

**BOARD OF EDUCATIONAL SERVICE UNIT NO. 13**

**Tuesday - March 17, 2020**

**Location - ESU 13 Main Office, 4215 Avenue I, Scottsbluff, NE**

**Video Conference Sites:**

**ESU No. 13 Satellite Office – 1114 Toledo, Sidney, NE**  
**Alliance Public Schools Adm. Bldg. – 1604 Sweetwater, Alliance, NE**  
**Hay Springs High School – 407 N. Baker, Hay Springs, NE**  
**Hemingford High School – 911 Niobrara Avenue, Hemingford, NE**  
**Chadron State College – Miller Hall, 1000 Main Street, Chadron, NE**

**6:30 PM - Dinner**

**7:00 PM - Regular Meeting**

**1. Call to Order**

- Meeting is governed by the Nebraska Open Meetings Act as posted.
- 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 (February 2020)
- Treasurer's Report
- Fund Balance
- Budget Report
- Claims for Disbursement
- Approval of attendance for educational workshops, conferences, training programs, official functions, hearings, or meetings

**Calendar**

- April 10-11, 2020 - ESU Offices are closed for Easter break
- April 21, 2020 - Regular Board Meeting
- April 22, 2020 - ESU Administrative Advisory Council - 10:00 AM Hosted by Gering Public Schools (location: Gering High School)
- April 24, 2020 - Meridian Prom
- April 29, 2020 - NASB Brain Science Workshop - Alliance, NE

**Public Forum:**

- Time limit for each person is three (3) minutes; no response or action taken by the board

### Reports

- Jadie Beam, Director - ESU 13 Professional Learning Department
- Head Start Director's Report and Policy Council Activity Report for February (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 was introduced at the February Board meeting.  
**Recommendation: First reading. No action required.**
- **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 was introduced at the February Board meeting.

### ***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: First reading. No action necessary.**

**5. New Business**

● **Employee Resignation**

Holly Widener, Meridian Program teacher, has submitted her resignation effective May 24, 2020. She states "I have loved every minute with my amazing students and classroom staff. It has been incredibly rewarding to watch the students learn and develop." Holly is wanting to find a position in General Education.

**Recommendation: Move to accept the letter of resignation from Holly Widener effective May 24, 2020.**

● **Employee Resignation**

Ashley Halstead, Speech/Language Pathologist, has submitted her resignation effective at the end of the 2019-2020 school year. Ashley is planning to stay at home with her children. She states "If the opportunity should arise in the future when my children are older, I would love to work for ESU 13 again to provide speech/language therapy to students and families in the panhandle."

**Recommendation: Move to accept the letter of resignation from Ashley Halstead effective at the end of the 2019-2020 school year.**

● **Employee Resignation**

George Toman, NeMTSS Regional Facilitator, has submitted his resignation effective June 30, 2020. In August, George will begin studies as a doctoral student at the University of Nebraska-Lincoln to obtain a

Ph.D. in Special Education with emphasis in Intentional Intervention Design. George states “ESU 13 has been incredibly good to me the last ten months, and though I’m excited to begin a new journey, I will miss serving our unit and member schools.”

**Recommendation: Move to accept the letter of resignation from George Toman effective June 30, 2020.**

- **Teacher Contract to Notice of Appointment**

For the 2019-2020 school year, the Board approved a teacher contract for Diane Reinhardt, Secondary Transition Consultant. Her position does not require a teaching certificate from the Nebraska Department of Education, therefore, we need to move her to the Notice of Appointment instrument.

**Recommendation: Move to change her employment instrument to a Notice of Appointment.**

- **Employee Contract**

We have offered a certified employee contract to **Laura Barrett** as Director of Special Projects. This is a 240 day certified position that will begin on 7/1/2020. This position will serve .6 FTE as NeMTSS State Co-Coordinator. The .4 FTE will be focusing on Strategic Plan goals, supervision of certificated teachers within the Head Start program, and assisting the Head Start Program Coordinator. Laura Barrett previously served as our SPED Director.

**Recommendation: Move to approve the employee contract with Laura Barrett pending the release of her contract with Gering Public Schools at their Board meeting March 16, 2020.**

- **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.

**Recommendation: Introduction only. 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.

**Recommendation: Introduction only. No action necessary.**

- **Amendment to Article I, Section 6 (Unit Organization)**  
Under the Duties and Function of the Administrator, purchases and contracts, the sentence “To approve all purchase orders for items covered by the budget.” (Article I, Section 6,C.5.d.) needs to be removed.  
**Recommendation: Move to approve the removal of 5.d. from Article 1, Section 6, C.**
  
- **Revision and Updated Head Start Policies and Procedures**  
As per the Performance Standards, we need Board approval of revised Policy and Procedures. The revised Fiscal Written Plans have been uploaded to the Board material webpage. Policy Council approved the Fiscal Written Plans at their February 25, 2020 Policy Council meeting.  
**Recommendation: Move to approve the revised Head Start Fiscal Written Plans.**
  
- **Purchase of Access Control at the Sidney Building**  
Following our new Board policy threshold for purchasing, I am recommending that the Board approve the quote from Nebraska Safety and Fire to install access control on six (6) door locations at the new Sidney building. These access controls will be integrated into existing focal point systems. The total cost will be \$15,449.00.  
**Recommendation: Move to approve the proposal from Nebraska Safety and Fire Equipment to install access control on six (6) door locations at the new Sidney building for a total of \$15,449.00**
  
- **Server Upgrade**  
Approximately every five years, ESU 13 upgrades the computer servers. We have obtained two quotes for this upgrade. Both quotes have been uploaded to the Board material webpage. I am recommending that the Board approve the quote from Sterling Computers for \$12,533.27. This new server allows us to put several virtual servers (applications) on one device.  
**Recommendation: Move to approve the purchase of a PowerEdge R740 Server from Sterling Computers for \$12,533.27**
  
- **Discuss, consider and take all necessary action with regard to the emergency circumstances presented by the COVID-19 virus to:**
  - Authorize the Administrator, or designee, to grant a paid leave of absence for duty days that occur during fourteen (14) consecutive calendar days with full current wages and benefits to exempt and nonexempt employees who are experiencing certain conditions in regards to the COVID-19 virus.

**Recommendation:** Motion regarding Paid COVID-19 Leave of Absence

Moved by \_\_\_\_\_ seconded by \_\_\_\_\_ that the Board of Education, should and does hereby, authorize the Administrator, or designee, to grant a paid leave of absence for duty days that occur during fourteen (14) consecutive calendar days with full current wages and benefits to exempt and nonexempt employees who are experiencing the following conditions or circumstances with related to the COVID-19 virus: (1) have traveled from China, South Korea, Japan, Italy, or Iran within the last 14 days, or lives or has close contact with someone who has been in those countries, (2) has been asked to self-quarantine by any health care provider or public health official, (3) has been diagnosed with, or has had contact with, anyone who has been diagnosed with COVID-19 virus; (4) is presently exhibiting the symptoms of an infectious respiratory illness, which include fever, cough, or shortness of breath; and/or (5) has to leave their job duties to take care of a family member who has coronavirus, all subject to any required adjustment thereto required to comply with any state or federal law now existing or subsequently enacted.

- Authorize the Administrator, or designee, to take all necessary action to work with state and local health department officials for advice on functions that may involve large gatherings of people.

**Recommendation:** Motion regarding Large Groups

Moved by \_\_\_\_\_ seconded by \_\_\_\_\_ that the Board of Education should and does hereby, authorize the Administrator, or designee, to take all necessary action to work with state and local health department officials for advice and direction on functions that may involve large gatherings of people.

- Authorize the Administrator, or designee, to take all necessary action to prepare for the Board of Education to declare the COVID-19 virus situation as a “emergency” under the Nebraska Emergency Management Act, Neb. Rev. Stat. §§81-829.36 through 81-829.75.

**Recommendation:** Motion regarding Emergency Management Act.

Moved by \_\_\_\_\_ seconded by \_\_\_\_\_ that the Board of Education, should and does hereby, authorize the Administrator, or designee, to take all necessary action to prepare for the Board of

Education to declare the COVID-19 virus situation as a “emergency” under the Nebraska Emergency Management Act, Neb. Rev. Stat. §§81-829.36 through 81-829.75, including preparation of any required resolution determining that an emergency exists and preparation for filing such resolution with the clerk of local governments and the Nebraska Emergency Management Agency.

- Authorize the Administrator to monitor the COVID-19 virus conditions in the State of Nebraska and the Educational Service Unit No. 13 area, and based upon the directives of the Commissioner of Education, advice from the Panhandle Public Health Department and COVID-19 Unified Command, and present or potential community spread of the disease in Educational Service Unit No. 13 area, to determine and decide all issues related to the close of attendance centers, adjust the school year calendar, take measures to continue educational services, assign certificated and non-certificated staff as needed, and extracurricular activities.

**Recommendation:** Motion regarding closure or alternative delivery of educational services and staff continued employment.

Moved by \_\_\_\_\_ seconded by \_\_\_\_\_ that the Board of Education, should and does hereby, authorize the Administrator to monitor the COVID-19 virus conditions in the State of Nebraska and the Educational Service Unit No. 13 area, and based upon the directives of the Commissioner of Education, advice from the Panhandle public Health Department, and COVID-19 Unified Command, and present or potential community spread of the disease in the Educational Service Unit No. 13 area(1) close the Educational Service Unit No. 13 and suspend delivery of educational services, both regular education and special education while continuing to maintain critical programs that support the health and well-being of certain student populations; (2) close the Educational Service Unit No. 13 buildings to student attendance and continue delivery of educational service, including special education services, and/or the development and planning of alternative educational services for this and ensuing school years and assign administrative, instructional and support staff to carry out such duties in person or remotely; (3) employment and assignment and compensation of Educational Service No. 13 certificated (teachers and administrator) and non-certificated staff (education support staff) as needed and in a manner that provides for such employees continued service to the service unit and



member school districts; and, (4) manage access to building and manage and extracurricular activity programs.

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

**7. Adjournment**

## **Appendix A**

### **Administrator's Notes - March 2020**

#### **Colorado Facility School Visits**

On March 11 and 12, I was joined by Dr. Carrizales, George Schlothuaer, Dr. Pam Brezenski, and leaders from Scottsbluff and Gering Public Schools and visited a number of day treatment programs in Colorado.

#### **Conference Call - Re: Revised Version of Rule 11**

On March 4th, I participated in a conference call with Commission Blomstedt, Melody Hobson, and Senator Stinner. I will provide a more in-depth update during my report. Thank you to Senator Stinner for scheduling the meeting.

#### **Abuse and Neglect Reporting Form**

We have been working on a form to report abuse and neglect to supplement our Board Policy. The form was developed because in the past, Administration was notified through verbal communication or email. We want to ensure we are notified when a staff member files for abuse and neglect. This will be completed only after staff has mandatorily reported and will be used for Director notification purposes. With the help of Dr. Pam Brezenski, Rhoda and Justin Knight of Perry Law Firm, we have uploaded to the Board materials webpage our newly designed Abuse and Neglect Reporting Form. We will reference the form in policy when we update our Services to Schools section.

#### **Main Office Renovation**

We are moving forward with the conversation I had with the Facility Committee in November. This project will provide seven additional office work spaces, an enlarged conference room, an additional conference room, a new HVAC unit (replacing an approximate 20 year old unit), and a more centralized, main, secure entrance to the building. In making this decision, Desira, Jodi, and I have reviewed the last four year's budgets, revenue, and our cash reserves and recommend moving forward with the project this fiscal year, pending the bids are within close approximation of the engineer's estimate of \$185,000. Bids will be received on March 26th and ready for opening at the April Board Meeting. We would like to hold a Special Board Meeting on March 31st.

#### **Title 1C Education Expansion**

Title 1C has acquired a new area. We are now providing service to Keya Paha County and School District, which has expanded the service area by 774 square miles. The total area of service is now 29,052 square miles.

#### **VALTS South - Classroom Addition to Sidney Project**

As the result of the VALTS South expansion, Baker & Associates are working on changing the building plans to add one classroom and a small student niche area to the ESU 13 addition to the WNCC Sidney Campus.

**2020-2021 Calendar Change**

The All Staff Inservice scheduled for March 12, 2021 has been rescheduled for March 19, 2021.

