

David City Public School Board of Education  
Regular Board Meeting  
Wednesday, July 8, 2026 7:00 PM  
Board Meeting Room at the High School  
750 D St.  
David City, NE 68632-1724

1. Call Meeting to Order
  - 1.1. Pledge of Allegiance
  - 1.2. Open Meetings Statement
  - 1.3. Attendance/Absence Approval
2. Student and Staff Involvement
3. Public Forum
4. Consent Agenda
  - 4.1. Approve Minutes of the Previous Meeting(s).
  - 4.2. Approve Claims Against the District
  - 4.3. Financial Reports
5. Board Committee Reports
6. Board Workshop/Conference Reports
7. Discussion and Action Items
  - 7.1. Discuss, consider, and take action on the updated policy 4025 professional boundaries.
  - 7.2. Discuss, consider, and take action on the updated policy 5421: Use of Restraints and Seclusion.
  - 7.3. Discuss, consider, and take action to move the September board meeting due to board member conflicts.

- 7.4. Discuss the district's future facility plans.
  - 7.5. Discuss, consider, and take action to purchase the properties located at 673 E St in David City, 695 E St in David City, and 457 7th St in David City (Parcel IDs 120001253, 120001246, 120001267), and authorize Dr Chad Denker, Superintendent, to sign all related paperwork on behalf of the district.
  - 7.6. Discuss, consider, and take all necessary action with regard to selecting the Construction Manager at Risk method of construction delivery for a proposed multiple school facility additions and renovations project under the Political Subdivisions Construction Alternatives Act.
  - 7.7. Discuss, consider, and take all necessary action with regard to adopting the Construction Manager at Risk selection criteria and the evaluation point values for a proposed multiple facility additions and renovations project.
  - 7.8. Discuss, consider, and take all necessary action with regard to appointing members to the Construction Manager at Risk selection committee for a proposed multiple school facility additions and renovations project.
8. Personnel
  9. Future Discussion and Action Items
  10. Adjournment

David City Public School Board of Education Special  
Board Meeting  
Wednesday, June 24, 2026 7:00 PM  
Board Meeting Room at the High School  
750 D St.  
David City, NE 68632-1724

Notice of the meeting was given in advance by publication and posting to meet the legal requirements for public notice of meeting. The meeting notice was published in the Banner Press and/or Columbus Telegram, publications established for general circulation within the district and posted on the front door of each school building and at the David City Post Office. Notice of this meeting was given in advance to all members of the Board of Education. A current copy of the agenda for said meeting was available in the Superintendent's office and on the district's website. All proceedings of the Board of Education, except as may be hereinafter noted, were taken while the convened meeting was open to the attendance of the public.

#### 1. Call Meeting to Order

Stephanie Summers called the meeting to order at 7:00pm.

##### 1.1. Pledge of Allegiance

Stephanie Summers asked all attendees to stand and recite the Pledge of Allegiance.

##### 1.2. Open Meetings Statement

Stephanie Summers informed all attendees that a copy of the Nebraska Open Meetings Law was posted and available for inspection.

##### 1.3. Attendance/Absence Approval

All board members and Dr. Denker, Mrs. Athow, Ms. Romshek, and Mr. Lindsley were in attendance.

#### 2. Public Forum

No public comment.

#### 3. Discussion and Action Items

3.1. Discuss, consider, and take action to grant Dr Denker authority to work with Clark Enersen to develop architectural and mechanical drawings for possible additions at both DC Elem and DC High School, and to replace the HVAC and lighting.

Stephanie Summers made the motion to approve to grant Dr Denker authority to work with Clark Enersen to develop architectural and mechanical drawings for possible additions at both DC Elem and DC High School, and to replace the HVAC and lighting. Donnie Moravec seconded the motion. Motion passed 6-0.

3.2. Discuss, consider, and take action to grant Dr Denker authority to contact potential construction manager-at-risk companies to interview for possible facility projects.

Kasey Kuhlman made the motion to grant Dr Denker authority to contact potential construction manager-at-risk companies to interview for possible facility projects. Marcus Thoendel seconded the motion. Motion passed 6-0.

#### 4. Adjournment

Kasey Kuhlman made the motion to adjourn at 8:01pm. Klay Kasik seconded the motion. Motion passed 6-0.

Personnel - All EmployeesProfessional 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 will be regarded as a violation of the professional boundaries that employees are expected to maintain with a student:

- Using written notes, e-mail, text messaging, instant messaging or social networking sites to discuss with a student a matter that does not pertain to school-related activities, such as the student's homework, class activity, school sport or club, or other school-sponsored activity. 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). **ParentSquare** is the preferred method of communication for all school organizations. Thrillshare, which posts messages to the District's **X account (formerly Twitter)** and Facebook page, is also an appropriate means of communication to keep students, parents, and community members informed of school happenings.
- Engaging in social-networking friendships with a student on social networking sites. 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. Employees shall not friend or follow students on any social networking site, unless the student happens to be a family member or relative.
- 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 with a student sexual topics 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 the 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 guardian and** a school administrator. **Another adult must be present in the vehicle unless an emergency situation exists.**
- **Organizing, supervising, coordinating, or providing transportation in personal vehicles for one or more students to attend school-sponsored or non-school-sponsored activities. Such activities may create the appearance of a district-sponsored trip and expose students, employees, and the district to unnecessary liability. This provision does not prohibit an employee, while acting as a parent or legal guardian, from transporting their own child and that child's friends to activities or events. This provision also does not prohibit an employee from engaging in lawful personal activities outside of contract hours, including providing transportation with parent or guardian permission, provided the employee is not acting on behalf of the district, serving in a supervisory role for the district, or using their position as a district employee to organize, facilitate, or promote the activity.**
- 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.
- Discussing alcohol, tobacco or other illicit drugs in a non-instructional setting, such as describing a party that the employee attended.
- Discussing another student's or employee's personal matters when it is not appropriate outside of the instructional setting.
- "Grooming," which includes building trust with a student and individuals close to the student in an effort to gain access to and time alone with the student, with the ultimate goal of engaging in sexual contact or sexual penetration with the student, regardless of when in the student's life the sexual contact or sexual penetration would take place.

Appropriate exceptions are permitted to the foregoing for legitimate health or educational purposes and for reasons of family relationships between employees and their children who are students in the District.

A staff member seeking an exception must receive advance approval from his or her administrator. If a staff member is unable to communicate with an administrator in advance (such as in the event of an emergency), the staff member must notify the administrator as soon as possible, but not later than 24 hours immediately following the event.

Any person who suspects a District employee of engaging in any prohibited conduct under this policy, including grooming, should contact the Superintendent as soon as practical.

Any employee who violates this policy may face discipline, up to and including termination of employment, and may be referred to the appropriate certification or credentialing agencies for further discipline.

A violation of this policy will result in referral to the Department of Health and Human Services, law enforcement, or both.

Legal Reference: LB 1080 (2020)

Policy Adopted: November 11, 2019

Policy Reviewed/Revised: October 12, 2020; March 13, 2023; July 8, 2026

## Students

### Use of Restraints and Seclusion

This policy sets forth the requirements, restrictions and procedures related to the use of physical restraints and seclusions at David City Public Schools.

#### Definitions

- A. Physical Restraint. Physical restraint means one or more persons using a physical hold to restrict a student's freedom of movement as a response to student behavior. A light touching of a student while conducting a physical escort or a touching to provide instructional assistance is not a physical restraint for purposes of this policy.
- B. Seclusion. Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving as a response to student behavior.

Seclusion is distinguishable from an in-school suspension, in which other students or adults may be present. While students are required to remain in the in-school suspension area, the students are not physically prevented from leaving.

Policy Adopted: November 9, 2009  
Policy Reviewed/Revised: November 8, 2023; July 8, 2026



# DCPS

## Seclusion and Restrictive Hold Reporting Form

Student Name:	Location(s) of Incident:
Classroom Teacher:	Date of incident:

<b>Student Secluded?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>How was the student secluded?</b>	Time Started	Time Ended
<b>Reason for Seclusion:</b> <input type="checkbox"/> Provide safety for student <input type="checkbox"/> Provide safety for others <input type="checkbox"/> Self-regulation	<input type="checkbox"/> Door Shut <input type="checkbox"/> Staff Blocked Door		

<b>Physical Interaction?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Escort/Hold</b>	Time Started	Time Ended
<b>Reason for Interaction:</b> <input type="checkbox"/> Provide safety for student <input type="checkbox"/> Provide safety for others	<input type="checkbox"/> Side Body Hold <input type="checkbox"/> 2 Person side body hold <input type="checkbox"/> 1 arm hold <input type="checkbox"/> 2 arm hold <input type="checkbox"/> 2 person 1 arm hold <input type="checkbox"/> 2 person 1 arm hold (moving) <input type="checkbox"/> Restrictive hold of short stature <input type="checkbox"/> Emergency Lift/Carry short stature		

**Precipitating Events:**

**Description of Incident** (including resolution, emergency action taken, property damage):



# DCPS

Description of effort made to de-escalate and alternatives to seclusion/physical restraint that were attempted:

- Verbal Redirection       Physical Redirection       Other (please describe):
- Choices Offered       Structured Activity
- Cooling Off Location

Was there an injury, outside medical treatment, or hospitalization to students or staff as a result of the incident?  Yes  No

**If Yes**, please describe:

Any other injuries or marks due to the incident and any action that was taken that is not mentioned?

List of School Personnel who were involved in the incident:

Name	Position	Role in Incident	MANDT certified?

Date of submission: \_\_\_/\_\_\_/\_\_\_\_\_

Team met to review the incident: \_\_\_/\_\_\_/\_\_\_\_\_

Parent or Guardian Notification made by:

Date and Time of Notification:

Copies Sent to:

Name	Title

Signature of Author:

Date: \_\_\_/\_\_\_/\_\_\_\_\_

MOTION

MOTION by \_\_\_\_\_ that the Board of Education for this School District should and does hereby select the Construction Management at Risk construction delivery method pursuant to the Nebraska Political Subdivisions Construction Alternatives Act and Board policy for a proposed multiple school facility additions and renovations project, generally to consist of the following: a new High School family consumer science room addition; High School HVAC replacements; a new High School gymnasium addition, including locker rooms, restrooms, commons expansion and possible wrestling room; a new David City Elementary School pre-kindergarten classrooms addition; and David City Elementary School HVAC replacements; and hereby delegates to and directs the Board President, Superintendent of Schools, or designee of either, along with selected legal counsel, to initiate and carry out all actions necessary to comply with the requirements of the Act, including but not limited to the development and issuance of a Request for Proposals for the position of Construction Management at Risk for the project; provided that letters of interest shall not be required.

Board member \_\_\_\_\_ seconded the MOTION. After discussion and on roll call vote, the following Board members voted in favor of passage and adoption of the above Motion:

\_\_\_\_\_.

The following Board members voted against the same:

\_\_\_\_\_.

The following Board members were absent or not voting:

\_\_\_\_\_.

The above Motion, having been consented to by two-thirds (2/3rds) or more of the members of the Board of Education of this School District, was declared as passed and adopted by the President at a duly held and lawfully convened meeting in full compliance with the Nebraska Open Meetings Law.

DATED this 8th day of July 2026.

BUTLER COUNTY SCHOOL DISTRICT 12-0056,  
a/k/a DAVID CITY PUBLIC SCHOOLS

BY: \_\_\_\_\_  
President, Board of Education

ATTEST:

\_\_\_\_\_  
Secretary

MOTION

MOTION by \_\_\_\_\_ that the Board of Education for this School District should and does hereby adopt and approve the Construction Manager at Risk selection criteria and evaluation weights for a proposed multiple school facility additions and renovations project as follows:

No.	Selection Criteria	Maximum Point Value
1	The financial resources of the construction manager to complete the project	2.5
2	The ability of the proposed personnel of the construction manager to perform	20
3	The character, integrity, reputation, judgment, experience, and efficiency of the construction manager	20
4	The quality of performance on previous projects	20
5	The ability of the construction manager to perform within the time specified	10
6	The ability and resources of the construction manager to recruit qualified contractors for the Project	10
7	The construction manager's proposed efforts schedule and fee for the Project	15
8	The previous and existing compliance of the construction manager with laws relating to the contract	2.5
	TOTAL (Not more than 100).	100

Board member \_\_\_\_\_ seconded the MOTION. After discussion and on roll call vote, the following Board members voted in favor of passage and adoption of the above Motion:

\_\_\_\_\_.

The following Board members voted against the same:

\_\_\_\_\_.

The following Board members were absent or not voting:

\_\_\_\_\_.

The above Motion having been consented to by a majority of the members of the Board of Education this School District, was declared as passed and adopted by the President at a duly held and lawfully convened meeting in full compliance with the Nebraska Open Meetings Law.

DATED this 8th day of July 2026.

BUTLER COUNTY SCHOOL DISTRICT 12-0056,  
a/k/a DAVID CITY PUBLIC SCHOOLS

BY: \_\_\_\_\_  
President, Board of Education

ATTEST:

\_\_\_\_\_  
Secretary

MOTION

MOTION by \_\_\_\_\_ that the Board of Education for this School District should and does hereby appoint the following persons to the Construction Manager at Risk Selection Committee to evaluate the proposals received from firms in response to the Request for Proposals for a proposed multiple school facility additions and renovations project:

- (a) Member(s) of the School District’s Board of Education:
  - Stephanie Summers
  - Marcus Thoendel
  - Kasey Kuhlman
  - Justin Krafka
  - Don Moravec
- (b) Member(s) of the School District’s administration or staff:
  - Chad Denker, Superintendent of Schools
  - Brian Hermelbracht, Activities Director
- (c) The School District's architect or engineer:
  - Tim Ripp, Clark & Enersen, or designee
- (d) Any person(s) having special expertise relevant to selection of a construction manager under the Nebraska Political Subdivisions Construction Alternatives Act who is not employed by the School District, and who shall not be employed by or have a financial or other interest in a construction manager who has or may have a proposal being evaluated:
  - Tahner Thiem
- (e) A resident(s) of the territory served by the School District, other than an individual included in (a) through (d) above, who is not employed by the School District, and who shall not be employed by or have a financial or other interest in a construction manager who has or may have a proposal being evaluated:
  - Darrell Allen

Board member \_\_\_\_\_ seconded the MOTION. After discussion and on roll call vote, the following Board members voted in favor of passage and adoption of the above Motion:

\_\_\_\_\_.

The following Board members voted against the same:

\_\_\_\_\_.

The following Board members were absent or not voting:

\_\_\_\_\_.

The above Motion having been consented to by a majority of the members of the Board of Education this School District, was declared as passed and adopted by the President at a duly held and lawfully convened meeting in full compliance with the Nebraska Open Meetings Law.

DATED this 8th day of July 2026.

BUTLER COUNTY SCHOOL DISTRICT 12-0056,  
a/k/a DAVID CITY PUBLIC SCHOOLS

BY: \_\_\_\_\_  
President, Board of Education

ATTEST:

\_\_\_\_\_  
Secretary