

BOARD OF EDUCATIONAL SERVICE UNIT NO. 13
TUESDAY - April 21, 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/425200354>

Telephone number and ID: Dial 312.626.6799, enter ID: 425200354, then press #, then press # again

7:00 PM - Regular Meeting

1. Call to Order

- 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.
- The ESU 13 Board reserves the right to rearrange the order of the agenda.
- The ESU 13 Board reserves the right to convene an executive session in accordance with §84-1410.

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

3. Approval of Agenda (Motion Necessary for Approval)

Consent Action Items (Motion Necessary for Approval)

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

Calendar

- April 22, 2020 - ESU Administrative Advisory Council - this meeting is being held via Zoom.
- May 19, 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

- Head Start Director's Report and Policy Council Activity Report for March (Uploaded to the Board material webpage)
- Administrator's Report ([Appendix A](#))
- Board Member Comments

4. Old Business

- **Amendment of Board Policy – Article 4, Sections 1-6 (Personnel)**
Continuing with the revision and update of our current Board policy using the template from Perry Law Firm, Article 4, Sections 1-6 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 is the final reading.
Recommendation: Move to approve the amendment of Board Policy - Article 4, Sections 1-6 (Personnel)
- **Proposed Video Surveillance Policy**
Video Surveillance cameras have been installed at HATC, Meridian School, Head Start CDC and Central locations. Justin Knight, who has been helping with our Board policy amendments, has suggested the following Board policy. The Policy Committee has reviewed the policy. Our Technology Director, B.J. Peters, has also reviewed and agrees with the policy. After approval, it will be placed in Board policy under Article 3, Section 7, *Management of Property*. This is the final reading.

Video Surveillance Policy

1. Purpose

The ESU #13 Board authorizes the use of video cameras and other passive electronic measures (such as motion detectors) for the purposes of ensuring the health, welfare and safety of staff, students and visitors, safeguarding ESU #13 facilities and equipment, and maintaining student discipline and an appropriate educational and work environment.

2. Placement

Video cameras and similar devices are authorized to be used in Unit facilities, Unit vehicles, and other places within the control of ESU #13. The locations in which the devices will be placed and the times the devices will

be in use are to be determined by the Administrator or designee consistent with the purposes set forth in the Policy. The devices shall not be placed or operational in locations in which individuals have a high expectation of privacy, such as restrooms.

3. Notice

Notice of the fact that video surveillance cameras are being utilized shall be given through appropriate mechanisms, such as by posting signs in the building entry and other locations and by including a notice in the student-parent and employee handbooks.

4. Viewing Monitors and Video Recordings

Monitors used to view video recordings are to be located and positioned such that only authorized personnel are able to see the images on the monitors. Only authorized personnel shall be allowed to view recorded video. Authorized personnel for these purposes are the ESU #13 Administrator or designee, and the ESU #13 Technology Department personnel responsible for the technical operations of the system (for technical purposes only). In some limited circumstances, the ESU #13 Administrator or designee may authorize a supervised viewing of surveillance cameras and recorded video by other designated staff members.

The ESU #13 Administrator or designee may allow law enforcement officers to view monitors and recorded video when such is consistent with school security and discipline and consistent with law.

Students shall not be permitted to view the monitors. Students shall not be permitted to view recorded video except where the individual student is the focus of the recorded video.

5. Use of Video Recordings

Video records may be used as a basis for student or employee disciplinary action and for making reports to law enforcement.

6. Video Recordings as Education Records

Video recordings which are considered to be "education records" within the scope of the Family Educational Rights and Privacy Act (FERPA) shall be maintained in accordance with FERPA and other applicable laws. A video recording may be considered an education record when a specific student is the focus of the video recording.

For example, if the video recording shows a student violating a school rule, the video recording is an education record of that student. It may be viewed on request by that student's parent (or the student if age 18 or older). The video recording may not be viewed by, nor will a copy be given to, others without the parent's written consent unless a FERPA exception exists.

In the event more than one student is a focal point of the video recording, it may be an education record of each such student. This would be the case, for example, if two students are recorded fighting. In that event, the school would allow both sets of parents an opportunity on request to view the

video, but will not give a copy of the video to either set of parents without the written consent of the other student's parent.

7. Maintaining Video Recordings

Video recordings shall be retained for 30 days or until determined that no incident has occurred. If an incident has been recorded, the recording will be transferred and retained concurrently with the incident file. Video recordings that contain personal information shall be securely stored in the ESU #13 network data center and, when such recordings are no longer needed or required to be maintained shall be properly disposed of or erased.

8. Maintaining the Integrity of the Video Surveillance System

The ESU #13 Technology Department shall be responsible for checking the video surveillance system on a weekly basis to ensure it is operating properly. Students or staff who vandalize, damage, disable, or render inoperable surveillance cameras or equipment, or use the video surveillance system in a manner that is not consistent with the purposes set forth in this Policy, shall be subject to appropriate disciplinary action (up to and including expulsion for a student and termination for a staff member) and referral to appropriate law enforcement authorities.

Recommendation: Move to approve Video Surveillance Policy.

● **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.

Recommendation: First reading. No action required.

● **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.

Recommendation: First reading. No action required.

5. New Business

- **Amendment of Board Policy – Article 5, Sections 1-3 (Equity and Legal Compliance)**
 Continuing with the revision and update of our current Board policy using the template from Perry Law Firm, Article 5, Sections 1-3 have been revised and reviewed by the Policy Committee. Due to the large content, the separate sections have been uploaded to the Board member webpage. This is the introduction.
Recommendation: Introduction only. No action required.
- **Head Start COLA increase**
 Head Start/Early Head Start requests a motion to approve the 2% COLA (Cost of Living Allowance) increase for the Head Start and Early Head Start programs by the Administration for Children and Families. The increase would be \$62,197.00
Recommendation: Move to approve the 2% COLA increase for Head Start and Early Head Start programs by the Administration for Children and Families.
- **Head Start Quality Improvement**
 Head Start/Early Head Start requests a motion to approve the Quality Improvement funding available to Head Start/Early Head Start programs by the Administration for Children and Families. The increase would be \$90,856.00. Quality Improvement dollars will be utilized to support the new certified teacher wages and “Circle of Security” training for all family advocates.
Recommendation: Move to approve the Quality Improvement funding increase for Head Start and Early Head Start programs by the Administration for Children and Families.
- **Revision and Updated Head Start Policies and Procedures**
 As per the Performance Standards, we need Board approval of revised Policy and Procedures. The revised Disability and Transition Written Plans, Mental Health Written Plans, and Education Written Plans have been uploaded to the Board material webpage. Policy Council minutes state the process for their approval of the written plans via email or phone call.
Recommendation: Move to approve the revised Head Start Disability and Transition Written Plans, Mental Health Written Plans, and Education Written Plan.
- **Proposed 2020-2021 Calendars for VALTS, LifeLink and Meridian**
 Drafts of the proposed 2020-2021 calendars for VALTS, LifeLink and Meridian have been uploaded to the website. They are ready for your approval.

Recommendation: Move to approve the proposed 2020-2021 calendars for VALTS, LifeLink and Meridian.

- **Payroll Dates for 2020-2021**

The following 2020-2021 payroll dates are proposed:

Friday	September 4, 2020
Monday	October 5, 2020
Thursday	November 5, 2020
Friday	December 4, 2020
Tuesday	January 5, 2021
Friday	February 5, 2021
Friday	March 5, 2021
Thursday	April 1, 2021
Wednesday	May 5, 2021
Friday	June 4, 2021
Friday	July 2, 2021
Thursday	August 5, 2021

Recommendation: Move to approve the 2020-2021 payroll dates.

- **Degreed and Classified Staff Compensation:**

Compensation packages have been set for the Administrator and certificated staff. The Board needs to take official action regarding degreed and classified staff compensation for 2020-2021. The approved negotiation package for certified staff was set at 2.5% increase for 2020-2021.

Recommendation: Your decision.

- **Classroom Addition Sidney Office**

Baker & Associates and the Finance Committee have reviewed the cost proposal for the VALTS South classroom addition. The proposed cost is \$221,588.63. Baker & Associates are having conversations with Anderson-Shaw Construction regarding some of the fees included in change orders and as of the deadline for the board agenda to be published, those conversations had not been concluded.

Recommendation: Move to approve the construction of the VALTS classroom at the new Sidney site for an amount not to exceed \$221,588.63.

- **Audio-Visual System for One VALTS Classroom at Harms Center and Sidney Classroom**

The proposal from Cytek Media Systems for \$53,264.00 will add distance learning capabilities to two classrooms: Room 187 at the WNCC Harms Center (an existing VALTS classroom) and the additional classroom being added 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. Our intent is to pay for the Harms Center room upgrade out of this year's VALTS budget and the Sidney classroom out of next year's budget.

Recommendation: Move to approve the quote from Cytek Media Systems for the Audio Visual system for one VALTS classroom at Harms Center and the Sidney classroom in the new building for \$53,264.00.

- **Distance Learning Lab and Front Entrance Remodel**

We received two proposals for this project. Baker & Associates estimated the scaled back project to be "under \$60,000." Rusch Construction's bid was \$82,528, and Anderson-Shaw Construction's bid was \$106,069. After consulting with Jack Baker and Jerry Ost diek, I am recommending that the Board provide approval for the Administrator to negotiate with Rusch Construction on the scope and cost of the project for an amount not to exceed \$65,000.

Recommendation: Move to approve the ESU 13 Administrator negotiating with Rusch Construction on the scope and cost of the Distance Learning Lab and Front Entrance Remodel project for an amount not to exceed \$65,000.

- **Employee Resignation**

Leah Reed, School Psychologist, has submitted her resignation effective May 22, 2020. She states "I have worked alongside some excellent colleagues, and I have had the opportunity to learn and grow as a professional. ESU 13 is a fantastic organization, and I have no doubts that it will continue to do great things in the future."

- **Recommendation: Move to accept the letter of resignation from Leah Reed effective May 22, 2020.**

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

We have offered a 2020-2021 certified employee contract to **Jennifer Lopez** as a School Psychologist. From August 2014 through the 2018-2019 school year, Jennifer worked for ESU 13 as a School Psychologist. She earned her Bachelor of Science from University of Wyoming and her Education Specialist Degree in School Psychology from University of Northern Colorado.

We have offered a 2020-2021 certified employee contract to **Tessa Fraass** as NeMTSS (Nebraska Multi-Tiered Support System) Regional Facilitator. Tessa comes from Creek Valley Public Schools with current experience as K-12 principal, and previously, as Associate Superintendent and Curriculum and Assessment Director. Tessa holds a Specialist Degree from the University of Nebraska.

We have offered a 2020-2021 certified employee contract to **Jill Trautman**, Special Education Teacher in our LifeLink program. Jill's experience includes Special Education Teacher at Gering Public Schools. She received her Bachelor of Arts in Education from the University of Nebraska at Kearney. This contract is contingent on Gering Public Schools releasing her contract at their Board meeting on April 20th, 2020.

We have offered a 2020-2021 certified employee contract to **Nikita McConnell** as an Early Childhood Preschool teacher for the Early Head Start Program. Nikita is currently ESU 13's Early Childhood Special Education teacher.

We have offered a 2020-2021 certified employee contract to **Stephanie Reynaga** as an Early Childhood Preschool teacher for the Early Head Start program. She earned her BA in Secondary Education from CSC, she will be pursuing her Masters in Early Childhood, has been in our Head Start program as the enrollment manager since 2017 and was previously a Daycare Supervisor in Lincoln for two years.

Recommendation: Move to approve the certified employee contracts with Jennifer Lopez, Tessa Fraass, Jill Trautman, Nikita McConnell and Stephanie Reynaga.

6. Approval of Minutes (Motion necessary for Approval)

7. Adjournment

Appendix A

April 2020 Administrator Notes

Sidney Office Construction Project Update

Andrew will provide an update on progress of the ESU 13/WNCC – Sidney Office construction project as well as a status update on the contingency account.

Rule 11 Update

On March 18, 2020, Governor Ricketts signed the revisions to 92 NAC 11: Regulations for the Approval of Prekindergarten Programs Established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants. The changes to Rule 11 became effective on Monday, March 23, 2020.

Panhandle Beginnings Day Treatment/School Program Update

Andrew will provide an update on progress toward identifying a location to house the program and staffing.