been made against the employee under the Child Protection Act.

   Further, employees must give full disclosure of any Child Protection Act investigation that resulted in an "inconclusive" determination that occurred at any time. Current employees must give such disclosure within ten days following adoption of this Policy. As a condition of employment, applicants for employment must give such disclosure prior to commencement of employment. Any hiring made without such disclosure shall be subject to being immediately revoked in the event the required disclosure was not given.

Employees must give full disclosure of the existence and nature of the above proceedings and must also promptly notify the Administrator of the disposition of the proceedings.

Legal documents relating to the proceedings shall be treated and maintained as part of the employee's confidential criminal background file.

Failure to notify as required under this policy may subject the employee to disciplinary action, up to and including termination.

Legal Reference:	
Date of Adoption:	August 14, 2018

C. Weapons

Employees shall not bring or possess a weapon in any facility or in any vehicle owned or under the control of ESU 1 or, while on duty, on any school property or at any ESU or school activity. This prohibition includes employees with a permit to carry a concealed handgun. Possession of a weapon includes, without limitation, a weapon in an employee's personal possession or control, including a weapon in an employee's motor vehicle, desk, locker, backpack or purse. Any

employee found to be in violation of this policy shall be subject to disciplinary action, up to and including termination.

An exception may be allowed for an employee to carry mace or other similar chemical agents in quantity and/or concentration typically designed for individual personal defensive purposes for self-defense where it is established that the employee is presented with a clear and substantial risk to personal safety. An exception may also be allowed where the employee requests to possess a weapon for instructional purposes.

Any exception must receive prior approval of the Administrator and be cleared with the school(s) at which the employee is assigned, where applicable. Any exception must be limited to a non-lethal weapon. Further, the weapon must be possessed and used only in the manner approved and must be maintained in such manner as the Administrator has directed so as to prevent it from being used by any non-permitted person or from causing anxiety or harm to others.

Legal Reference:	§ 69-2441
Date of Adoption:	

D. Civility

All employees shall behave with civility, fairness and respect in dealing with fellow employees, students, parents, patrons, visitors, and anyone else having business with the ESU. Uncivil behaviors are prohibited. Employees may be subject to disciplinary action up to and including termination for engaging in uncivil behaviors.

Uncivil behaviors are any behaviors that are physically or verbally threatening, either overtly or implicitly, as well as behaviors that are coercive, intimidating, violent or harassing. Such interactions are prohibited in all forms of communication, including telephone conversations, voice mail messages, face-to-face conversations, written communications, and email messages.

Any employee aware of another employee's uncivil behavior shall report the conduct to the employee's immediate supervisor or to the Administrator. There will be no retaliation against a person for making the report.

Legal Reference:	
Date of Adoption:	August 14, 2018

E. Professional Boundaries Between Employees and Students

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of professional boundaries will be regarded as a form of misconduct and may result in disciplinary action.

The following non-exclusive list of actions may be considered a violation of the professional boundaries that employees are expected to maintain with a student:

- Using e-mail, text messaging, instant messaging or social networking sites to discuss with a student a matter that does not pertain to school or ESU related activities. Electronic communications with students are to be sent simultaneously to multiple recipients, not to just one student, except where the communication is clearly school-related and inappropriate for persons other than the individual student to receive (for example, e-mailing a message about a student's grades).
- Engaging in social-networking friendships with a student on MySpace, Facebook, or other social networking site. Material that employees post on social networks that is publicly available to those in the school community must reflect the professional image applicable to the employee's position and not impair the employee's capacity to maintain the respect of students and parents or impair the employee's ability to serve as a role model for children.
- Engaging in sexual activity, a romantic relationship or dating a student or a former student within one year of the student graduating or otherwise leaving the District.
- Making any sexual advance – verbal, written, or physical – towards a student.
- Showing sexually inappropriate materials or objects to a student.
- Discussing sexual topics with a student that are not related to a specific curriculum.
- Telling sexual jokes to a student.
- Invading a student's physical privacy (e.g., walking in on the student in a restroom).
- Hugging or other physical contact with a student that is initiated by the employee when the student does not seek or want this attention.
- Being overly "touchy" with a specific student.
- Allowing a specific student to get away with misconduct that is not tolerated from other students, except as appropriate for students with an IEP or 504 Plan.
- Discussing with a student the employee's problems that would normally be discussed with adults (e.g., marital problems).
- Giving a student a ride in the employee's personal vehicle without express permission of the student's parent or school administrator unless another adult is in the vehicle.
- Taking a student on an outing without obtaining prior express permission of the student's parent or school administrator.
- Inviting a student to the employee's home without prior express permission of the student's parent and school administrator.
- Going to the student's home when the student's parent or a proper chaperone is not present.
- Giving gifts of a personal nature to a specific student.

Appropriate exceptions are permitted to the foregoing for legitimate health or educational purposes and for reasons of familial relationships between employees and their children.

Legal Reference:	
Date of Adoption:	August 14, 2018

F. Visitors to Employees

Employees are not to have visitors while on duty other than as appropriate for the performance of their duties except on a short-term basis and only with permission of the Administrator or their supervisor. Included in the definition of visitors are family members of the employee. Employees

are responsible for ensuring that their visitors follow posted procedures for being on ESU or school property. Employees are not to bring their children to work with them in lieu of taking them to childcare.

Legal Reference:	
Date of Adoption:	August 14, 2018

G. Other Employment

Employees shall not perform duties unrelated to their employment duties during their regularly assigned schedule. In addition, employees shall not engage in employment which conflicts with their duties for the ESU.

Employees are to notify the ESU of outside employment to the extent such is required for the ESU to comply with Nebraska School Employees Retirement System Act or other laws, or Board policy.

Legal Reference:	
Date of Adoption:	August 14, 2018

Section 6 Safety

ESU 1 is committed to providing and maintaining a safe and healthy work environment. The administration is to make the safety of employees an integral part of the management function. Each employee is to make safety an integral part of their duties by following established safety regulations and procedures, assisting in accident prevention activities by reporting any job-related injury to the administration immediately, reporting unsafe conditions immediately, and providing suggestions to eliminate accidents and injuries. Failure to follow safety rules may lead to disciplinary action up to and including termination.

Safety and health management is the ultimate responsibility of the Board. Functional authority for continued development and implementation of health and safety is hereby delegated to the Administrator or the Administrator's designee.

The Safety Committee shall maintain documentation of its compliance with this policy.

Legal Reference:	§ 48-443 to § 48-445
Date of Adoption:	August 14, 2018

Section 7 Employee Files and Privacy

A. Employee Files

The administration shall protect the confidentiality of personal information in records regarding personnel beyond salaries and routine directory information. Job application materials submitted by applicants, other than finalists, who have applied for employment, shall also be maintained as confidential records. Such confidential records information shall be released only to the extent required by law or as appropriate for the operations of the ESU.

The following information is designated as "directory information" and may be given to parents or guardians of students served by the ESU upon request:

1. Whether a certificated staff member has met State qualifications and licensing criteria for the grade levels and subject areas in which the certificated staff member provides instruction.

2. Whether the certificated staff member is teaching under an emergency or provisional teaching certificate.

3. The baccalaureate degree major of the certificated staff member, along with information about other graduate certification or degrees held by the certificated staff member, and the field of discipline of the certification or degree.

4. The qualifications of a paraeducator assigned to their child.

Information regarding an employee's medical condition or history is to be maintained in a separate medical file and treated as confidential, including employment background checks related to physical or mental condition and records pertaining to FMLA leaves for health related reasons. Records maintained pursuant to the federal drug and alcohol testing laws, including drug and alcohol tests of employees and driver investigation history files for new or prospective drivers, are to be maintained in a separate file in a location with controlled access.

To the extent the ESU conducts any functions within the purview of HIPAA, which may include group health plans or student health services, it designates the ESU as a hybrid entity as to any such functions. The administration shall develop and implement all necessary practices and procedures to comply with laws governing protected health information (PHI) to the extent applicable and to maintain the privacy of PHI that the ESU receives, obtains, or transmits. The Administrator is designated as the HIPAA privacy officer for the ESU.

Legal Reference:	§ 84-712.05 (7) and (15) (Public Records Act) 34 CFR 200.61 (NCLB) 29 CFR § 1630.14 (ADA regulations) 29 CFR § 825.500 (FMLA regulations) 49 CFR 391.23 (Drug Testing regulations) Health Insurance Portability and Accountability Act (HIPAA)
Date of Adoption:	August 14, 2018

B. Social Security Numbers

Employee social security numbers shall be kept confidential to the extent required by law. Use of more than the last four digits of an employee's social security number shall be made by the ESU only for:

1. Legal Mandates. Compliance with state or federal laws, rules, or regulations.

2. Internal Administration. Internal administrative purposes, including provision of employee social security numbers to third parties for such purposes as administration of personnel benefits and employment screening and staffing. However, the internal administrative uses shall not permit use of employee social security numbers:
   a. As an identification number for occupational licensing.
   b. As an identification number for drug-testing purposes except when required by state or federal law.
   c. As an identification number for ESU meetings.
   d. In files with unrestricted access within the ESU.
   e. In files accessible by any temporary employee unless the temporary employee is bonded or insured under a blanket corporate surety bond or equivalent commercial insurance.
   f. For posting any type of ESU information.

3. Voluntary Transactions. Commercial transactions freely and voluntarily entered into by the employee with the ESU for the purchase of goods or services.

The ESU will not use or require an employee to use more than the last four digits of an employee's social security number for:

1. Public Posting or Display. Any public posting or display available to the general public or to an employee's co-workers.
2. Internet Transmission. Transmission over the Internet unless the connection is secure or the information is encrypted.
3. Internet Access. To access an Internet web site unless a password, unique personal identification number, or other authentication device is also required to access the Internet web site.
4. Identifier. As an employee number for any type of employment-related activity.

Legal Reference:	§ 48-287; 5 USC § 552a (note) (Privacy Act of 1974)
Date of Adoption:	August 14, 2018

C. Shredding Consumer Reports (Background Checks)

The administration shall take reasonable measures to protect against unauthorized access to consumer information from consumer reports.[1] A consumer report includes criminal background checks performed on applicants or employees by a third party. It does not include criminal checks performed by ESU staff.

[1] "The term 'consumer report' means any written, oral, or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living which is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for . . . employment purposes." Fair Credit Reporting Act, 15 U.S.C. § 1681a(3).

Reasonable measures to protect against unauthorized access to or use of consumer information in connection with its disposal include the following examples. These examples are illustrative only and are not exclusive or exhaustive methods for complying with this directive.

1. Shredding of papers containing consumer information so that the information cannot practicably be read or reconstructed. Burning or pulverizing such papers are also options where appropriate.
2. Destruction or erasure of electronic media containing consumer information so that the information cannot practicably be read or reconstructed.
3. After due diligence,[2] entering into and monitoring compliance with a contract with another party engaged in the business of record destruction to dispose of material in a manner consistent with this directive.

This policy does not require that the consumer reports information be disposed of. Rather, it specifies the action to be taken whenever such disposal occurs. Questions regarding the disposal of consumer reports information should be directed to the Administrator or the Administrator's designee.

Legal Reference:	FTC Rule on Disposal of Consumer Report Information and Records, 16 CFR Part 682
Date of Adoption:	August 14, 2018

D. Prohibition on Aiding and Abetting Sexual Abuse

An employee, contractor, or agent of the ESU is prohibited from assisting another ESU employee, contractor or agent in obtaining a new job if the individual knows or has probable cause to believe, that such other employee, contractor, or agent engaged in sexual misconduct with a minor or student in violation of the law.

"Assisting" does not include the routine transmission of administrative and personnel files.

Exceptions to giving such assistance may only be made where the exception is authorized by the Every Student Succeeds Act (for example, where the matter has been investigated by law enforcement and the person has been exonerated and approved by the Administrator or designee.)

Legal Reference:	ESSA sec. 8038, § 8546
Date of Adoption:	August 14, 2018

E. Workplace Privacy Policy

1. The ESU will abide by the Nebraska Workplace Privacy Act and will not:

[2] The FTC rule states: "In this context, due diligence could include reviewing an independent audit of the disposal company's operations and/or its compliance with this rule, obtaining information about the disposal company from several references or other reliable sources, requiring that the disposal company be certified by a recognized trade association or similar third party, reviewing and evaluating the disposal company's information security policies or procedures, or taking other appropriate measures to determine the competency and integrity of the potential disposal company."

a. Require or request that an employee or applicant provide or disclose any user name or password or any other related account information in order to gain access to the employee's or applicant's personal Internet account by way of an electronic communication device;
b. Require or request that an employee or applicant log into a personal Internet account by way of an electronic communication device in the presence of the ESU in a manner that enables the ESU to observe the contents of the employee's or applicant's personal Internet account or provides the ESU access to the employee's or applicant's personal Internet account;
c. Require an employee or applicant to add anyone, including the ESU, to the list of contacts associated with the employee's or applicant's personal Internet account or require or otherwise coerce an employee or applicant to change the settings on the employee's or applicant's personal Internet account which affects the ability of others to view the content of such account;
d. Take adverse action against, fail to hire, or otherwise penalize an employee or applicant for failure to provide or disclose any of the information or to take any of the actions prohibited by the Workplace Privacy Act.
e. Require an employee or applicant to waive or limit any protection granted under the Workplace Privacy Act as a condition of continued employment or of applying for or receiving an offer of employment.

Notwithstanding anything to the contrary, all employees must abide by the ESU's technology policies, procedures and guidelines, including the ESU's Internet Use policy and/or practice. Pursuant to the Workplace Privacy Act, the ESU may also:

a. Monitor, review, access, or block electronic data stored on an electronic communication device supplied by or paid for in whole or in part by the ESU or stored on the ESU's network, to the extent permissible under applicable laws;
b. Access information about an employee or applicant that is in the public domain or is otherwise obtained in compliance with the Workplace Privacy Act;
c. Conduct an investigation or require an employee to cooperate in an investigation if the ESU has specific information about potentially wrongful activity taking place on the employee's personal Internet account, for the purpose of ensuring compliance with applicable laws, regulatory requirements, or prohibitions against work-related employee misconduct;
d. Any other reason permitted by the Workplace Privacy Act.

Legal Reference:	48-3501 to 48-3511
Date of Adoption:	August 14, 2018

Section 8 Fair Labor Standards Act (Minimum Wage & Overtime)

Work week: The work week for overtime purposes shall be 12:00 a.m. Sunday until 11:59 p.m. Saturday. The Administrator may establish a different 7-day period workweek from time to time for specified employees or employee groups.

Overtime: Overtime will be paid to non-exempt employees as required by law; that is, when a non-exempt employee works more than 40 hours in a work week. Compensatory pay in-lieu of overtime pay may be implemented in accordance with law. A non-exempt employee shall not work overtime without the express approval of the employee's supervisor.

Deductions from Salary: The ESU's policy is to not permit improper deductions from the salary of exempt employees who are required to meet a "salaried basis" test in order to be exempt from overtime. (Note: Teaching professionals are not subject to the salaried basis test). An employee who feels an improper deduction affecting exemption status has occurred may submit a complaint to the Administrator or the Administrator's designee, who shall promptly investigate the complaint. Reimbursement shall be made and a good faith commitment to comply in the future will be given in the event it is determined that an improper deduction affecting overtime exemption has been made.

Wage and Deduction Information: Within ten working days after a written request is made by an employee, the Administrator or designee shall furnish the employee with an itemized statement listing the wages earned and the deductions made from the employee's wages for each pay period that earnings and deductions were made. The statement may be in print or electronic format.

The ESU's policy is to authorize unpaid disciplinary suspensions of a full day or more for infractions of workplace conduct rules and to apply such policy uniformly to all similarly situated employees, including exempt employees who are required to meet a "salaried basis" test in order to be exempt from overtime. Unpaid disciplinary suspensions of a partial day or of a full day or more may be implemented for infractions of safety rules of major significance. Deductions of pay of a partial day or of a full day or more may be made for FMLA leaves and in the first and last weeks of employment. In addition, based on principles of public accountancy, deductions from pay of a partial day or of a full day or more will be made for absences for illness, injury or personal reasons when accrued leave is not used or not available, and for absences due to any budget-required furlough.

Legal Reference:	Fair Labor Standards Act, 29 U.S.C. § 201 et seq.; 29 CFR §§ 541.303; 541.602-03; 541.710; 553.20-.28; 771.105 Neb. Rev. Stat. § 48-1230
Date of Adoption:	August 14, 2018

Section 9 Attendance and Leaves of Absence—Generally

A. Attendance

The ESU depends on each employee to be reliable and punctual in reporting for work in order to provide its services and programs safely and efficiently. Regular, dependable, in-person attendance at work is an essential function of each employment position.

Employees are to be absent from scheduled work only to the extent reasonably unavoidable. Appointments are to be scheduled for non-work hours whenever possible.

Leaves are to be used for the purpose intended. Abuse of leave privileges will not be tolerated. Such abuse may result in disciplinary action, up to and including termination of employment.

Legal Reference:	
Date of Adoption:	August 14, 2018

B. Reporting Absences and Making Leave Requests

Employees are to utilize the appropriate notification and approval procedures for all absences. It is important to give as much advance notice of the need to take a leave as possible.

1. *Requesting Use of Leave Days*. An employee who wants to use available leave is to submit a Request for Leave form to the employee's supervisor. The request is to be submitted at least 5 days days prior to the leave. The supervisor may require that more advance notice be given depending on the nature of the employee's duties or the need to schedule a substitute. Leave requests should be made as soon as practicable under the circumstances.

2. *Giving Notice of Unscheduled Absences*. An employee who is unable to request prior advance approval for an absence because of the nature of the circumstance requiring the absence (such as personal illness or unforeseen emergency) is to report the need to be absent as soon as the situation is known. Before the end of the day on the first day of the absence, and on each subsequent day of absence, the employee is to report whether the employee will be able to return to work on the next duty day.

Legal Reference:	
Date of Adoption:	August 14, 2018

C. Returning from Absences

1. *Justification for Absences Taken Without Prior Approval*. If an employee is absent without prior approval either: (1) the day immediately preceding or immediately following a regularly scheduled school break (such as winter break, spring break, and quarter or semester breaks) or (2) during the first two weeks or the last two weeks of school (student contact days), the employee will be required to give verification (for example, a doctor's note) to establish that the employee was unable to work for an excusable condition or excusable reason.

2. *Establishing Fitness for Duty*. Employees must present a written statement from their physician or health care provider to their supervisor when the employee is absent for any period of time because of injury requiring care from a physician or health care provider, or absent from work for 10 days or more due to a personal health condition. The statement is to clearly verify that the employee is mentally

and physically able to return to duty. This statement is to be presented in person, or by other methods agreed upon by both parties, to the employee's supervisor before the employee returns to duty in order that the readiness to perform work can be observed and/or discussed.

Employees are required to disclose any medical restrictions that limit their ability to perform the essential functions of their position to their supervisor and to request a meeting with the Americans with Disabilities Act (ADA) Coordinator to discuss the provision of reasonable accommodations. The ESU will not discriminate against any employee due to disability and will provide reasonable accommodations. Information provided about medical conditions or disabilities shall be treated as confidential, as required by state and federal statutes, and will be divulged only to the extent necessary to provide reasonable accommodations.

Legal Reference:	
Date of Adoption:	August 14, 2018

D. Paid Leaves

1. *Paid Leaves Available*. ESU 1 makes the following forms of paid leaves available: Sick Leave, Bereavement Leave, Personal Leave, Emergency Leave, Administrative Leave, Vacation Leave and Professional Leave. In addition, ESU 1 complies with laws that require leaves to be allowed without loss of pay, such as for military service and jury duty.

2. *Negotiated Agreement*. Paid leaves are provided for in the negotiated agreement with the designated association of certified employees. The negotiated agreement will control where there is any direct conflict with this policy.

3. *Nature of Paid Leave*. Paid leave is available to employees when the following specific conditions are met: (1) the employee is currently employed by the ESU; (2) the paid leave day is taken on a day the employee would otherwise be expected to be at work; and (3) the employee has met the conditions that are applicable to the type of paid leave that has been requested.

4. *Leave Year*. The leave year for paid leaves is ESU 1's fiscal year unless otherwise stated by individual contract.

5. *Leave Days*. Paid leave days are provided based on the same number of hours the employee is scheduled to work on the day the leave is taken, except for any day in which premium pay may be paid. For example, if an employee is scheduled to work 6 hours on a day that sick leave is used, the use of the sick leave on that day constitutes the use of 1 full sick day. Paid leave days may not be used in increments of less than one-half day unless otherwise specified or approved.

6. *Eligibility Based on Employment Status*. For purposes of eligibility for paid leave days, employees are identified as:

i. *Full-Time Employees*—Employees scheduled to work in one position at least 1,387.5 hours per leave year. Eligibility for full-time status treatment based on combinations of positions is subject to prior written approval of the Administrator.

ii. *Part-Time Employees*—Employees who are contracted to work at least 9 months in the leave year and who are scheduled to work at least 20 hours per week. Except as otherwise specified, Part-Time Employees are provided paid leaves on a pro rata basis measured against a 1,387.50 hour work year (185 days x 7.5 hours).

iii. *Ineligible Employees*—Employees who are not Full-Time or Part Time Employees, as defined above, including any employees employed on a substitute or temporary basis. Ineligible Employees are not eligible for any paid leaves.

iv. *New Classified Employees*—Employees who have been employed with the ESU less than 4 months and who are employed in a position that does not require NDE or HHS certificate or license. New Classified Employees are not eligible for paid leaves. Upon reaching the 4 month employment anniversary, the employee becomes eligible for paid leaves for the remainder of the leave year, including the 4 month probationary period, on a pro rata basis.

7. *Unused Days*. There is no pay for unused paid leave either during or upon ending of employment except as may be provided in the negotiated agreement with the designated association of certified employees or in written employment contracts approved by the Board, and except as required by law. A condition of paid leave being available is that the employee not engage in misconduct warranting termination. Accordingly, in the event the Administrator or the Board determines that an employee has engaged in misconduct, there shall be no pay for unused leave days. In the event unused leave days are required to be paid, the employee will be paid at the employee's daily rate of pay at the time the unused paid leave days first became available.

Legal Reference:	§§ 48-1228 to 48-1232 (Wage Payment and Collection Act)
Date of Adoption:	August 14, 2018

E. Sick Leave

1. *Days Per Leave Year*. Employees have 14 days sick leave available per leave year.
2. *Availability*. Sick leave is a paid work day when the employee may be absent from duties. Sick days are only available when the employee is unable to perform assigned duties due to the illness or temporary disability of the employee or due to the employee needing to care for a member of the employee's immediate family who is ill or has a serious health condition. Immediate family for purposes of sick leave means the employee's spouse, and dependent child. Employees are to use sick leave when unable to work. Activities other than caring for their own health or that of an immediate family member reflect an abuse of sick leave. Employees may

utilize up to two days of Non-Dependent Sick Leave for family members outside of the immediate family member definition. Use of Non-Dependent Leave is subject to Administrative approval and is subtracted from the Sick Leave accumulation.

3. *Carry-over and Accumulation*. Unused sick leave may be carried over from one leave year to the next succeeding leave year to a maximum of 65 sick leave days. Once the maximum is accumulated, no further sick leave days will be available or granted for the ensuing leave year or years until the accumulated number of days is less than 65, and then only to the extent necessary to restore the total number of available sick leave days to the maximum of 65 days.

Legal Reference:	
Date of Adoption:	August 14, 2018

F. Bereavement Leave

1. *Immediate Family*. Paid family bereavement leave of 3 consecutive days is available in the event of the death of an immediate family member. The term "immediate family" for this purpose means the employee's spouse, child, parent, grandparent, grandchild and sibling; and family members standing in the same relation to the employee's spouse (in-laws). Family bereavement leave of 3 days is available for each such death, provided that the total paid family bereavement taken in a leave year not exceed 10 days.
2. *Non-Immediate Family*. Non-family bereavement leave of 1 day is available for the death of a person who is not an immediate family member, but with whom the employee was so close that the employee would be expected to attend the person's funeral. Non-family bereavement leave requires advance approval of the employee's supervisor. The combination of family and non-family bereavement leave may not exceed 10 days in the leave year.
3. *Use of Bereavement Leave*. Bereavement leave is to be used for purposes of addressing issues related to the death and to attend funeral services. The taking of a bereavement leave without attending funeral services would be an abuse of bereavement leave, except in the case of the death of the employee's parent, child or spouse, where grief would be expected to impair the employee's ability to function at work. Bereavement Leave will be deducted from an employee's sick leave balance.
4. *Carry-over and Accumulation*. There is no carry-over or accumulation of unused bereavement leave. Sick, Personal or Emergency leave may, at the employer's option, be granted beyond the provisions noted above.

Legal Reference:	
Date of Adoption:	August 14, 2018

G. Personal Leave

1. *Days Per Leave Year*. Employees have 2 days of personal leave available per leave year. Employees in their first year of employment have 1 day of personal leave each semester.
2. *Availability*. The availability of personal leave is to be determined at the discretion of the Administrator.
3. *Carry-over and Accumulation*. There is no carry-over or accumulation of unused personal leave.

Legal Reference:	
Date of Adoption:	August 14, 2018

H. Emergency Leave

1. *Days Per Leave Year*. Employees have 2 days of emergency leave available per leave year and may be paid or unpaid leave.
2. *Availability*. Emergency leave is available when all other forms of paid leave have been exhausted. Emergency leave is for the rare, unusual circumstance, where the taking of a leave is unavoidable and very clearly reasonable. An employee shall request only that portion of the day needed to alleviate the situation. The availability of emergency leave is to be determined in the discretion of the Administrator. The type of requests that might be determined to be eligible for emergency leave are:
    a. Legal arrangements related to the immediate family of the employee.
    b. Compliance with a court summons other than for an employee's criminal violations, civil lawsuits, or matters in which the employee is supporting a relative or friend.
    c. Transactions of serious personal business.
    d. Necessary extension of bereavement leave.
3. *Carry-over and Accumulation*. There is no carry-over or accumulation of unused emergency leave.

Legal Reference:	
Date of Adoption:	August 14, 2018

I. Professional Leave

1. *Days Per Leave Year*. Certificated and professional/licensed employees may be granted up to 3 days paid professional leave per leave year.
2. *Availability*. Professional leave is available for attendance at local, regional, state, or national functions provided attendance is judged by the Administrator or designee to be for professional development of the employee in an aspect of the employee's employment duties or of potential benefit to the ESU or schools served by the employee. Attendance at such functions is to be determined at the discretion of the Administrator. Expenses for attendance, including transportation, meals, registration fees, and other function-related expenses deemed necessary and

approved by the Administrator will be paid in accordance with the Coffee Act Policy.

3. *Carry-over and Accumulation*. There is no carry-over or accumulation of unused professional leave.

Legal Reference:	
Date of Adoption:	August 14, 2018

J. Administrative Leave

1. *Days Per Leave Year*. Administrative Leave is at the sole discretion of the Administrator and may be used when there is potential benefit to school clients, for the general welfare of the employee, or for the general welfare of the Unit.
2. *Availability*. Administrative Leave is available only after Professional Leave has been used or as determined by the Administrator.
3. *Carry-over and Accumulation*. There is no carry-over or accumulation of unused professional leave.

K. Vacation Leave

1. *Days Per Leave Year*. As determined by individual agreements for Administrative and Classified staff.
2. *Availability*. Vacation leave is available on an annual basis as determined by individual contracts.
3. *Carry-over and Accumulation*. There is no carry-over and accumulation of unused vacation leave.

L. Unpaid Leaves

Should an employee be absent from work in excess of the employee's available paid leaves, the absence will be an unpaid leave. The employee's salary and fringe benefits (including the cost of premiums for group health insurance) may be subject to reduction for the day or days of work missed.

Legal Reference:	
Date of Adoption:	August 14, 2018

M. Discretionary Leave of Absence

An employee may apply to the Board for a leave of absence from duties. The Board will consider such requests on a case-by-case basis. No leave of absence shall extend beyond one leave year. All discretionary leaves shall be without pay except as may be individually negotiated.

Legal Reference:	
Date of Adoption:	August 14, 2018

N. FMLA

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 usage.

Substitution of accrued paid leaves for otherwise unpaid FMLA leaves may be required at the discretion of the Administrator 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.

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 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, in the Administrator 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, or experience, or other indicia. In the case of coaching or other similar extracurricular duty assignments, "equivalent position" can be any extracurricular duty assignment. In the case of other employees or positions, "equivalent position" can be one with or at equivalent pay, benefits, and working conditions, involving similar or related duties, as determined by the Administrator or the Board.

By law, FMLA leave is available only to employees who meet certain conditions. One of the conditions is that the employee "is employed at a worksite where 50 or more employees are employed by the employer within 75 mile of that worksite."

The ESU will allow employees who do not meet this condition due to the location of their worksite to take unpaid leaves on the same terms and conditions as other ESU employees are allowed to take FMLA leaves. Such unpaid leaves will be allowed as an ESU provided benefit and not as an FMLA protected leave.

Legal Reference:	29 USC Sections 2611 to 2618 and 29 CFR Part 82
Date of Adoption:	August 14, 2018

O. Military and Family Military Leave

Military leave and family military leave will be granted to the extent required by state and federal law.

Employees requesting military leave must notify the Administrator as soon as they receive notification of activation. Employees are to attach a copy of their orders to a leave request form when they prepare the request for military leave.

Employees requesting to take family military leave under the Nebraska statutes must notify the Administrator at least 14 days in advance of taking such a leave if the leave will be for 5 or more consecutive days, consult with their supervisor to schedule the leave so as to not unduly disrupt operations of the ESU. For leaves of less than 5 days, the employee is to notify the Administrator of the leave request as soon as practicable.

Family military leave under the FMLA will be provided in accordance with that law and subject to the provisions of the Board policy pertaining to FMLA leave.

Legal Reference:	Neb. Rev. Stat. §§ 55-160 to 55-166 Neb. Rev. Stat. §§ 55-501 to 55-507 29 U.S.C. §§ 2611, et seq.; 29 CFR Part 825 (FMLA) 38 U.S.C. §§ 4301 to 4333;20 CFR Part 1002 (USERRA)
Date of Adoption:	August 14, 2018

P. Adoption Leave

Adoption leave will be permitted to be taken by an adoptive parent for the same time and on the same terms as an employee is permitted to take a leave of absence upon the birth of the employee's child.

The adoptive parent leave of absence begins following the commencement of the parent-child relationship. The parent-child relationship commences, for purposes of adoption leave, when the child is placed with the employee for purposes of adoption. The employee shall be deemed to have waived any adoptive leave days not taken following the commencement of the parent-child relationship, except as the Administrator and the employee may otherwise agree. Advance notice of an anticipated adoption shall be provided by the employee to the Administrator as early as possible.

Legal Reference:	§ 48-234
Date of Adoption:	August 14, 2018

Q. Jury Duty Leave

An employee who is summoned for jury service must promptly notify the employee's immediate supervisor. The employee will be allowed time off for jury duty. There will be no loss of salary or deduction in leave time for time spent in jury services. The ESU may at its discretion reduce salary by an amount equal to any compensation, other than expenses, paid by the court for jury duty.

If an employee reports for jury duty in the morning and is then dismissed from jury duty for the remainder of the day, the employee is to report for work and resume duties for the balance of the day, except as may be otherwise arranged by the employee's immediate supervisor.

Legal Reference:	§ 25-1640
Date of Adoption:	August 14, 2018

R. Subpoena to Testify Leave

An employee must promptly notify the employee's immediate supervisor when the employee receives a lawfully issued subpoena to testify in court or to give a deposition that may require an absence from duty.

In the event the subpoena involves a job-related matter in which the employee is testifying on behalf of the ESU, the absence will be treated similar to a jury duty leave.

In the event the subpoena involves a personal matter, the employee will be required to use available leave days. A subpoena will be considered to involve a personal matter whenever the employee or a family member or friend of the employee is a party to the legal proceeding, unless the employee's involvement in the legal matter is solely due to actions taken in connection with the employee's work duties, the actions of the employee were not inappropriate, and the ESU is not an opposing party in the legal matter.

Legal Reference:	
Date of Adoption:	August 14, 2018

S. Voting Leave

Employees will be allowed paid time off to vote in an election if the employee: (a) is a registered voter; (b) does not have 2 consecutive hours during which the employee is not required to be present at work in the period between the time of the opening and closing of the polls; and (c) applies for voting leave prior to or on election day.

Voting leave will not be available to most employees because elections are typically scheduled for 8 a.m. to 8 p.m. Most employees are off duty on or before 6 p.m. If not off work by 6 p.m., the employee is usually not on duty before 10 a.m.

When voting leave is available, an employee will be entitled to be absent from work on election day for such period of time as will, when considering the employee's non-working time, total 2 consecutive hours between the time of the opening and closing of the polls. When voting leave is used, no deduction shall be made from the employee's salary or wages on account of such absence. The employee's supervisor may specify the hours during which the employee may be absent for voting leave.

Legal Reference:	§ 32-922
Date of Adoption:	August 14, 2018

Section 10 Professional Employees

A. Professional Employees Defined

Professional employees include "certificated employees," which for purposes of the Board policies, means any teacher, nurse, or other employee in a position or assignment which requires a certificate issued by the Commissioner of Education.

Professional employees for purposes of the Board policies also include employees in a position or assignment which may or may not require a special service certificate issued by the Commissioner of Education or a professional license issued by the Nebraska Health and Human Services. Designation in the Board policies of an employee as a "professional employee" shall not extend continuing contract rights to any employee who is not defined by statute as "certificated employee."

Legal Reference:	§ 79-1234(2)
Date of Adoption:	August 14, 2018

B. Qualifications and Assignment

All ESU staff who have professional or teaching responsibilities for students shall hold valid Nebraska teaching certificates pursuant to NDE Rule 21. Teaching assignments shall be made only to ESU teachers who hold valid Nebraska teaching certificates having appropriate endorsements, provided such endorsements are being offered by a Nebraska standard institution of higher education.

Special service certificate holders shall be limited to providing those services specified on their Nebraska Special Services Certificate.

All ESU staff who have responsibilities that require a professional license issued by the Nebraska Health and Human Services shall possess and maintain valid licensure as required by law as a condition of employment and continued employment.

Legal Reference:	NDE Rule 84, sections 5.02-.04
Date of Adoption:	August 14, 2018

C. Supervision, Assignment and Evaluation When Serving Schools

The policies governing the supervision, assignment and evaluation of ESU employees when they are serving on the instructional or service faculty of a school are as follows:

1. Supervision. Employees assigned to serve a school remain responsible for adhering to the policies of the ESU and to the directives of their ESU supervisor. Employees must further adhere to the policies of the school applicable to their assignment and duties and to the directives of the school's Superintendent or designated administrator of the school; provided such are consistent with ESU policies and

directives and with the employee's assignment. The employee's supervisor is to coordinate and communicate with the employee and with the school's administration and make such personal visits to the employee at the school as needed to ensure that the employee is adhering to such responsibilities and receiving the necessary resources and proper treatment. The employee's supervisor is to establish a protocol to ensure that the employee is at the school at the times the employee is responsible to be at the school.

2. Assignment. In making assignments of employees to serve schools, consideration will be given to the wishes of the employee and the schools. However, the ESU reserves the right to assign and reassign in the best interests of the ESU as determined by the Administrator.

3. Evaluation. When evaluating the performance of an employee assigned to serve a school, the evaluator is to consider, and solicit as needed, information from the school administration related to the performance of the employee while performing duties at schools. Observations of performance of the employee at the school should be made as appropriate to complete the evaluation.

Legal Reference:	NDE Rule 84, section 3.05
Date of Adoption:	August 14, 2018

D. Professional Growth

The equivalent of at least two days of professional growth shall be provided to all ESU professional staff annually. The equivalent of two days means professional growth activities over a period of hours equaling the total number of hours in two regular days of employment

Legal Reference:	NDE Rule 84, section 3.04E
Date of Adoption:	August 14, 2018

E. Standards of Ethical and Professional Performance for Professional Employees

The State of Nebraska and the Board of ESU 1 recognize that teaching and its related services, including administrative and supervisory services, are a profession with all of the rights, responsibilities, and privileges accorded other recognized professions. The Board recognizes and endorses the Standards of Ethical and Professional Performance as established by the Nebraska Department of Education.

As a minimal performance expectation, all professional employees shall comply with the ethics standards set forth by the Nebraska Department of Education as such standards may be modified from time to time. Professional employees in a position or assignment which requires a professional license issued by the Nebraska Health and Human Services (HHS) shall, in addition, comply with the ethics standards established by HHS for their respective profession. For purposes of this Policy, "educator" shall include all professional employees of the ESU.

Preamble to Certificated Employees' Code of Ethics

The educator shall believe in the worth and dignity of human beings. Recognizing the supreme importance of the pursuit of truth, the devotion to excellence and the nurture of democratic citizenship, the educator shall regard as essential to these goals the protection of the freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator shall accept the responsibility to practice the profession to these ethical standards.

The educator shall recognize the magnitude of the responsibility he or she has accepted in choosing a career in education, and engages, individually and collectively with other educators, to judge his or her colleagues, and to be judged by them, in accordance with the provisions of this code of ethics.

The standards listed in this section are held to be generally accepted minimal standards for all educators with respect to ethical and professional conduct.

Principle I - Commitment as a Professional Educator:
Fundamental to the pursuit of high educational standards is the maintenance of a profession possessed of individuals with high skills, intellect, integrity, wisdom, and compassion. The educator shall exhibit good moral character, maintain high standards of performance and promote equality of opportunity.

In fulfillment of the educator's contractual and professional responsibilities, the educator:

1. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, patrons, or ESU board members.
2. Shall not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hair styles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status in its programs and activities.
3. Shall not use coercive means, or promise or provide special treatment to students, colleagues, patrons, or ESU board members in order to influence professional decisions.
4. Shall not make any fraudulent statement or fail to disclose a material fact for which the educator is responsible.
5. Shall not exploit professional relationships with students, colleagues, parents, patrons, or ESU board members for personal gain or private advantage.
6. Shall not sexually harass students, parents or patrons, employees, or ESU board members.
7. Shall not have had revoked for cause in Nebraska or another state a teaching certificate, administrative certificate, or any certificate enabling a person to engage in any of the activities for which an educator’s certificate is issued in Nebraska.
8. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties.
9. Shall promptly report to the Administrator any known violation of these standards.
10. Shall seek no reprisal against any individual who has reported a violation of these standards.

Principle II - Commitment to the Student:

Mindful that a profession exists for the purpose of serving the best interests of the client, the educator shall practice the profession with genuine interest, concern, and consideration for the student. The educator shall work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall permit the student to pursue reasonable independent scholastic effort, and shall permit the student access to varying points of view.
2. Shall not deliberately suppress or distort subject matter for which the educator is responsible.
3. Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety.
4. Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student.
5. Shall keep in confidence personally identifiable information that has been obtained in the course of professional service, unless disclosure serves professional purposes, or is required by law.
6. Shall not tutor for remuneration students assigned to his or her classes unless approved by the ESU Board.
7. Shall not discipline students using corporal punishment.
8. Shall not engage in physical or sexual abuse of students, including engaging in inappropriate sexual behaviors with students.

Principle III - Commitment to the Public:
The magnitude of the responsibility inherent in the education process requires dedication to the principles of our democratic heritage. The educator bears particular responsibility for instilling an understanding of the confidence in the rule of law, respect for individual freedom, and a responsibility to promote respect by the public for the integrity of the profession.

In fulfillment of the obligation to the public, the educator:

1. Shall not misrepresent an institution with which the educator is affiliated, and shall take added precautions to distinguish between the educator's personal and institutional views.
2. Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.
3. Shall neither offer nor accept gifts or favors that will impair professional judgment.
4. Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.
5. Shall not commit any act of moral turpitude, nor commit any felony under the laws of the United States or any state or territory.
6. Shall, with reasonable diligence, attend to the duties of his or her professional position.

Principle IV - Commitment to the Profession:
In belief that the quality of the services to the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to improve service, to promote a climate in which the exercise of professional judgment is encouraged, and to

achieve conditions which attract persons worthy of the trust to careers in education. The educator shall believe that sound professional relationships with colleagues are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to the profession, the educator:

1. Shall provide upon the request of an aggrieved party, a written statement of specific reasons for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
2. Shall not misrepresent his or her professional qualifications, nor those of colleagues.
3. Shall practice the profession only with proper certification, and shall actively oppose the practice of the profession by persons known to be unqualified.

Principle V - Commitment to Professional Employment Practices:
The educator shall regard the employment agreement as a pledge to be executed both in spirit and in fact. The educator shall believe that sound personnel relationships with governing boards are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to professional employment practices, the educator:

1. Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.
2. Shall not knowingly withhold information regarding a position from an applicant or employer, or misrepresent an assignment or conditions of employment.
3. Shall give prompt notice to the employer of any change in availability of service.
4. Shall conduct professional business through designated procedures, when available, that have been approved by the ESU Board.
5. Shall not assign to unqualified personnel tasks for which an educator is responsible.
6. Shall permit no commercial or personal exploitation of his or her professional position.
7. Shall use time on duty and leave time for the purpose for which intended.

Competent Professional Performance
Educators must possess the abilities and skills necessary to accomplish the designated task. Therefore, each educator shall:

1. Keep records for which he or she is responsible in accordance with law and policies of the school system;
2. Supervise others in accordance with law and policies of the ESU;
3. Recognize the role and function of community agencies and groups as they relate to the ESU and to his or her position, including but not limited to health and social services, employment services, community teaching resources, cultural opportunities, educational advisory committees, and parent organizations.

Each teacher and special services provider shall:

1. Utilize available instructional materials and equipment necessary to accomplish the designated task;
2. Adhere to and enforce written and dated administrative policy of the ESU which has been communicated to the teacher or special services provider;

3. Use channels of communication when interacting with administrators, community agencies, and groups, in accordance with policy.

Each administrator shall:

1. Use available instructional personnel, materials and equipment necessary to accomplish the designated task;
2. Adhere to and enforce school law, state board regulation, and written and dated board policy which has been communicated to the administrator;
3. Use channels of communication when interacting with teachers, community agencies and groups in accordance with policy.

Individual Needs and Individual Potential: The educator shall utilize or promote the utilization of diagnostic techniques to analyze the needs and the potential of individuals. These may include but need not necessarily be limited to:

1. Personal observation;
2. Analysis of individual performance and achievement;
3. Specific performance testing.

Instructional Procedures: Each educator shall seek accomplishment of the designated task through selection and utilization of appropriate instructional procedures. Therefore, each educator shall:

1. Create an atmosphere which fosters interest and enthusiasm for learning and teaching;
2. Use procedures appropriate to accomplish the designated task;
3. Encourage expressions of ideas, opinions and feelings.

Each teacher shall:

1. Create interest through the use of materials and techniques appropriate to the varying abilities and background of students;
2. Consider individual student interests and abilities when planning and implementing instruction.

Each administrator shall:

1. Support the creation of interest by providing the materials, equipment and encouragement necessary for the teacher to accomplish the designated task;
2. Make reasonable assignment of tasks and duties in light of individual abilities and specialties and available personnel resources.

Communication Skills: In communicating with students and other educators, each educator, within the limits prescribed by his or her assignment and role, shall:

1. Utilize information and materials that are relevant to the designated task;
2. Use language and terminology which are relevant to the designated task;
3. Use language which reflects an understanding of the ability of the individual or group;
4. Assure that the designated task is understood;
5. Use feedback techniques which are relevant to the designated task;
6. Consider the entire context of the statements of others when making judgments about what others have said;

7. Encourage each individual to state his ideas clearly.

Management techniques: The educator shall:

1. Resolve discipline problems in accordance with law, board policy, and administrative regulations and policies;
2. Maintain consistency in the application of policy and practice;
3. Use management techniques which are appropriate to the particular setting such as group work, seat work, lecture, discussion, individual projects and others;
4. Develop and maintain positive standards of conduct.

Competence in Specialization: Each educator shall:

1. Possess knowledge, within his or her area of specialization, consistent with his or her record of professional preparation;
2. Be aware of current developments in his or her field;
3. Possess knowledge of resources which may be utilized in improving instruction in his or her area of specialization.

Evaluation of Learning and Goal Achievement: An educator shall accept responsibility commensurate with delegated authority to evaluate learning and goals achievement. Each educator shall:

1. Utilize several types of evaluation techniques;
2. Provide frequent and prompt feedback concerning the success of learning and goal achievement efforts;
3. Analyze and interpret effectively the results of evaluation for judging instruction, the achievement of stated goals, or the need for further diagnosis;
4. Utilize the results of evaluation for planning, counseling and program modification;
5. Explain methods and procedures of evaluation to those concerned.

Human and Interpersonal Relationships: Educators shall possess effective human and interpersonal relations skills and therefore:

1. Shall allow others who hold and express differing opinions or ideas to freely express such ideas;
2. Shall not knowingly misinterpret the statement of others;
3. Shall not show disrespect for or lack of acceptance of others;
4. Shall provide leadership and direction for others by appropriate example;
5. Shall offer constructive criticism when necessary;
6. Shall comply with reasonable requests and orders given by and with proper authority;
7. Shall not assign unreasonable tasks;
8. Shall demonstrate self-confidence and self-sufficiency in exercising authority.

Personal Requirements: Each educator within the scope of delegated authority shall:

1. Be able to engage in physical activity appropriate to the designated task except for temporary disability;
2. Be able to communicate so effectively as to accomplish the designated task;
3. Appropriately control his or her emotions;
4. Possess and demonstrate sufficient intellectual ability to perform designated tasks.

Continuance in Professional Service: Continuance in professional service requires the maintenance of a valid teaching, administrative, or special services certificate in accordance with the laws of the State of Nebraska.

Contractual Obligations: Educators shall adhere fully to the terms of a contract or appointment.

Legal Reference:	NDE Rule 27
Date of Adoption:	August 14, 2018

F. Private Tutoring or Services

A professional employee may not provide private tutoring or professional services in exchange for compensation from a source other than the ESU or an ESU member school without advance approval of the Administrator:

1. to a child that the employee teaches or provides professional services in the course and scope of the employee's duties to the ESU; or

2. in an ESU facility or in an ESU member school facility; or

3. during the employee's duty hours.

Professional employees who accept engagements to provide private tutoring or professional services are to make clear that the services are not being provided on behalf of the ESU to the extent the recipient of the services may in any way otherwise be caused to believe the services are provided through the ESU.

Legal Reference:	NDE Rule 27, sections 27.402E, 27.403F and 27.404B
Date of Adoption:	August 14, 2018

G. Evaluations

The Board delegates to the Administrator the responsibility of developing, organizing and implementing a system-wide program for evaluating professional employees. The Administrator shall develop effective evaluation procedures and instruments. The evaluation process is to be conducted in such a manner as to be consistent with and advance the mission and goals of ESU.

This evaluation policy is intended to set forth expectations for the administration and not to give rights to employees. As such, a failure to complete observations or evaluations of the designated duration and frequency shall not give the professional employee rights with regard to continued employment. Such failures, however, are to be considered in evaluating the responsible evaluator's performance.

1. Communication of Evaluation Process. Annual written communication of the evaluation process to those being evaluated shall be made by distributing a copy of the evaluation instrument to the professional staff at the beginning of each evaluation year.

2. Duration and frequency of observations and written evaluations. The duration and frequency of observations and written evaluations are to be as follows:

a. Probationary Professional Employees.
   i. Probationary professional employee for purposes of this evaluation policy means a professional employee who has served under a contract with the ESU for less than three successive years.
   ii. Formal observations of probationary teachers are to be based upon actual classroom observations for an entire instructional period. For probationary professional employees other than teachers, the formal observations shall consist of in-person observations comparable to that for teachers.
   iii. Probationary employees are to be formally observed and evaluated at least once each semester.
   iv. The responsible evaluator is expected to complete the second semester evaluations of probationary professional employees prior to April 15 of each year.

b. Permanent Employees.
   i. Permanent professional employee for purposes of this evaluation policy means a professional employee who has served under a contract with the ESU for at least three successive years.
   ii. Formal observations and evaluations of permanent teachers are to be based upon actual classroom observations for an entire instructional period. For permanent professional employees other than teachers, the formal observations shall consist of in-person observations comparable to that for teachers.
   iii. Permanent professional employees are to be formally observed and evaluated at least once each school year. Where it is appropriate based on the permanent employee's employment with the ESU, overall experience, and prior evaluations, the responsible evaluator may establish an evaluation cycle of up to every three years, rather than an annual evaluation cycle.

c. Employees' Responsibility. Professional employees are expected to inform the responsible evaluator of instructional periods or professional activities that would be conducive to an evaluation and to make themselves readily available to be evaluated. In the event the responsible evaluator has not initiated the evaluation process nearing the time within which an evaluation is to be completed, the employee has the responsibility to notify the responsible evaluator such that the evaluation can be completed when due.

d. Informal Observations and Evaluations. Informal observations and evaluations may be conducted as the administration determines to be appropriate.

e. Additional Observations and Evaluations. The duration and frequency of observations and written evaluations is specified as a minimum expectation for the evaluators. Observations and evaluations of greater frequency or number

than required may be conducted and made at the request of the employee or in the discretion of the evaluator.

3. Evaluation Criteria. Professional employees performing instructional duties shall be evaluated based upon the following evaluation criteria:

   - Instructional Performance including Delivery of Service
     - Planning and Preparation
   - Classroom Organization and Management including Environment and Planning and Preparation
   - Professional Responsibilities and Personal and Professional Conduct

   For professional employees in non-instructional capacities, the Administrator shall establish such other evaluation criteria as the Administrator determines appropriate given the duties of the employee; provided that personal and professional conduct be included.

   In preparing summative evaluations, evaluators are to consider not only the formal observations conducted, but also informal observations and other relevant information concerning the performance of the employee in each of the evaluation criteria. Further, evaluators are to consider the input of administrators and other professional staff of the schools served by the employee, as applicable.

4. Communication of Deficiencies. The evaluation process is to include written communication and documentation to the evaluated employee specifying deficiencies, specific means for the correction of the noted deficiency, and an adequate timeline for implementing the concrete suggestions for improvement.

   As professionals, professional employees may be assigned responsibility to provide suggestions for improvement plans or job growth strategies and shall have the duty of complying with such requests. Further, in the event improvement plans or other similar performance measures are implemented, professional employees shall have the duty to comply with such plans.

   Professional employees are expected to be cooperative, professional, and to exhibit a willingness to improve performance and to accept the constructive criticisms and suggestions of the evaluator.

5. Responses to Evaluations. Professional employees will be given seven calendar days from receipt of an evaluation in which to give a written response to the evaluation.

6. Plan for Training Evaluators. All evaluators shall possess a valid Nebraska Administrator's Certificate and be trained to use the evaluation system. Training sessions in the use of the evaluation system will be provided by the Administrator or designee to all evaluators prior to their participation in evaluations. Refresher training is to be conducted as the Administrator determines to be needed.

Legal Reference:	NDE Rule 10 (as guidance only; not directly applicable to the ESU)
Date of Adoption:	August 14, 2018

H. Grievance Procedure

The purpose of this grievance procedure is to secure, at the lowest possible level, equitable solutions to problems that may from time to time arise concerning the terms and conditions of employment that are set forth in the negotiated agreement with the recognized bargaining unit(s) within the ESU (the "Association").

Step One (Informal to Supervisor)

a. If the Association or an employee has a grievance, the Association representative is to first discuss the matter with the administrator at the most-direct level or, in the case of an employee-grievant, the employee's immediate supervisor.
b. Step One is to be taken within 20 business days of the occurrence of the circumstance or action that creates the basis for the grievance.
c. An employee-grievant may have a local representative present.
d. The administrator or immediate supervisor to whom the grievance is presented is to give an oral or written response within 5 business days.

Step Two (Written to Supervisor)

a. If the Association or the employee-grievant feels that the grievance is not satisfactorily resolved at Step One, the Association or the employee-grievant is to prepare a written grievance statement and give the statement to the administrator or immediate supervisor to whom the oral grievance was submitted.
b. Step Two is to be taken within 5 business days of the immediate supervisor's response, or the passage of the response deadline in the event of a failure to respond at Step One.
c. The administrator or immediate supervisor is to give a written response within 5 business days.

Step Three (Written to Administrator)

a. If the grievance is not resolved at Step Two to the satisfaction of the Association or the employee-grievant, the Association or the teacher-grievant is to give the written grievance statement to the Administrator and request a response to the grievance from the Administrator.
b. Step Three is to be taken within 5 business days of the Step Two response, or the passage of the response deadline in the event of a failure to respond at Step Two.
c. The Administrator may request that the Association or the employee-grievant give additional information in support of the grievance.
d. The Administrator is to give a written response within the 5 business days of receipt of any information requested by the Administrator.

Step Four (To Board)

a. If the grievance is not resolved at Step Three to the satisfaction of the Association or the employee-grievant, the Association or the employee-grievant is to give the Administrator or the Board President a written grievance statement and request a response from the Board.
b. Step Four is to be taken within 5 business days of the Administrator's response, or the passage of the response deadline in the event of a failure to respond, at Step Three.
c. The Association or the employee-grievant and the administrators may provide Board members with written information concerning the grievance dispute in advance of the meeting at which the Board or a committee of the Board will consider the grievance.
d. The Board or a committee of the Board is to give a decision on the grievance. If the grievance is submitted to the Board at least 2 weeks prior to the next regularly scheduled Board meeting, the decision is to be given at (or if a committee is used, on or before the date of) that Board meeting. If the grievance is submitted to the Board within 2 weeks of the next regularly scheduled Board meeting, the decision on the grievance is to be given at (or if a committee is used, on or before the date of) the next following regularly scheduled Board meeting. The Board may give its decision at a special meeting so long as the decision is given within the foregoing time frames.
e. The decision at Step Four shall be final.

Conditions of Grievance Procedures

a. Time limits herein are provided in business days, which excludes time periods when the business office of the ESU are closed for regular operations.
b. Time limits may be extended by agreement of the grievant and the ESU administrator responsible at each particular grievance Step.
c. Failure of a grievant to comply with the time limits shall constitute a waiver of right to proceed to the next step.
d. Failure of an administrator to comply with the time limits at any level shall permit the grievant to proceed to the next step.
e. Administrators and employees shall not retaliate against the Association or a employee-grievant for good-faith use of the grievance procedure.

Legal Reference:	
Date of Adoption:	August 14, 2018

I. Reduction in Force

Reductions-in-force of certificated staff may occur due to decreasing enrollments in schools served, limited financial support, changes in financial support, budget restrictions, changes in programs, changes in services provided, changing needs for services by school districts, changes in full time equivalencies, or other changes in circumstances. If a change in circumstances occurs necessitating a reduction in force, the Administrator or designee shall recommend to the Board

those certificated employees to be reduced, and the Board shall take action thereon, in accordance with applicable laws.

Reductions in force may include termination of an employee's contract, amendment of an employee's contract to reduce the employee's full time equivalency from full-time to part-time or from part-time to a lesser part-time, amendment of an employee's contract to eliminate positions or assignments and compensation related to such positions or assignments, and any other change that is a termination, non-renewal, or amendment of an employee's contract under the continuing contract laws.

The criterion for determining the employee or employees to be reduced in force are as follows (not listed in order of importance):

1. Areas of certification and endorsement. It shall be the responsibility of all certificated employees to file with the Administrator a copy of their teaching certificate or administrative and supervisory certificate or other license, including endorsements, upon initial employment with the ESU. On or before March 15th of each year thereafter, for so long as the employee is employed in the ESU or has rights of recall, the employee shall file with the Administrator evidence of any changes in the employee's certification, endorsements, or licensure which have occurred since March 15th of the previous year or which are pending.
2. Special qualifications that may require specific training and/or experience.
3. Existing school assignment.
4. Staffing requests from schools.
5. Location of schools and assignments.
6. Programs to be offered.
7. State and federal regulations which may mandate certain employment practices.
8. Contributions beyond the standard duties of the certificated employee's position, including contributions to activity programs of the schools.
9. Qualifications based on past performance and competence as determined by the Administrator or the evaluator of the affected employees through employee evaluation procedures. The criteria for employee evaluations (including frequency of the evaluation, evaluation forms, number and length of classroom observations, if applicable) used for purposes of this policy consists of the ESU 1 Board policies and administrative rules, regulations, forms and practices related to the periodic evaluation of certificated employees in effect as of the time the evaluation was completed. Such evaluation policies, etc., are incorporated herein as though set forth in full.
10. The organizational and educational impact created by multiple part time certificated employees.
11. Any other criteria which are rationally related to the instruction and services provided by, and the administration of, the ESU.

No permanent employee may be reduced through a reduction-in-force while a probationary employee is retained to perform a service in a position that the permanent employee is qualified by certification and endorsement to perform or where certification is not applicable, by reason of college credits in the teaching area.

Due to the often intimate, confidential, and unique personal working relationship necessary between the administration and the Board, a certificated employee who is not currently serving in a predominantly administrative capacity shall have no rights under this policy to any administrative position within the ESU.

If, after consideration of the above, it is the opinion of the Administrator that no significant difference exists between certificated employees being considered for reduction-in-force, then the employee with the longest uninterrupted service to the ESU shall be retained. Uninterrupted service time shall accrue the same for all certificated employees regardless of their full time equivalency. Uninterrupted service time for employees employed less than a full school year shall accrue according to the number of contract days worked. Uninterrupted service time shall not accrue for certificated employees on leave of absence for more than forty days.

A certificated employee whose contract is terminated because of reduction-in-force shall be considered to have been dismissed with honor. The employee shall, upon request, be provided a letter to that effect. The employee shall have preferred rights to re-employment for a period of twenty-four months commencing at the end of the contract year. The employee shall be recalled on the basis of length of uninterrupted service to the ESU to any position for which the employee is qualified by endorsement or college preparation to teach. The employee shall, upon reappointment, retain any benefits which had accrued to the employee prior to the reduction, but such leave of absence shall not be considered as a year of employment by the ESU. An employee under contract to another educational institution may waive recall but such waiver shall not deprive the employee of his or her right to subsequent recall.

Any certificated employee whose employment contract is reduced as a result of reduction-in-force shall, during the period of recall, report current address information to the Administrator and inform the Administrator of any changes of address thereafter. If a vacancy occurs for which the employee has rights of recall, the offer of such employment may be sent by the Administrator to the employee's last reported address. If no acceptance of such offer is received from the employee within fourteen days of mailing and the Administrator has no personal knowledge of the whereabouts of the employee (other than said last known address), the employee shall be deemed to have waived rights to recall to that employment position.

Legal Reference:	§§ 79-846 to 79-848 §§ 79-1234 to 79-1239
Date of Adoption:	August 14, 2018

Section 11 Classified Employees

A. Classified and Non-Certificated Employees Defined

Classified employee, for purposes of the Board policies, means any employee or assignment which is not within the definition of "professional employee" as set forth in the Board policies.

"Non-certificated employee," for purposes of the Board policies, means any employee who is not a teacher, nurse, or otherwise in a position or assignment which requires a certificate issued by the Commissioner of Education.

Legal Reference:	§ 79-1234(2)
Date of Adoption:	August 14, 2018

B. "At Will" Status

All employees and assignments that do not require a certificate issued by the Commissioner of Education shall be on an "at will" basis. Non-certificated employees shall have no property right in continued employment and need not be given a hearing or any other procedural or substantive due process prior to termination of employment.

Nothing in board policy, administrative regulations or practices, employee handbooks, or in any evaluation instrument or in the evaluation process for non-certificated employees shall be or is intended to create or be a contract or part of a contract with a non-certificated employee which shall in any way be construed to be contrary to the "at will" employment of non-certificated employees. No administrator or other employee of the ESU has any authority to enter into any agreement of employment with a non-certificated employee for any specific period of time or to make any agreement contrary to an at-will employment relationship without specific Board approval.

Legal Reference:	
Date of Adoption:	August 14, 2018

C. Hiring, Assignment and Dismissal

The Board delegates to the Administrator the authority to hire, assign, reassign, suspend and dismiss classified and non-certificated employees. Such authority shall be exercised in compliance with the policies of the Board. The Board reserves the authority to modify or reverse any such action taken by the Administrator.

Dismissal of classified and non-certificated employees shall be on an at-will basis, as such employees are subject to termination at any time without cause, without prior disciplinary action or progressive discipline, and irrespective of the lack of any evaluation or the irregularity in any evaluation process.

Legal Reference:	
Date of Adoption:	August 14, 2018

D. Standards of Ethical and Professional Performance for Classified Staff. In fulfillment of a classified employee's minimum responsibilities, each classified employee:

1. Shall not interfere with the exercise of political and citizenship rights and responsibilities of other employees, students, parents, patrons, or ESU board members.

2. Shall not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hair styles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status in its programs and activities.
3. Shall not use coercive means, or promise or provide special treatment to other employees, students, parents, patrons, or ESU board members in order to influence professional decisions.
4. Shall not make any fraudulent statement or fail to disclose a material fact for which the employee is responsible.
5. Shall not exploit relationships for personal gain or private advantage.
6. Shall not harass in any manner students, parents or ESU patrons, employees, or board members.
7. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of duties.
8. Shall keep in confidence personally identifiable student or employee information that has been obtained in the course of service to the ESU, unless disclosure serves professional purposes or is required by law.
9. Shall not discipline students using corporal punishment.
10. Shall not misrepresent the ESU, and shall take added precautions to distinguish between the employee's personal and institutional views.
11. Shall abide by policies and regulations of the Board and the rules and standards established by the administration and the employee's supervisor.
12. Shall seek no reprisal against any individual who reports a violation of these standards.

Legal Reference:	NDE Rule 27 (as a guide)
Date of Adoption:	August 14, 2021

E. Evaluations

The Board delegates to the Administrator the responsibility to develop, organize and implement a program to evaluate classified employees. The evaluation process is to be conducted in such a manner as to be consistent with and to advance the mission and goals of ESU.

A failure to properly complete evaluations shall not give a classified employee rights with regard to continued employment. Such failure, however, is to be considered in evaluating the responsible evaluator's performance.

Legal Reference:	
Date of Adoption:	August 14, 2018