

**BOARD OF EDUCATIONAL SERVICE UNIT NO. 13**  
**TUESDAY - May 19, 2020**

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

Video Conference Link:

<https://zoom.us/j/97118232791?pwd=eE52MFNYSXBLbWgwTXBWeERaZ1k5UT09>

Meeting ID: 971 1823 2791

Password: 032030

Telephone number and ID: Dial 312.626.6799, enter ID: 97118232791, then press #, then press # again

**7:00 PM - Regular Meeting**

**A. Call to Order**

1. Governor Ricketts issued Executive Order No. 20-03 Public Meetings Requirement Limited Waiver allowing governing bodies to meet by videoconference or telephone conference through May 31, 2020.
2. The ESU 13 Board reserves the right to rearrange the order of the agenda.
3. The ESU 13 Board reserves the right to convene an executive session in accordance with §84-1410.

**B. Excuse Absent Board Member(s) (Motion Necessary for Approval)**

**C. Approval of Agenda (Motion Necessary for Approval)**

**Consent Action Items (Motion Necessary for Approval)**

- Minutes of Regular Meeting (April 2020)
- Treasurer's Report
- Fund Balance
- Budget Report
- Claims for Disbursement

## Calendar

- June 16, 2020 - Regular Board meeting

## Public Forum:

- Since this meeting is being held electronically, there will be no public in-person attendance. For public attending electronically, time limit for each person is three (3) minutes; no response or action taken by the Board.

## Reports

- Dr. Pam Brezenski, ESU 13 Special Education Director - Department Overview
- Head Start Director's Report and Policy Council Activity Report for April (Uploaded to the Board material webpage)
- Administrator's Report ([Appendix A](#))
- Board Member Comments

## D. Old Business

### 1. **Amendment of Board Policy – Article 4, Sections 7-13 (Personnel)**

Continuing with the revision and update of our current Board policy using the template from Perry Law Firm, Article 4, Sections 7-13 have been revised and reviewed by our Leadership Team and the Policy Committee. Due to the large content, the separate sections have been uploaded to the Board member webpage. This was introduced at the March Board meeting. This is the final reading.

**Recommendation: Move to approve the proposed amendment of Article 4, Sections 7-13 (Personnel).**

### 2. **Code of Conduct and Procurement Plan**

During a visit this month from Laura Lutz, Nutrition Services Specialist for the Nebraska Department of Education, we were informed that "All School Food Authorities are required to have a Procurement Plan and a Code of Conduct for purchasing on file. This confirms that purchases made with school lunch funds meet federal and state requirements." The Procurement Policy and Code of Conduct have been uploaded to the Board materials webpage. The proposed policy has been reviewed by Justin Knight of Perry Law Firm. This policy will be added to our current Purchasing Policy in Article 3, Section 5. This was introduced at the March Board meeting. This is the final reading.

**Recommendation: Move to approve the proposed Code of Conduct and Procurement Plan.**

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

This is the first reading. The Policy Committee has recommended the following changes in Section 2:

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

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

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

**Recommendation: First reading with changes recommended by the Policy Committee. No action required.**

**E. New Business**

**1. Interlocal Agreement for Day School/Treatment Facility**

The Interlocal Agreement for Day School/Treatment has been finalized and reviewed by Jerry Ostdiek. The Agreement has been sent to the participating schools. The Interlocal Agreement is being presented to each School Board for approval in May.

**Recommendation: Move to approve the Interlocal Agreement for Day School/Treatment Facility between ESU 13 and participating districts.**

**2. Lease Agreement for The Terry and Hazeldeane Carpenter Intergenerational Center**

The location for the Day School/Treatment Facility has been selected. ESU 13 is requesting approval from the Board to enter into a three year lease agreement with the Carpenter Center for \$5,000.00 per month. A copy of the lease has been uploaded to the Board member webpage.

**Recommendation: Move to approve the Lease Agreement between The Terry and Hazeldeane Carpenter Intergenerational Center and ESU 13 for the location of the Day School/Treatment Facility.**

**3. ESU 13 Menu of Services for 2020-2021 (Uploaded to Board Member**

Every year, we ask our member districts to evaluate our existing programs and services and offer suggestions for revision and/or expansion to comply with §79-1204: *“ESUs shall act primarily as service agencies in providing core services and services identified and requested by member school districts.”* Feedback from external surveys and the annual needs visits to school districts helps determine our Menu of Services for the upcoming school year. At their April meeting, our superintendents (representing a majority of the students) took official action to approve the 2020-2021 *Menu of Services* and recommend them to the ESU 13 Board for funding. The changes are highlighted in yellow.

**Recommendation: Move to approve ESU 13’s 2020-2021 *Menu of Services* for funding as recommended by the member districts.**

**4. 2020-2021 ESUCC Master Services Agreement**

We have uploaded a copy of the one-year Master Services Agreement between ESUCC and ESU 13 to the Board member materials webpage. Page 12 of the agreement is the summary of the fees for each project. I recommend the participation in the following projects:

- ❖ ESUPDO (Annual program fee decreases from \$4,239 to \$3,404; participation fees stay the same at \$20.00 per person per day)
- ❖ SIMPL (Service Implementation Model Process and Log) up to \$1,500
- ❖ Digital Learning Services/Administration: Encompassing Distance Education, BlendEd, OER and other digital learning administrative functions
  - Digital Learning Administration (fee increase from \$5,500 to \$5,700)
  - Digital Learning Projects/ESUCC Professional Library (Fee decreases from \$1,000 to \$600)
- ❖ Digital Learning Projects/Learn 360 (Media on Demand fee - Coop Marketplace)
- ❖ Digital Learning/Special Projects

- Learning Objects/Special Projects were combined (fee decreases from \$10,000 to \$7,500)
- ❖ Coop Purchasing (no fee)
- ❖ SRS Special Education Project (fee \$5,500 plus tier fee - no increase)
- ❖ Legislative and Governmental Relations (fee increase from \$1,630 to \$2,059)

**Recommendation: Move to approve ESU 13's participation in the above listed ESUCC cooperative projects for 2020-2021 and authorize the Administrator to execute the Agreement.**

**5. Head Start COVID-19 CARES Act**

Last month, Donna Jenne, Head Start Director, gave a report regarding one-time funds to be used for activities in response to COVID-19. Board members offered no comments or concerns. On April 30, ESU 13 Head Start Program was awarded \$82,940.00. The grant application was submitted per the deadline of May 15th, however, we do need Board approval for the funds.

Recommendation: Move to approve the COVID-19 CARES ACT funds.

**6. Contract with ESU 5**

To provide support for our three communication assistants, we will be contracting with ESU 5 for use of one of their Speech Language Pathologists through tele-therapy for two days a week during the 2020-2021 school year. The contracted amount will be \$32,000 paid in 10 installments.

Recommendation: Move to approve the contract with ESU 5 for speech therapy tele-health for the 2020-21 school year in the amount of \$32,000.

**7. Audio-Visual System for Sidney Building Meeting Rooms**

The proposal from Cytek Media Systems for a total of \$68,996.00 will add distance learning capabilities to Meetings Rooms A/B (\$59,236.00), Meeting Room 105 (\$4,880.00) and Meeting Room 126 (\$4,880.00) at the new ESU 13 Sidney location. These rooms utilize Zoom technology that include projection systems, dual cameras, ceiling microphones and speakers, and touchscreen control system.

**Recommendation: Move to approve the quote from Cytek Media Systems for the Audio Visual system for the meeting rooms at the new Sidney building for a total of \$68,996.00**

**8. Head Start - 1720 Portal Place Building Remodel**

Head Start is requesting Board approval of the bid from Rusch Construction for the renovation at 1720 Portal Place in Scottsbluff. This renovation will allow Head Start to move the programs at Central Head

Start and Westway Church into one location. The new location will have three infant-toddler classrooms and one preschool classroom, which will be year-round programs. The engineer's estimate for this project is \$38,040.

Anderson & Shaw Construction	\$27,433.01
Clement Construction	\$28,290
Rusch Construction	\$24,817

**Recommendation: Move to approve the bid from Rusch Construction for the renovation of the building at 1720 Portal Place in Scottsbluff for Head Start programs.**

**9. Extension of Employment and Compensation of Non-Exempt Employees**

Discuss, consider and take all necessary action with regard to an extension of employment and compensation of non-exempt educational support employees regularly providing services at ESU 13 during the summer months (clerical staff, custodial staff, bus drivers, para-educators, and the like) serving ESU 13 on an on-call basis due to the emergency conditions engendered by the ongoing COVID-19 pandemic and epidemic sickness and pursuant to the Emergency Declaration Resolution resulting therefrom adopted by this Board of Education on March 17, 2020. The extension date is proposed for June 16, 2020.

**Recommendation: Move to approve the motion to continue payment of ESU 13 staff affected by the COVID-19 pandemic through June 16, 2020.**

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

We have offered a 2020-2021 certified employee contract to **Deborah Mills** as a School Psychologist in the Northern Satellite (Chadron). Deborah holds an Ed.S. in School Psychology and an M.S. in Educational Psychology which she received from Miami University, Oxford, Ohio. Her previous experience includes Douglas County School District, Omaha Public Schools and ESU #8.

We have offered a 2020-2021 certified employee contract to **Nicole Kelley** as the Lead Teacher for the Day Treatment School. Nicole received her MA in Education from the University of Wyoming. Her experience includes teaching in Elementary and Middle Schools and Kindergarten-Fourth grade at Saint Joseph's Children's Home in Torrington, Wyoming.

For the 2019-20 school year, the Board approved a .60 FTE certified teaching contract for **Megan Macy** as a Teacher of the Visually Impaired Intern. By the end of the summer, Megan will have completed 20 hours of graduate courses. For the 2020-21 school year, she is being moved to a 1.0 FTE.

Due to increasing needs, **Ellen Fiscus**, School Psychologist, will be moving from .8 FTE to 1 FTE for the 2020-21 school year. Ellen has been with ESU 13 since August 2012 and serves students in the Southern tier.

**Recommendation: Move to approve the certified employee contracts with Deborah Mills, Nicole Kelley, Megan Macy and Ellen Fiscus.**

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

**G. Adjournment**

**Administrator Notes**  
**May 19, 2020**

**Sidney Office Construction Project Update**

Andrew will provide an update on progress of the ESU 13/WNCC – Sidney Office construction project. The budget for this project included \$100,000 for contingencies. As of Friday, May 15th, \$91,648.57 remained in this account.

**Panhandle Beginnings Day Treatment/School Program Update**

We have an agenda item tonight for the Lease Agreement with the Carpenter Center. The term of the lease is for three years commencing on June 15, 2020. Rent will be \$5,000 per month which includes two classrooms with attached bathrooms, two classrooms across the hall of the education wing and partial use of the commercial kitchen which comprises an area of approximately 4,738 square feet. We will have access to outdoor areas, including playground outside of classrooms, basketball courts, football field, baseball fields, and walking bath. In addition, we will have limited access to the indoor gym and community room.

**Main Office HVAC Replacement Options**

The Finance and Building/Grounds Committees will meet with Ben Schmitt from Farris Engineering, Jack Baker from Baker & Associates, and Fermin Hernandez prior to the June Board Meeting to review options for replacing the three rooftop units.

**ESU 13 Internal/External Survey Results**

The current external stakeholder survey was first administered in the spring of 2018 to coincide with the beginning of a new Unit Improvement Cycle for accreditation. The first year of the external survey, we received 670 responses and have received 553 and 546 each of the past two years. In each of the three years, nearly 70 percent of the respondents were certified teachers. Superintendents and principals make up 6-7 percent of the respondents. In the past two years, 9 of our 21 superintendents have taken the survey and nearly a third of our principals.

We have received much higher percentages of respondents over the same years from our internal stakeholders. In 2018, we received 143 responses with 127 responses in 2019, and 112 responses were collected from internal surveys this past spring. This is an average of around 75% of our internal staff completing the surveys.

Department directors met with their staff and have reviewed the external survey results looking for strengths, challenges and implications found within the data. These results will be used as one data point along with other resources when moving forward with



strategic planning, services, accreditation, and improvement efforts. The review of our internal survey results was postponed due to COVID-19 but plans are being made for review at a later time.

In order to gather higher numbers of external responses, the Steering Committee has plans to improve our survey process. Rather than send out a mass email to leadership in each district, as has been done in the past, personal invitations will be sent to school stakeholder groups from our Professional Learning Department. This department has personal connections to each and every district and their administrators, teachers, para-educators and other staff. The personal invitations from this department have worked very well in other situations and we feel it will be a better way to elicit survey responses. Amy Trauernicht, Steering Committee Chair, is a Staff Developer and will lead the invitational efforts on behalf of the ESU. This new process will be presented to the Superintendent's Advisory Committee next winter to ensure we are meeting all school level policies in our approach before the invitations are sent next February.

The results of both internal and external surveys have been uploaded to the Board member webpage.

### **July Board Meeting**

At our January Board meeting we discussed the possibility of not having a July Board Meeting. Given the COVID-19 pandemic and the construction project in Sidney, I would recommend we schedule a July Board Meeting. We will need to determine a date for the meeting.