

Board of Education Regular Meeting

Monday, September 16, 2024 7:00 PM

Blair Central Office
1326 Park Street
Blair, NE 68008

Agenda

1. Call to Order

Information concerning the Open Meeting Law, Chapter 84, Article 14 of Nebraska State Statutes, is posted in the meeting room at a location accessible to members of the public and attached to the online agenda.

Mrs. Kari Loseke, Board President, will call the Board of Education Regular meeting to order.

2. Roll Call

The Board Secretary will conduct roll call attendance.

2.1. Approval of Absent Board Members

3. Pledge of Allegiance

Dr. Gilson will lead the Board in the Pledge of Allegiance.

4. Approval of Emergency Additions to the Agenda

5. Call for Removal of Consent Agenda Items

6. Approval of the Consent Agenda

6.1. Waiver of reading minutes from previous meeting

6.2. Acceptance of minutes of the previous meeting as published

6.3. Receipt of Communications

6.4. Treasurer's Report

- General Fund
- Building Fund and Savings & Depreciation
- 6.5. Audit of Claims
- Activity Fund

- General Fund

7. Business

7.1. Items removed from Consent Agenda

7.2. Recognitions

7.3. Acceptance of Gifts

7.3.1. Pacific Life Foundation

The Otte Blair Middle School was awarded a 2024 Pacific Life Foundation 3T's of Education grant in the amount of \$1,000.

The grant funds will be used to support programs at Otte Blair Middle School in the areas of teacher training, technology, or textbooks.

7.3.2. Blair Dance Team Donation

The Blair Dance Team is receiving a donation in the amount of \$1,000 from Sid Dillon Chevy Sports Sponsorship.

The funds will be used by the Blair Dance team to fund their trip to Florida for the National Dance Team Championship in Orlando, Florida, Friday, January 31, 2025-Sunday, February 2, 2025.

7.3.3. Precision Machine of Omaha Donation

Precision Machine of Omaha would like to donate \$15,000 worth of equipment to the Precision Machine program at Blair High School.

With the approval of the equipment will come costs associated with moving the equipment from Omaha to Blair as well as some electrical work for power. The cost estimate is \$3,560.00.

7.4. Consideration of Communications

7.4.1. FBLA National Fall Leadership Conference

A letter has been received from Mrs. Vicki Schrick, FBLA Advisor, requesting permission for FBLA members to attend the FBLA National Fall Leadership Conference in Columbus, Ohio from Thursday, November 7 through Sunday, November 10, 2024. Mrs. Vicki Schrick and Mrs. Amy Lueders, Assistant FBLA Advisor, will provide guidance and support at this event. The advisor fees will be covered by Blair FBLA and students will cover their own expenses

for the trip.

The administration recommends approving this request.

7.4.2. Blair High Sparx Dance Team

A letter has been received from Cashell Shonka, Blair High Dance Team Head Coach, requesting permission for the Blair High Sparx Dance Team to attend a dance competition on Sunday, November 3rd, 2024. This competition is located at Millard North High School in Omaha, Nebraska. As in previous years, the majority of these contests are on Sundays. This experience will give the dance team the opportunity to compete against high-level teams and receive above-par critiques from judges.

7.5. Comments From The Public

This is the portion of the meeting when members of the public may address the board about matters of public concern.

INSTRUCTIONS FOR MEMBERS OF THE PUBLIC WHO WISH TO SPEAK:

- Getting started: When you have been recognized, please stand and state your name.
- Time Limit: The board has the discretion to limit the amount of time set aside for public participation and unless stated otherwise, will employ a time limit of 5 minutes or less.
- Personnel or Student Topic: If you are planning to speak about a personnel or student matter involving an individual, please understand that our policies require you to follow the district's complaint procedure before addressing the board. Board members will generally not respond to any questions or comments you make about individual staff members or students. Please remember that slanderous comments will not be tolerated.
- General Rules: This is a public meeting for the conduct of business. Comments from within the audience while others are speaking will not be tolerated. Offensive language, personal attacks, and hostile conduct will not be tolerated.
- No action by the Board: The Board will not act on any matter unless it is on the published agenda.

7.6. Committee Reports

7.6.1. Policy/Curriculum Committee

The Policy Committee met on Monday, August 19, 2024. Meeting minutes are attached.

Policies:

103.02-Title IX Policy

103.03-Title IX - Procedure for Complaints of Sexual Harassment

7.6.2. BG&T Committee

The Buildings, Grounds, and Transportation Committee met on Tuesday, August 27, 2024. Meeting minutes are attached.

7.6.3. Finance Committee

The Finance Committee met on Tuesday, September 10, 2024. Meeting minutes are attached.

Policy 612.10-Curriculum Review Cycle

7.7. Surplus Sale

Blair Community Schools conducted a surplus sale to liquidate various old or obsolete items and two buses by sealed bid sale. Items were available for viewing at the Bus Barn between the hours of 8:00am to 12:00pm, Monday, September 9, 2024, Tuesday, September 10, 2024, Wednesday, September 11, 2024, and Thursday, September 12, 2024, or by appointment by calling 402-426-4509.

Bids had to be submitted to the Office of the Superintendent of Schools, 1326 Park Street, Blair NE 68008 on or before Friday, September 13, 2024, at 10:00am. Bids were opened at that time. The Board of Education reserves the right to reject any or all bids. Items will not be available for pickup until the sale is approved by the Board at the Monday, September 16, 2024, Board meeting.

In addition, the administration is requesting permission to seek other options for selling or disposing of the remaining surplus items.

7.8. Approval of the 2024-25 Budget

Approval of the 2024-25 Budget.

7.9. 2024-25 Tax Request Resolution

Approval of the 2024-25 Tax Request Resolution.

7.10. Approval of New Teachers

7.11. Acceptance of Resignations

7.12. Superintendent Report

7.13. Informational Items

Monthly Board Reports

- Student Services
- Blair High School
- Otte Middle School
- Arbor Park Elementary
- Deerfield Elementary

8. Adjournment

THE NEBRASKA OPEN MEETINGS ACT
NEB. REV. STAT. §§ 84-1407 through 84-1414

A. BASIC PROVISION. The basic statement of our state policy on public meetings is found at Neb. Rev. Stat. § 84-1408. That statute provides, “[i]t 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 the State of Nebraska, federal statutes, and the Open Meetings Act.”

1. **History.** Section 84-1408 was passed as a part of LB 325 in 1975. That bill repealed previously existing public meetings provisions and substituted new provisions which were intended to preserve the features of the previous law and strengthen and expand their authority. Government Committee Statement on LB 325, 84th Nebraska Legislature, First Session (1975). LB 325 was passed to ensure that all meetings of public bodies would be open to the public, except when protection of the public interest clearly called for a closed session concerning specific matters. *Id.* 2004 Neb. Laws LB 821, § 34 formally established the name of §§ 84-1407 through 84-1414 as the “Open Meetings Act.”

2. **Purpose.** The Nebraska open meetings laws are a statutory commitment to openness in government. *Wasikowski v. Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002); *Steenblock v. Elkhorn Township Board*, 245 Neb. 722, 515 N.W.2d 128 (1994); *Grein v. Board of Education of the School District of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984). Their purpose is to ensure that public policy is formulated at open meetings of the bodies to which the law is applicable. *Dossett v. First State Bank, Loomis, NE*, 261 Neb. 959, 627 N.W.2d 131 (2001); *Marks v. Judicial Nominating Commission for Judge of the County Court of the 20th Judicial District*, 236 Neb. 429, 461 N.W.2d 551 (1990); *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979). In Nebraska, the formation of public policy is public business, which may not be conducted in secret. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010); *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (Neb. Ct. App. 1993).

3. **Construction.** The open meetings laws should be broadly interpreted and liberally construed to obtain their objective of openness in favor of the public. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010); *State ex rel. Upper Republican Natural Resources District v. District Judges of the District Court for Chase County*, 273 Neb. 148, 728 N.W.2d 275 (2007); *State ex rel. Newman v. Columbus Township Board*, 15 Neb. App. 656, 735 N.W.2d 399 (Neb. Ct. App. 2007); *Alderman v. County of Antelope*, 11 Neb. App. 412, 653 N.W.2d 1 (Neb. Ct. App. 2002); *Rauert v. School District I-R of Hall County*, 251 Neb. 135, 555 N.W.2d 763 (1996); *Grein, supra*. The beneficiaries of the openness sought by the Open Meetings Act include citizens, members of the general public, and reporters or other representatives of the news media. *State ex rel. Newman v. Columbus Township Board*, 15 Neb. App. 656, 735 N.W.2d 399 (Neb. Ct. App. 2007).

4. **Exceptions.** Section 84-1408 requires open meetings except “as otherwise provided by the Constitution of the State of Nebraska, federal statutes, and the Open Meetings Act.” The Attorney General has concluded that the Nebraska Legislature is not covered under the open meetings statutes because the Nebraska Constitution separately provides for public access to that body. Op. Att’y Gen. No. 120 (July 25, 1985).

5. **Subsequent Legislative Limitations.** The Legislature holds the power to decide the scope of citizen access to governmental meetings. As a result, the Legislature has the right to limit access to public meetings and the effect of the Open Meetings Act through later statutory provisions which provide that certain information in the possession of government should remain confidential without exception or limitation. *Wasikowski v. Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002).

B. PUBLIC BODIES COVERED UNDER THE ACT. Under § 84-1409(1), public bodies covered by the Open Meetings Act include: (1) governing bodies of all political subdivisions of the State; (2) governing bodies of all agencies of the executive department of state government created by law; (3) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created pursuant to law; (4) all study or advisory committees of the executive department of the state whether of continuing or limited existence; (5) advisory committees of the governing bodies of political subdivisions, of the governing bodies of agencies of the executive branch of state

government, or of independent boards, commissions, etc.; and (6) “instrumentalities exercising essentially public functions.”

1. **History.** The initial portion of § 84-1409(1) defining public bodies was originally part of LB 325 passed in 1975. It has been amended several times to add additional entities to the list of bodies covered, and the Certificate of Need Review Committee was removed in 1997. See 1997 Neb. Laws LB 798; 1989 Neb. Laws LB 429 and LB 311; 1983 Neb. Laws LB 43. The language concerning “instrumentalities exercising essentially public functions” was added in 1989 to reach entities such as the Nebraska Investment Finance Authority. Floor Debate on LB 311, 91st Nebraska Legislature, First Session, May 9, 1989, at 6039, 6040.

2. **Cases and Opinions.** A number of cases and opinions of the Attorney General deal with various aspects of the definitions of public body found in § 84-1409(1).

a. “Political subdivision” is not defined within the public meetings statutes. However, the Attorney General has indicated that generally the term denotes any subdivision of a state which has as its purpose carrying out functions of the state which are inherent necessities of government and which have always been regarded as such by the public. 1979-80 Rep. Att’y Gen. 140 (Opinion No. 98, dated April 25, 1979). Presumably, this term includes cities, counties, villages, etc., and their governing boards are covered by the open meetings statutes.

b. In *Nixon v. Madison County Agricultural Society*, 217 Neb. 37, 348 N.W.2d 119 (1984), the Court held that a county agricultural society, organized under the Nebraska statutes, was subject to the provisions of the open meetings law. The Court noted that, although the society at issue resembled a private corporation in some respects, the fact that it had the right to receive support from the public revenue gave it a public character. The agricultural society apparently was an “independent board . . . created by constitution, statute, or otherwise pursuant to law.” Based upon the *Nixon* case, the Attorney General concluded that county extension services which have the right to receive support from public revenues are subject to the open meetings law. Op. Att’y Gen. No. 219 (July 24, 1984). Also based upon the *Nixon* case, the Attorney General has indicated that county agricultural societies are subject to the

open meetings statutes. Op. Att’y Gen. No. 91007 (January 28, 1991). In addition, Neb. Rev. Stat. § 2-238 requires that result.

c. In *Marks v. Judicial Nominating Commission for Judge of the County Court of the 20th Judicial District*, 236 Neb. 429, 461 N.W.2d 551 (1990), the Court held that the open meetings statutes do not apply to the activities of a judicial nominating commission which is meeting to select nominees for judicial vacancies. Such a nomination procedure does not involve the formulation of public policy subject to the Act.

d. The Nebraska Court of Appeals, in *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (Neb. Ct. App. 1993), held that the open meetings statutes apply to the governing bodies of all agencies of the executive branch of government, including the Nebraska Environmental Control Council.

e. In *State ex rel. Newman v. Columbus Township Board*, 15 Neb. App. 656, 735 N.W.2d 399 (Neb. Ct. App. 2007), the Nebraska Court of Appeals concluded that the electors of a Nebraska township, when assembled at the township’s annual meeting, constitute a governing body of the township which is subject to the Open Meetings Act and its provisions concerning notice and preparation of an agenda.

f. The Nebraska Court of Appeals indicated in *Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009), that a county board of equalization is a public body as defined in § 84-1409. The court also held in that case that when two boards are made up of the same members, the duties and functions of the two boards, rather than their membership, determine if they are the same or separate and distinct bodies.

g. Committees of faculty, administration and students created by the Board of Regents of the University of Nebraska to advise the Chancellor of the University in his administrative/management function with respect to budget cuts were part of the management structure of the University and not public bodies subject to the open meetings statutes. Op. Att’y Gen. No. 92020 (February 12, 1992).

h. In Op. Att’y Gen. No. 11 (January 20, 1983), the Attorney General indicated that the Environmental Control Council is a public body subject to the open

meetings law. On the other hand, the Department of Environmental Control is not. Section 84-1409 applies to governing bodies of state agencies, not the agencies themselves.

i. An employee grievance appeal hearing conducted by a hearing officer is not a meeting of a public body since the word “body” is commonly understood to refer to a group or number of persons, and thus does not include an individual conducting a hearing. Op. Att’y Gen. No. 210 (May 16, 1984).

j. In 1989, the Attorney General indicated that the Central Low-Level Radioactive Waste Compact Commission was not subject to the Nebraska open meetings law because it was a multi-state body which was not created by constitution or statute and which was not a governing body of a Nebraska state agency. Op. Att’y Gen. No. 89008 (February 14, 1989). However, Neb. Rev. Stat. § 71-3521 (the Waste Compact agreement itself) provided that meetings of the Compact Commission must be open to the public with reasonable advance publicized notice, and that the Compact Commission must adopt by-laws consistent in scope and principle with the open meetings law of the host state. Section 71-3521 was repealed by 1999 Neb. Laws LB 530, § 2, and Nebraska withdrew from the Central Low-Level Radioactive Waste Compact.

k. A county welfare board is subject to the open meetings law as an independent board created by statute. 1979-80 Rep. Att’y Gen. 351 (Opinion No. 244, dated March 4, 1980).

l. In Op. Att’y Gen. No. 95014 (February 22, 1995), the Attorney General indicated that the Mayor’s Citizen Review Board, appointed by the Mayor of Omaha to advise the Mayor with respect to alleged misconduct of police officers, was not subject to the open meetings statutes because it did not fall under the definition found in § 84-1409(1), and because the board was essentially an administrative body which was part of the management structure of the City.

m. In Op. Att’y Gen. No. 93065 (July 27, 1993), the Attorney General concluded that parole reviews under Neb. Rev. Stat. § 83-1,111 may be closed, and are not subject to open meetings requirements.

n. The Excellence in Education Council created to make recommendations to the Governor regarding selection of projects for Education Innovation grants is a public body which is subject to the open meetings statutes, and its decisions concerning specific recommendations must be done in open session. Op. Att’y Gen. No. 94092 (November 22, 1994).

o. The Quality Jobs Board created under the Quality Jobs Act, Neb. Rev. Stat. §§ 77-4901 through 77-4935 is a public body subject to the Open Meetings Act. Op. Att’y Gen. No. 96071 (October 28, 1996).

p. A County Hospital Authority formed under the Hospital Authorities Act, Neb. Rev. Stat. §§ 23-3579 through 23-35,120 is a public body which is subject to the Open Meetings Act. Op. Att’y Gen. No. 97012 (February 14, 1997).

q. The Nebraska State Board of Agriculture (the State Fair Board) is not a public body which is subject to the Open Meetings Act, primarily because it has no statutory right to public revenue and also because of case law which indicates that it is a private corporation. Op. Att’y Gen. No. 01038 (November 27, 2001).

r. A county clerk, county attorney and county treasurer acting as a group under § 32-567(3) to make an appointment to fill a vacancy on a county board constitute a public body which is subject to the Open Meetings Act. Op. Att’y Gen. No. 97050 (September 18, 1997).

s. The Attorney General has indicated informally that the Nebraska Board of Pardons and the Board of Inquiry and Review created under Neb. Rev. Stat. §§ 80-317 through 80-319 to receive and act upon applications submitted for membership in Nebraska Veterans Homes are subject to the state’s open meetings statutes.

t. In Op. Att’y Gen. No. 15016 (October 29, 2015), the Attorney General concluded that the Metropolitan Entertainment & Convention Authority (MECA) constituted a hybrid public/private entity subject to the Open Meetings Act. The Attorney General based his conclusion on the fact that MECA was a creation of city ordinance and was responsible for managing and controlling the City of Omaha’s public events facilities.

3. **Other Statutes.** Neb. Rev. Stat. § 2-238 requires county agricultural societies and county fair boards to comply with the open meetings statutes. Previously, under Neb. Rev. Stat. § 85-1502 all coordination activities conducted by the association of community college area boards were subject to the open meetings statutes. This provision was repealed in 2013 Neb. Laws LB 211, § 3.

4. **Exceptions.** Section § 84-1409(1)(b) exempts two types of entities and the Judicial Resources Commission from the provisions of the Open Meetings Act:

a. **Subcommittees.** Subcommittees of the various bodies described earlier in § 84-1409 are not public bodies under the Open Meetings Act unless a quorum of the public body attends a subcommittee meeting, or unless those subcommittees are holding hearings, making policy or taking formal action on behalf of the parent body. For example, in *Meyer v. Board of Regents of the University of Nebraska*, 1 Neb. App. 893, 510 N.W.2d 450 (Neb. Ct. App. 1993), the court indicated that meetings of an executive subcommittee of the University of Nebraska Board of Regents with the University President to discuss his tenure were not subject to the open meetings laws because of that portion of the statute. Section 84-1409(1) was also amended by 2011 Neb. Laws LB 366 to specifically provide that all meetings of subcommittees of the Nebraska Environmental Trust Board established to rate grant applications under Neb. Rev. Stat. § 81-15,175 are subject to the Open Meetings Act.

- i. In *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 880-881, 725 N.W.2d 792, 805-806 (2007), the court indicated that while “subcommittee” is not defined in the Open Meetings Act, a subcommittee is generally a “group within a committee to which the committee may refer business.” In addition, “making policy,” which subjects a subcommittee to the Open Meetings Act under § 84-1409, apparently includes “receiving background information about a policy issue to be decided.” *Id.* In contrast, “nonquorum gatherings” of members of a public body “intended to obtain information or voice opinions” do not seem to involve violations of the Act. *Id.* See also *Koch v. Lower Loup Natural Resources District*, 27 Neb. App. 301, 931 N.W.2d 160 (Neb. Ct. App. 2019) (Notwithstanding statements from staff and/or committee members that committee meetings were open to the public, the Nebraska Court of Appeals found that the committee was a

subcommittee of the NRD board and, therefore, not subject to the Open Meetings Act.).

ii. The language applying the open meetings statutes to certain subcommittee meetings when there is a quorum of the public body present was added to § 84-1409(1) as a result of LB 1019 passed by the Legislature during the 1992 regular session.

b. **Entities Conducting Judicial Proceedings.** Entities conducting judicial proceedings are not public bodies under the Open Meetings Act unless the court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders. LB 325, the original open meetings statute of 1975, was directed strictly at policy making bodies which were legislative or quasi-legislative. Floor Debate on LB 325, 84th Nebraska Legislature, First Session, May 14, 1975, at 4618.

i. In *McQuinn v. Douglas County School District No. 66*, 259 Neb. 720, 612 N.W.2d 198 (2000), the Nebraska Supreme Court held that a hearing before a school board on the question of the nonrenewal of a probationary certificated teacher's contract where the matters before the board pertained solely to disputed adjudicative facts involved a judicial function, and on that basis, the hearing was not subject to the open meetings statutes. In that context, a school board exercises a judicial function if it decides a dispute of adjudicative fact or if a statute requires it to act in a judicial manner. Adjudicative facts are those ascertained from proof adduced at an evidentiary hearing which relate to a specific party. The *McQuinn* case is discussed further in *Bligh v. Douglas County School District No. 0017*, 2008 WL 2231063, 2008 Neb. App. LEXIS 106 (Neb. Ct. App. 2008) (Not approved for publication).

ii. The Attorney General has determined that hearings before various agencies are judicial and not subject to the open meetings law: 1975-76 Rep. Att'y Gen. 127 (Opinion No. 105, dated July 14, 1975) (hearing before a County Board of Mental Health); Op. Att'y Gen. No. 184 (January 31, 1984) (hearing before the Nebraska Equal Opportunity Commission); Op. Att'y Gen. No. 210 (May 16, 1984) (hearing before a hearing officer appointed by the State Personnel Board); Op. Att'y Gen. No. 02016 (May 21, 2002) (contested case hearing

before the Power Review Board on application of electricity suppliers for construction or acquisition of generation facilities); Op. Att’y Gen. No. 05014 (October 19, 2005) (appeal hearing regarding the Nebraska Veterans’ Aid Fund before the Nebraska Veterans’ Advisory Commission). But, the Attorney General has concluded that a hearing before the Certificate of Need Review Committee is covered by the open meetings statutes. Op. Att’y Gen. No. 87019 (February 13, 1987).

iii. Parole hearings conducted by the Board of Parole are judicial in nature and not subject to the open meetings statutes. However, other statutes specifically pertaining to operation of the Board of Parole require that such parole hearings be conducted with elements of notice and in a manner open to the public. Op. Att’y Gen. No. 93065 (July 27, 1993).

iv. When the State Board of Education holds hearings in contested cases under the state Administrative Procedure Act, such hearings are not subject to the Open Meetings Act. The Board is not required to give notice of such hearings to the public under those statutes, and it may conduct its deliberations and decision-making process for such hearings by a telephone conference call. Op. Att’y Gen. No. 99046 (November 15, 1999).

c. **Judicial Resources Commission**. During the 2022 legislative session, language was added to § 84-1409(1)(b) excluding “the Judicial Resources Commission or subcommittees or subgroups of the commission” from the list of public bodies subject to the Act. See 2022 Neb. Laws LB 922, § 12.

C. MEETING DEFINED. Under § 84-1409(2), meetings, for purposes of the open meetings statutes, are defined as “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.” Section 84-1410(5) also provides that the open meetings statutes shall 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.”

1. The legislative history of LB 325, from 1975, indicates that meetings of a public body do not include social meetings or meetings which were not called

by the body. Government Committee Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at 2-3.

2. However, § 84-1409 was amended by LB 43 in 1983 to include "formal or informal" meetings. The legislative history of that bill indicates that a meeting between a state senator and the members of a local school board to discuss legislation would constitute an "informal called meeting." Government, Military and Veterans' Affairs Committee Hearing on LB 43, 88th Nebraska Legislature, First Session (1983) at 5-8.

3. The provision of § 84-1410(5) pertaining to "chance" meetings, etc., was added by LB 43 in 1983.

4. The legislative history of LB 43 from 1983 indicates that a "meeting" does not occur absent a quorum. Government Military and Veterans' Affairs Committee Hearing on LB 43, 88th Nebraska Legislature, First Session (1983) at 19. In addition, the Attorney General has concluded that the presence of a majority of the members of a public body is necessary for a meeting to occur. 1975-76 Rep. Att'y Gen. 150 (Opinion No. 116, dated August 29, 1975). In *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (Neb. Ct. App. 1993), the Nebraska Court of Appeals indicated that "private quorum conferences" are an evasion of the law. The Nebraska Supreme Court also indicated that subgroups of the Omaha City Council constituting less than a quorum of that body were not public bodies on that ground. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).

5. Even when a quorum of public body is present in one location, there is no meeting under the Open Meetings Act if there is no interaction or discussion among members of the body regarding policymaking for the public body. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010). The secret formation of public policy forbidden by the Open Meetings Act is the formation of public policy as a group. *Id.* As a result, there is no meeting of a public body based upon the unspoken thoughts of its members who happen to be sitting in the same room. *Id.* The Open Meetings Act is not so broad and sweeping as to require public access to any gathering of any sort that is attended by a quorum of a public body. *Id.* See also *Salem Grain Company, Inc. v. City of Falls City*, 362 Neb. 548, 924 N.W.2d 678 (2019), in which the Nebraska Supreme Court found that a dinner attended by members of the Falls City Community Redevelopment Authority and emails exchanged

between authority members did not constitute a “meeting” as defined in § 84-1409(2) of the Act.

6. In *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (Neb. Ct. App. 1993), the Court of Appeals held that informational sessions where the Council heard reports from staff of the Department of Environmental Control were briefings which were subject to the requirements of the open meetings statutes. The Court stated that listening and exposing itself to facts, arguments and statements constitutes a crucial part of a governmental body’s decision making. As a result, receiving information triggers the requirements of the statutes, and the open meetings law applies to meetings at which briefing or the formation of tentative policy takes place, as well as to meetings where action is contemplated or taken.

7. *Rauert v. School District I-R of Hall County*, 251 Neb. 135, 555 N.W.2d 763 (1996), involved allegations by the plaintiff that a quorum of the defendant school board met in the office of the superintendent of schools on a regular basis for “clandestine” meetings before the beginning of most scheduled board meetings where business was discussed and decided and checks were signed to pay claims which had not been approved in public session. The board then allegedly moved and voted on business at its public meeting with little or no discussion in order to deprive the public of the right to be fully informed. The Supreme Court held that the District Court properly failed to find a violation of the Open Meetings Act with respect to those allegations in the absence of any evidence as to the specific dates and details of the alleged “clandestine” meetings.

8. In *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010), the Nebraska Supreme Court considered the propriety of a situation where two separate groups of a city council, neither of which constituted a quorum of that body, toured an ethanol facility for informational purposes. The court ultimately concluded that there was no meeting of the city council as a result of the tours—there was no quorum of the council present, the small groups were merely acquiring information, and there was no evidence that the council was, through the tour, attempting to reach a consensus and form public policy in secret.

9. In *Schauer*, the court also noted that the Open Meetings Act does not require policymakers to remain ignorant of the issues they must decide until

the moment the public is invited to comment on a proposed policy. Moreover, the public would be ill served by restricting policymakers from reflecting on and preparing to consider proposals, or from privately suggesting alternatives. As a result, the court indicated that the Legislature, by excluding nonquorum subgroups from the definition of a public body, balanced the public's need to be heard on matters of public policy with a practical accommodation for a public body's need for information to conduct business. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010) (citing *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007)); *Koch v. Lower Loup Natural Resources District*, 27 Neb. App. 301, 931 N.W.2d 160 (Neb. Ct. App. 2019).

10. The Attorney General has indicated that an "emergency meeting" may be conducted by electronic and telecommunications equipment including radio and telephone conferences. 1975-76 Rep. Att'y Gen. 150 (Opinion No. 116, dated August 29, 1975). On the other hand, the open meetings statutes do not generally authorize the use of telephone conference calls for non-emergency meetings of a public body, and absent members of a public body may not be counted to achieve a quorum through the use of a conference call. Op. Att'y Gen. No. 92019 (February 11, 1992). [Section 84-1411 has been amended a number of times to allow specified public bodies including the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act or the Municipal Cooperative Financing Act, the board of an educational service unit, the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, a community college board of governors, the governing body of public power district, the governing body of a public power and irrigation district, or the Educational Service Unit Coordinating Council to meet by telephone conference call in certain circumstances. See 1999 Neb. Laws LB 461; 2000 Neb. Laws LB 968; 2007 Neb. Laws LB 199; 2009 Neb. Laws LB 36, 2012 Neb. Laws LB 735, 2013 Neb. Laws LB 510 and Section D.2. below.]

11. An "informational and educational" meeting of a public body governing a political subdivision where members generally discuss matters pertaining to their subdivision, hear reports from various department heads of the subdivision as to their duties and learn the workings of the subdivision is a meeting of the public body for "briefing" purposes which is subject to the open meetings statutes. Op. Att'y Gen. No. 92043 (March 17, 1992). In

addition, the Attorney General has also indicated informally that a meeting of a public body “for the purpose of receiving training or doing planning (such as a retreat)” should probably be treated as subject to the Open Meetings Act.

12. In Op. Att’y Gen. No. 94035 (May 11, 1994), the Attorney General indicated that discussions and deliberations by the State Board of Education in connection with the selection of a Commissioner of Education were subject to the requirements of the open meetings statutes. In addition, that opinion indicated that interviews with individual candidates for the Commissioner position were also subject to the requirements of the open meetings statutes, if a quorum of the Board was present for those interviews. However, in the latter interview situation, a brief closed session (as discussed below) might be warranted for a candid discussion by the Board and the candidate which might potentially elicit responses injurious to the reputation of an individual.

13. A workshop held by the Board of Regents of the University of Nebraska with a professional facilitator to discuss communication practices and the roles of the Board and the University President was not subject to the Open Meetings Act on the basis of § 84-1410(5) which exempts chance meetings or attendance at or travel to conventions or workshops. The University also asserted that there would be no briefing, discussion of public business, formation of tentative policy, vote, or taking of other action at the workshop. Op. Att’y Gen. No. 04027 (October 20, 2004).

D. PUBLIC MEETINGS; NOTICE AND AGENDA REQUIRED. Section 84-1411(1)(a) and (2)(a) require that (1) each public body must give **reasonable advance publicized notice** of the time and place of each meeting; (2) the notice must be transmitted to all members of the body and to the public; and (3) the notice must contain an agenda of subjects known at the time of the publicized notice, or a statement that such an agenda, which must be kept continually current, is readily available for inspection at the principal office of the public body during normal business hours.

1. **Notice.** 2024 Neb. Laws LB 287, § 74 amended § 84-1411 to authorize public bodies to publish notice on newspaper websites and “a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers” (i.e., nepublicnotices.com) to satisfy publication requirements in instances when publication in a

newspaper is not feasible. These provisions became operative on April 17, 2024.

a. Until January 1, 2025:

- i. Governing bodies of political subdivisions and their advisory committees must publish notice in a newspaper of general circulation within the public body's jurisdiction and, if available, on the newspaper's website. Neb. Rev. Stat. § 84-1411(1)(b)(i).
- ii. Governing bodies of cities of the second class or villages and their advisory committees or governing bodies of rural or suburban fire protection districts must either publish notice in a newspaper of general circulation within the public body's jurisdiction and, if available, on the newspaper's website, or post written notice in three conspicuous public places in the city, village or district. The posting locations must remain the same for each meeting. Neb. Rev. Stat. § 84-1411(1)(b)(ii)(A)-(B).
- iii. For all other public bodies, notice shall be given by a method designated by the public body. Neb. Rev. Stat. § 84-1411(1)(b)(iii).
- iv. In case of the newspaper's refusal, neglect, or inability to timely publish the notice, the public body shall (1) post the notice on its website, if available, and (2) post the notice in a conspicuous public place within the body's jurisdiction. The public body shall keep a written record of such posting, which shall be evidence that posting occurred and fulfilled the publication requirement. Neb. Rev. Stat. § 84-1411(1)(b)(iv).
- v. Governing bodies of political subdivisions and their advisory committees may also provide notice of their meetings by any other

appropriate method designated by the public body. Section 84-1411(1)(c). Section 84-1411(1)(d) requires each public body to record the method(s) and date(s) of such notice in its minutes.

b. Beginning January 1, 2025:

- i. Governing bodies of political subdivisions and their advisory committees must give notice by (1) publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (2) posting on the newspaper's website, if available, and (3) posting on nepublicnotices.com. The newspaper shall place the notice in the newspaper and on the websites. Neb. Rev. Stat. § 84-1411(2)(b)(i)(A).

OR

Give notice by (1) posting on the newspaper's website, if available, and (2) posting on nepublicnotices.com if no edition of a newspaper will be finalized for printing prior to the time and date of the meeting. The newspaper shall place the notice in the newspaper and on the websites. Neb. Rev. Stat. § 84-1411(2)(b)(i)(B).

- ii. Governing bodies of cities of the second class and villages, and their advisory committees, or governing bodies of rural or suburban fire protection districts must give notice by (1) publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (2) posting on the newspaper's website, if available, and (3) posting on nepublicnotices.com. The newspaper shall place the notice in the newspaper and on the websites. Neb. Rev. Stat. § 84-1411(2)(b)(ii)(A).

OR

Give notice by (1) posting on the newspaper's website, if available, and (2) posting on nepublicnotices.com if no edition of the newspaper will be finalized for printing prior to the time and date of the meeting. The newspaper shall place the notice in the newspaper and on the websites. Neb. Rev. Stat. § 84-1411(2)(b)(ii)(B).

OR

Give notice by posting written notice in three conspicuous places in the city, village or district. Notice must be posted in the same three places for each meeting. Neb. Rev. Stat. § 84-1411(2)(b)(ii)(C).

- iii. For all other public bodies, notice shall be given by a method designated by the public body. Neb. Rev. Stat. § 84-1411(2)(b)(iii).
 - iv. In case of the newspaper's refusal, neglect, or inability to publish the notice, the public body shall (a) post the notice on its website, if available, (2) submit a post on nepublicnotices.com, and (3) post the notice in a conspicuous public place within the public body's jurisdiction. The public body shall keep a written record of such posting, which shall be evidence that posting occurred and fulfilled the publication requirement. Neb. Rev. Stat. § 84-1411(2)(b)(iv).
2. **Agenda.** Under § 84-1411(1)(e), an agenda maintained at the office of a public body for public inspection must be kept continually current and may not be altered later than 24 hours before the scheduled commencement of the public meeting (or 48 hours before commencement of a meeting of a city council or village board if that meeting is noticed outside the corporate limits of the municipality). A public body may modify an agenda to include items of an emergency nature only at such public meeting.

a. New language was added to § 84-1413 in 2021 requiring the governing body of a natural resources district, the city council of a metropolitan class, primary

class, or first class city, the county board of a county with a population greater than twenty-five thousand inhabitants, and school boards to make available on their websites the agenda [and minutes] of any meeting of the governing body. The agenda must be placed on the website at least twenty-four hours before the meeting. The public body shall make the agenda available on the website for at least six months. This requirement became effective July 31, 2022. 2021 Neb. Laws LB 83, § 14.

3. **Specificity of the Agenda.** LB 898 from 2006 added language to § 84-1411(1) which states that agenda items shall be “sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting.” That statutory change arose out of a sense that lack of specificity in meeting agendas was a major issue of concern around the state. Government, Military and Veterans Affairs Committee Hearing on LB 898, 99th Nebraska Legislature, Second Session (2006) at 19. The intent of the change was to require public bodies to include sufficient detail in their agendas regarding issues to be discussed or acted upon so as to provide information and notice to the public. Floor Debate on LB 898, 99th Nebraska Legislature, Second Session, March 28, 2006 at 11701 (Statement of Senator Preister). The change was also intended to require sufficient detail in an agenda so that members of the public are not forced to look at past agendas in order to understand the issue to be discussed and/or the action to be taken. *Id.*
4. **Circumvention of Open Meetings Act.** Under § 84-1411(3), virtual conferencing may not be used to circumvent any of the public government purposes established by the Open Meetings Act. Neither may emails, faxes, or other electronic communication be used for such purposes.
5. **News Media.** Section 84-1411(4) requires that the secretary or other designee of each public body shall maintain a list of news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to that list of media of the time and place of each meeting and the subjects to be discussed at that meeting.

6. **Virtual Appearance.** Under § 84-1411(7), 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. 2021 Neb. Laws LB 83, § 12.

7. **History.**

- a. The provision of § 84-1411 which prohibits altering an agenda within 24 hours of a meeting was added in 1983 to prevent addition of last-minute matters to an agenda which did not really represent emergencies. Floor Debate on LB 43, 88th Nebraska Legislature, First Session, March 22, 1983, at 1896.
- b. In *Rauert v. School District I-R of Hall County*, 251 Neb. 135, 555 N.W.2d 763 (1996), the court stated that the Open Meetings Act requires public bodies to give reasonable advance publicized notice of the time and place of their meetings, in part so that the public may attend and speak at those meetings.
- c. The Legislature has imposed only two conditions on public bodies regarding the method of notification for their meetings: 1. the public body must give reasonable advance publicized notice of the time and place of each meeting, and 2. the method of notification must be recorded in the public body's minutes. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007). There is no minimum time period for public notification of a special meeting, and an agenda for a public meeting can be created (not altered) later than 24 hours before the scheduled meeting. *Id.* In the *City of Elkhorn* case, the court held that notice of a meeting of the Omaha City Council posted and placed on the city's website at 10:15 a.m. for a meeting at 10:00 p.m. the same day was sufficient under the facts of the case where the local newspaper

printed an article about the meeting in its afternoon edition and four television broadcasters were present at the meeting. The court also indicated that any defect in notice intended for the benefit of council members would not invalidate a council meeting when all of the members of the council attended without objection.

- d. The purpose of the agenda requirement is to give some notice of the matters to be considered at the meeting so that persons who are interested will know which matters are under consideration. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010); *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979); *State ex rel. Newman v. Columbus Township Board*, 15 Neb. App. 656, 735 N.W.2d 399 (Neb. Ct. App. 2007). In *Pokorny*, the agenda at issue, considered with all the previous records of the city council involved, was sufficient to satisfy the open meetings statutes. *Pokorny* also indicates that posting notice at 10 p.m. on March 15 before a meeting at 10:30 a.m. on March 16 does not constitute reasonable notice. Posting notice one week ahead does.
- e. In *Hansmeyer v. Nebraska Public Power District*, 6 Neb. App. 889, 578 N.W.2d 476 (1998), *aff'd*, 256 Neb. 1, 588 N.W.2d 589 (1999), the Court of Appeals considered whether an agenda item which simply stated "Work Order Reports" was sufficient to give adequate public notice of a decision to approve a work order which involved expenditure of over \$47 million for the construction of a 96-mile power transmission line across privately held property to connect two power substations. The court held that the agenda item was insufficient under the Open Meetings Act. The court also seemed to suggest, based upon the *Pokorny* case, that the sufficiency of an agenda item might be measured, at least to some degree, in the context of the other meetings of the public body immediately prior to the public meeting in question.
- f. A member of the public should not be required to hunt up and read the documents underlying an agenda of a public body to determine what is actually on that agenda. *Hansmeyer v. Nebraska Public Power District*, 6

Neb. App. 889, 578 N.W.2d 476 (1998), *aff'd*, 256 Neb. 1, 588 N.W.2d 589 (1999).

- g. If a public body uses or publishes its agenda to give the required notice for a particular meeting, then the notice contained in the agenda must comport with the law for giving notice of what is to be considered at the meeting. *Hansmeyer v. Nebraska Public Power District*, 6 Neb. App. 889, 578 N.W.2d 476 (1998), *aff'd*, 256 Neb. 1, 588 N.W.2d 589 (1999).
- h. A notice of a hearing, given by a school board, which stated that a hearing would be held, and that an agenda would be available for inspection, once established, is not proper notice. An agenda must be available. *Allen v. Greeley County School District No 501*, 1994 WL 272223, 1994 Neb. App. LEXIS 186 (Neb. Ct. App. 1994) (Not approved for publication).
- i. When governmental subdivisions which hold annual meetings, such as townships, conduct their annual meetings, electors who participate in the annual meeting must place matters which they wish to discuss on the agenda for the annual meeting. *State ex rel. Newman v. Columbus Township Board*, 15 Neb. App. 656, 735 N.W.2d 399 (Neb. Ct. App. 2007). Electors under those circumstances may not simply appear at the annual meeting and bring up any subject falling within the broad powers of electors if that subject is not on the agenda. *Id.*
- j. Two separate public bodies may publish notice of their meetings on the same sheet of paper and need not use separate sheets when the notices contain only the time and place of their meetings, and when the notices direct interested citizens to the place where agendas for each body may be found. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009). In addition, two separate public bodies may combine their agendas when the combined agendas make it clear which

items are to be addressed by each body. *Id.* The same rule applies to combined minutes. *Id.* The *Wolf* case involved a situation where a county board met both as a county board and as a county board of equalization.

- k. Placing notice of future meetings in minutes of a prior meeting does not give sufficient notice under the Open Meetings Act. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009).
- Notice of recessed or reconvened meetings of a public body must be given in the same fashion as notice of the original meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009).
- m. In *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010), the Nebraska Supreme Court seemed to indicate that the requirement to formally record the method of notice in the meeting minutes may be met by a public body if it is possible, through the minutes of past meetings, to discern a customary and consistent method used by the public body to notify the public of its meetings. It does not appear that the choice of method for giving notice of meetings must be formally set forth in the minutes of the public body as such. *See also Robinson v. Morrill County School District #63*, 299 Neb. 740, 910 N.W.2d 752 (2018) (Failure to record the particular method of notice used by the school board in the meeting minutes does not nullify actual notice properly given. The record showed that Robinson and members of the public received reasonable advanced notice and attended the meeting. The record further showed that the method of notice for the meeting at issue was used by the school board and recorded in its minutes at least 21 times during the preceding two years.).
- The Attorney General has concluded that “advance publicized notice” means a separate, specific advance notice must be given for each

meeting. 1971-72 Rep. Att’y Gen. 314 (Opinion No. 137, dated August 8, 1972).

- The Attorney General has also determined that (1) an agenda may not be used as the minutes of a meeting, (2) reasonable notice under the statute means notice reasonably calculated to give appropriate notice to citizens of the time and place of a meeting and notice which complies with the formal requirements of the statute. 1975-76 Rep. Att’y Gen. 150 (Opinion No. 116, dated August 29, 1975).

- p. In Op. Att’y Gen. No. 96071 (October 28, 1996), the Attorney General indicated that the Quality Jobs Board should give its normal 10-day published notice of meeting rather than an “informal” notice where the Board had recessed a previous meeting on a tax credit application pending a renewed meeting call from the Governor after issuance of an opinion from the Attorney General.

E. PUBLIC MEETINGS BY VIRTUAL CONFERENCING. Section 84-1411(3) allows certain public bodies to meet by virtual conferencing. Virtual conferencing was added to the Open Meetings Act in 2021 with the enactment of LB 83. Virtual conferencing is defined as “conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.” Neb. Rev. Stat. § 84-1409(3), amended 2021 Neb. Laws LB 83, § 11. Provisions relating to videoconferencing and telephone conference calls were struck.

1. **Public Bodies Eligible.** In 1993, § 84-1411 was amended by LB 635 to allow certain public bodies to meet by means of videoconferencing. Under the current version of § 84-1411(2), the public bodies allowed to meet by virtual conferencing include: (1) various bodies of state government including state agencies, boards, commissions, councils and committees, together with their advisory committees; (2) organizations created under the Interlocal Cooperation Act, the Joint Public Agency Act or the Municipal Cooperative Financing Act; (3) the governing body of a public power district with a chartered territory of more than one county in this state; (4) the governing

body of a public power and irrigation district with a chartered territory of more than one county in this state; (5) boards of educational service units; (6) the Educational Service Unit Coordinating Council; (7) an organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act; (8) a community college board of governors; (9) the Nebraska Brand Committee; (10) a local public health department; (11) a metropolitan utilities district; (12) a regional metropolitan transit authority; and (13) a natural resources district.

a. The Judicial Resources Commission was removed from the list by 2022 Neb. Laws LB 922, § 13.

2. **Requirements.** The public bodies listed above may hold meetings by virtual conferencing if the following requirements are met:

a. Reasonable advance publicized notice is given pursuant to § 84-1411(1) and (2). The notice must include a dial-in number or link to the virtual conference.

b. There must be at least one physical site open to the public and identified in the notice.

c. The public body must make reasonable arrangements to accommodate the public's right to attend and participate as provided in § 84-1412, including reasonable seating.

d. The physical site must have at least one member of the public body or designee in attendance.

e. The virtual conference is recorded by audio or visual recording devices.

f. Members of the public are provided a reasonable opportunity to provide input, including public comment or questions, to the same extent if virtual conferencing was not used.

g. The physical site must have at least one copy of all documents being considered at the meeting.

h. The public body must provide links to the agenda, all documents being considered at the meeting, and the current version of the Act.

See Neb. Rev. Stat. § 84-1411(3)(b)(i)-(iii).

3. Limitation on Number of Virtual Meetings. Except as provided in Neb. Rev. Stat. §§ 70-1014(1), 70-1014.02(2) or 79-2204(4), public bodies authorized to conduct virtual conferencing can hold no more than one-half of their meetings by virtual conferencing in a calendar year. The following entities may hold more than one-half of their meetings by virtual conferencing if at least one meeting in a calendar year is not virtual: An organization created under the Interlocal Cooperation Act that sells electricity or natural gas, an organization created under the Municipal Cooperative Financing Act, the governing body of a risk management pool and any advisory committee of the governing body, and any advisory committee of any state entity created in response to the Opioid Prevention and Treatment Act. See § 84-1411(3)(b)(iv). Amended by 2024 Neb. Laws LB 287, § 74 and LB 399, § 4.

4. Neb. Rev. Stat. § 84-1411(9) (enacted 2022 Neb. Laws LB 908) authorizes public bodies not listed in § 84-1411(3)(a) to hold meetings by virtual conferencing if the following requirements are met: (a) the purpose of the virtual meeting is to discuss items that are scheduled to be discussed or acted on at a subsequent in-person 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 § 84-1411(3)(b)(i) and (ii) (see E.2.a.-f. above).

5. Hybrid Meetings Not Allowed. Following the enactment of 2021 Neb. Laws LB 83, the Attorney General considered whether one or more members of a public body could attend and participate virtually at an in-person meeting. The Attorney General informally concluded that § 84-1411 authorizes virtual attendance by members of the public body only at meetings that satisfy the requirements pertaining to virtual conferencing.

6. Neb. Rev. Stat. § 84-1411 does not apply to meetings subject to Neb. Rev. Stat. § 70-1034 conducted by the Nebraska Power Review Board or a public power district, a public power and irrigation district, an electric membership association, an electric cooperative company, a municipality having a generation and distribution system, or a registered group of

municipalities. Neb. Rev. Stat. § 84-1411(10), added as a result of 2024 Neb. Laws LB 1370, § 8.

F. EMERGENCY MEETINGS. Section 84-1411 allows public bodies to hold emergency meetings without reasonable advance public notice under two statutory schemes.

1. **Emergency Meetings Under Neb. Rev. Stat. § 84-1411(6).** In order to hold an emergency meeting under § 84-1411(6), a public body must meet the following requirements: (1) the nature of the emergency shall be stated in the minutes, and any formal action taken shall pertain only to the emergency; (2) the provisions of § 84-1411(5) dealing with notice to the media shall be complied with in connection with an emergency meeting; and (3) complete minutes of the emergency meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public no later than the end of the next regular business day.

a. Emergency meetings may be held by virtual conferencing. 2021 Neb. Laws LB 83, § 12.

b. In *Steenblock v. Elkhorn Township Board*, 245 Neb. 722, 515 N.W.2d 128 (1994), the Court indicated, in a case involving allegations of a violation of the open meetings statutes, that an emergency is defined as “any event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition.” In that case, the Court held that a township board meeting to consider the job status of a township employee, convened as an emergency meeting because of a snowstorm, was not a proper emergency meeting because the employee was given two weeks’ notice of his resultant termination, and because the reasons given for the employee’s termination were based upon his past performance.

c. In *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009), the Court of Appeals considered whether a number of items taken up at meetings of a county board without any listing on the board’s agenda were “emergency” items. In making that determination in each case, the court

focused upon whether there was anything in the record which indicated that a particular item required immediate action or involved pressing necessity.

d. The Attorney General has also stated that an item of an emergency nature is one that requires immediate resolution by the public body, and one which has arisen in circumstances impossible to anticipate at a time sufficient to place on the agenda of a regular, called, or special meeting of the body. 1975-76 Rep. Att'y Gen. 150 (Opinion No. 116, dated August 29, 1975).

e. In Op. Att'y Gen. No. 95063 (August 9, 1995), the Attorney General indicated that action taken during a meeting of the Nebraska Equal Opportunity Commission by a telephone conference call which did not comply with the requirements of the open meetings statutes for emergency meetings was void.

2. **Emergency Meetings Under Neb. Rev. Stat. § 84-1411(8).** Section 84-1411(8) allows any public body in the state to meet by virtual conferencing if an emergency is declared by the Governor under the Emergency Management Act, and the territorial jurisdiction of the public body falls within the declaration. Unlike emergency meetings authorized under § 84-1411(6), public bodies may do any of the things set out in the definition of public meeting in § 84-1409(2): "Briefing, discussion of public business, formation of tentative policy, or the taking of any action" This provision was added to § 84-1411 by 2021 Neb. Laws LB 83, § 12.

- a. **Requirements.** Public bodies must meet several requirements when holding meetings under § 84-1411(8): (i) reasonable advance publicized notice must be provided pursuant to § 84-1411(1) and (2); (ii) the notice must include information regarding meeting access for the public and news media; (iii) access to the meeting must be provided via a dial-in number or link to the virtual conference; (iv) the public body must provide links to the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; (v) reasonable arrangements must be made to accommodate the public's right to hear and speak at the meeting and record the meeting; (vi) notice to the media under § 84-1411(5) must be provided; (vii) the nature of the emergency shall be stated in the minutes; and (viii) complete minutes of the meeting specifying the nature of the

emergency and any formal action taken by the public body shall be made available in accordance with § 84-1413(5).

G. PUBLIC MEETINGS; RIGHTS OF THE PUBLIC ATTENDING. Section 84-1412 establishes the rights of members of the public attending a meeting of a public body.

1. Members of the public have the right to attend and the right to speak at meetings of public bodies, and all or any part of a public meeting except closed sessions under § 84-1410, may be videotaped, recorded, televised, broadcast, photographed, etc. by any person.

2. With the enactment of 2024 Neb. Laws LB 43, § 21, **public bodies must allow members of the public an opportunity to speak at each meeting, except for closed sessions.** This provision became operative on July 19, 2024.

3. Public bodies may make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, or recording their meetings, including meetings held by virtual conferencing.

4. Members of the public cannot be required to identify themselves as a condition for admission to a public meeting. In 2021, § 84-1412(3) was amended to require public bodies to have any member of the public desiring to address the body to identify himself or herself, including providing an address and the name of any organization represented by such person. The public body may waive the address requirement to protect the security of the individual. 2021 Neb. Laws LB 83, § 13.

4. No public body shall, to circumvent the open meetings laws, hold its meeting in a place known to be too small to accommodate the anticipated audience. However, a public body shall not be in violation of this prohibition if it meets in its traditional meeting place in this state.

5. LB 898 from 2006 added language to § 84-1412 which provides that 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 any meeting, the public shall be informed about the location of the posted information. The legislative history of LB 898 indicates that “posting” a copy of the Open Meetings Act means putting it up in some fashion, including attaching it to a bulletin board, hanging it by a chain or fastening it to a wall. Floor Debate on LB 898, 99th Nebraska Legislature, Second Session, March 28, 2006, at 11697 (Statement of Senator Preister). “Posting” does not include placing the Act on a table as a loose document which can be removed and therefore might not be available throughout the meeting. *Id.* If a meeting of a public body is moved to another location to accommodate a larger audience, then the posted copy of the Act should be moved and posted in the new location. *Id.*

6. In 2008, LB 962 amended § 84-1412 to provide that public bodies may not require that “the name of any member of the public be placed on the agenda prior to . . . [a] meeting in order to speak about items on the agenda.” That change was made so that members of the public are not required to place themselves on the agenda of a public body prior to a meeting in order to speak on agenda items during the times at that meeting set aside for public comment. Floor Debate on LB 962, 100th Nebraska Legislature, Second Session, February 28, 2008 at 2 (Statement of Senator Preister). That change in statutory language was not intended to affect the right of a public body to make reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, or recording its meetings. *Id.*

7. A public body may hold a meeting outside the State of Nebraska only if all the following conditions are met: a. a member entity of the public body is located outside of the state and the meeting is in that member’s jurisdiction; b. all out-of-state locations identified in the notice of meeting 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 rights to attend, hear and speak at the meeting, including making virtual conferencing available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance; d. no more than 25% 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 by the Open Meetings Act; and f. the public body publishes notice of the out-of-state meeting at least 21 days before the date of the meeting in a legal newspaper of statewide circulation. These requirements for out-of-state meetings were added to

§ 84-1412 by 2001 Neb. Laws LB 250, § 2, and amended to add meetings by virtual conferencing in 2021. 2021 Neb. Laws LB 83, § 13.

9. A public body shall, upon request, make a reasonable effort to accommodate the public's right to hear discussion and testimony at a public meeting.

10. Public bodies shall make at least one copy of reproducible written material discussed at an open meeting available at the meeting or at the in-state location for virtual conferencing provided in § 84-1412(6)(c) for examination and copying by members of the public. The materials may be provided in paper or electronic form. 2021 Neb. Laws LB 83, § 13.

11. **History.** Many of the initial provisions in § 84-1412 dealing with the rights of the public were added as a result of LB 43 in 1983.

a. The language requiring a reasonable effort to allow all parties to hear a public meeting does not involve an absolute requirement that all persons present shall be able to hear. Floor Debate on LB 43, 88th Nebraska Legislature, First Session, March 21, 1983, at 1794-1795.

H. PUBLIC MEETINGS; MINUTES AND VOTING PROCEDURES. Section 84-1413 contains several provisions regarding the minutes which are to be maintained by public bodies and the voting procedures for public bodies.

1. **Minutes.** Every public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed. The minutes of all meetings and evidence or documentation received or disclosed during open session shall be public records, open to public inspection during normal business hours. Minutes shall be written or kept as an electronic record and available for inspection within 10 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 10 working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

- a. 2015 Neb. Laws LB 365, § 2 amended § 84-1413 to provide that minutes of the meetings of school boards and educational service units may be kept as an electronic record. In 2022, the Legislature extended the ability to keep minutes electronically to all public bodies. 2022 Neb. Laws LB 742, § 2.
- b. As noted in D.2.a. above, beginning July 31, 2022, the governing body of a natural resources district, the city councils of metropolitan class, primary class, and first class cities, the county board of a county with a population greater than twenty-five thousand inhabitants, and school boards shall place their agenda and minutes on their websites. Minutes shall be posted once they are available for inspection as provided in § 84-1413(5). The information shall be available on the website for at least six months. 2021 Neb. Laws LB 83, § 14.

2. **Voting Procedures.** Any action taken on any question or motion duly made 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 vote to elect leadership within a public body may be by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

a. **Electronic Voting Devices.** The roll call or viva voce vote requirements of the Open Meetings Act may be satisfied by a public body which uses an electronic voting device which allows the vote of each member of the governing body to be readily seen. 2016 Neb. Laws LB 876, § 1. Prior to the enactment of LB 876, only certain public bodies, e.g., a municipality, a county, a learning community, a joint entity created pursuant to the Interlocal Cooperation Act, a joint public agency created pursuant to the Joint Public Agency Act or an agency formed under the Municipal Cooperative Financing Act, were authorized to use electronic voting devices under the Act.

3. In *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1984), the Supreme Court held that the requirement of § 84-1413(2) that the record shall state how each member of a body voted could not be satisfied by a nunc pro

tunc amendment to the body's minutes showing that the recording of the vote in the minutes was performed prior to the time the actual recording in the minutes took place. However, when the same case was before the court a second time, the court held that, as a general rule, a public body may, if no intervening rights of a third person have arisen, order the minutes of its own proceedings at a previous meeting to be corrected according to the facts to make them speak the truth. *State ex rel. Schuler v. Dunbar*, 214 Neb. 85, 333 N.W.2d 652 (1983).

4. Section 84-1413 is violated by a failure to make or take a vote in accordance with the statute rather than a failure to record a properly taken vote. *State ex rel. Schuler v. Dunbar* (1983), *supra*.

5. Section 84-1413(2) dealing with roll call votes does not require the record to state that the vote was by roll call but only requires that the record show if and how each member voted. Neither does that statute set a time limit for recording the results of a vote. *State ex rel. Schuler v. Dunbar* (1983), *supra*.

6. The statutory requirements here dealing with voting and minutes are mandatory since the Legislature provided that action taken in violation of this statute is void. *State ex rel. Schuler v. Dunbar* (1981), *supra*.

7. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009) seems to indicate that the Open Meetings Act does not require that minutes of meetings be "published," but only that they be written and available for inspection within 10 working days or prior to the next convened meeting of the public body.

8. The legislative history of the original open meetings statutes, LB 325 from 1975, indicates that the requirement of a roll call vote was directed at votes on questions that would bind the particular public body. Other procedural questions were not covered. Government Committee Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at 10.

9. The Attorney General has stated that nothing in the open meetings statutes requires approval of the minutes of a public body prior to their publication. Op. Att'y Gen. No. 162 (December 28, 1981).

10. In Op. Att’y Gen. No. 98045 (November 4, 1998), the Attorney General indicated that detailed minutes of all matters discussed need not be maintained when a public body is meeting in closed or executive session, so long as the requirements of § 84-1410 pertaining specifically to the minute entries necessary for a closed session are met.

I. CLOSED SESSIONS OF A PUBLIC BODY. Section 84-1410, pertaining to closed sessions of public body, has generated the most controversy of all the portions of the open meetings statutes. Section 84-1410(1) provides that 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 (1) for the protection of the public interest, or (2) for the prevention of needless injury to an individual, if such individual has not requested a public meeting. Closed meetings may not be held for discussion of the appointment or election of a new member to any public body. Nothing in § 84-1410 should be construed to require that any meeting be closed to the public.

1. Under § 84-1410(1), examples of reasons for a closed session include:

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 a Community Trust created under Neb. Rev. Stat. § 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster. [Amended into § 84-1410(1) by 2011 Neb. Laws LB 390.]

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 arm's length. [Amended into § 84-1410(1) by 2012 Neb. Laws LB 995.]

These examples are not exclusive; they are merely examples, and other reasons may exist. Government Committee Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at page 3; 1975-76 Rep. Att'y Gen. 150 (Opinion No. 116, dated August 29, 1975); Op. Att'y Gen. No. 65 (April 17, 1985).

2. LB 898 from 2006 amended some of the provisions of § 84-1410 pertaining to the mechanics of holding a closed session. The subject matter of the closed session and reason necessitating the closed session shall be identified in the motion to hold a closed session. The vote to hold a closed session must be taken in open session, and the entire closed session motion, the vote of each member on the question of holding a closed session, and the time when the closed session commences and ends must be recorded in the minutes. If the motion to close passes, then the presiding officer shall restate on the record immediately prior to the closed session the limitation of the subject matter of the closed session. The public body holding a closed session shall restrict its consideration of matters during the closed session to only those purposes set forth in the motion to close as the reason for the closed session. The meeting must be reconvened in open session before any formal action may be taken, and "formal action" in that context is defined in § 84-1410(2) to 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. Under an amendment to § 84-1410(2) effected by LB 621 in 1994, formal action by the body in that context does **not** include, "negotiating guidance given by members of the public body to legal counsel or other negotiators in a closed [strategy] session authorized [for collective bargaining, real estate purchases, etc.] under subdivision 1(a) of [Section 84-1410]."

3. Any member of the public body can challenge the continuation of a closed session if he or she determines that the session has exceeded the original reason for the closed session, or if he or she contends that the closed session is neither clearly necessary for the protection of the public interest or the prevention of needless injury to the reputation of an individual. Such a challenge can only be overruled by a majority vote of the members of the

public body. The challenge and its disposition shall be recorded in the minutes.

4. **History.** One of the purposes for the initial open meetings statute, LB 325 from 1975, was to tighten restrictions on closed or executive sessions of public bodies. Introducer's Statement of Purpose for LB 325, 84th Nebraska Legislature, First Session (1975). The fourth example of reasons for closed meetings was added by LB 43 in 1983. The provisions dealing with pending or imminent litigation and defining formal action in a closed session were added as a part of LB 1019 in 1992.

5. It is not entirely clear what vote of the public body is necessary to go into closed session. The statute states that "an affirmative vote of a majority of [the body's] voting members" is necessary for a closed session. On its face, the normal meaning of this language would presumably be a majority of those members present and voting. This is particularly true since the later subsection (3) of § 84-1410 requires a "majority vote of the members of the public body" to overrule a challenge to the continuation of the closed session. However, the legislative history of LB 325 makes it quite clear that the legislators intended to make the requirement for a closed session a vote of the majority of the body rather than a vote of the majority of those present and voting. Floor Debate on LB 325, 84th Nebraska Legislature, First Session, May 14 and May 20, 1975, at 4616, 5015. Moreover, there is some indication that "voting" members in § 84-1410(1) refers to particular members of bodies such as the Board of Regents which has both voting and non-voting members. Government Committee Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at 27-28. The safer approach is to authorize a closed session of the public body by a majority vote of the members of the body rather than by a majority vote of just those members present.

6. The landmark case for what is permissible in a closed session is *Grein v. Board of Education of the School District of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984). *Grein* involved a closed session by a school board for discussion of the low bid on a construction project. The Nebraska Supreme Court held that the closed session was improper. That case indicates:

a. Provisions of the statute permitting closed sessions must be narrowly and strictly construed. *See also State ex rel. Upper Republican Natural Resources*

District v. District Judges of the District Court for Chase County, 273 Neb. 148, 728 N.W.2d 275 (2007).

b. The public interest which is protected in § 84-1410(1) is “that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities.” 216 Neb. at 165, 343 N.W.2d at 723. *See also Wasikowski v. Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002).

c. Good faith motivation for a closed session is not a cure for non-compliance with the public meetings laws.

d. The prohibition against decisions or formal actions in a closed session proscribes crystallization of a secret decision and then ceremonial acceptance in open session.

e. There is a guiding principle with respect to closed sessions: “If a public body is uncertain about the type of session to be conducted, open or closed, bear in mind the policy of openness promoted by the Public Meetings Laws and opt for a meeting in the presence of the public.” 216 Neb. at 168, 343 N.W.2d at 724.

7. *Pokorny v. City of Schuyler, supra*, indicates that there is nothing in the open meetings statutes which requires that negotiations for the purchase of land be conducted in open meeting, but deliberations of a public body as to whether an offer to purchase should be made must be done in an open meeting.

8. In a case involving the revocation of a land surveyor’s license, the supreme court held that a closed session was improper since there was no showing of either necessity or of the reasons set out in § 84-1410(1). *Simonds v. Board of Examiners of Land Surveyors*, 213 Neb. 259, 329 N.W.2d 92 (1983).

9. Neb. Rev. Stat. § 79-832 (1996), dealing with hearings involving cancellation, amendment or termination of a teacher’s contract mandates a closed hearing upon an affirmative vote of a majority of the school board’s members present and voting and upon specific request of the certificated employee or the certificated employee’s representative. However, under that section, formal action by the school board requires that the school board reconvene in open

session. *Stephens v. Board of Education of School District No. 5, Pierce County*, 230 Neb. 38, 429 N.W.2d 722 (1988).

10. The provisions of the open meetings statutes dealing with closed sessions, in part, reflect the Legislature's judgment of the appropriate balance between the public's interest in open discussion of governmental issues and the rights of individuals, such as state employees, to have their performance as employees considered in private if they so choose. *Meyer v. Board of Regents of the University of Nebraska*, 1 Neb. App. 893, 510 N.W.2d 450 (Neb. Ct. App. 1993).

11. If the primary purpose for a closed session of a public body is authorized under the open meetings statutes, then any necessary discussion of incidental matters is also authorized. *Meyer v. Board of Regents of the University of Nebraska*, 1 Neb. App. 893, 510 N.W.2d 450 (Neb. Ct. App. 1993). In the *Meyer* case, the Nebraska Court of Appeals indicated that the University Board of Regents could properly discuss the appointment of an interim president for the University during a closed session called to evaluate and consider the employment status of the president.

12. In *Wasikowski v. Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002), the court held that if a person who is present at a meeting of a public body observes an alleged violation of the Open Meetings Act in the form of an improper closed session and fails to object, then that person waives his or her right to object to the closed session at a later date. However, that case appears to be legislatively overruled by LB 898 from 2006 which provides that it shall not be a defense to a citizen lawsuit under § 84-1414(3) that the citizen attended the meeting and failed to object at that time.

13. There is no absolute evidentiary privilege which applies to all communications made during a closed session of a public body, and communications made during such closed sessions are discoverable. *State ex rel. Upper Republican Natural Resources District v. District Judges of the District Court for Chase County*, 273 Neb. 148, 728 N.W.2d 275 (2007). However, to the extent that communications made during a closed session implicate other recognized privileges such as the attorney-client privilege, those communications are protected. *Id.*

14. The statutory provision allowing public bodies to hold closed sessions for strategy sessions regarding litigation or threatened litigation by necessity encompasses discussions and decisions regarding whether to make or reject a settlement offer. Such decisions regarding litigation strategy should not have to be discussed publicly, during an open session, in front of the body's opponent. *Becker v. Allen*, 1996 WL 106217, 1996 Neb. App. LEXIS 73 (Neb. Ct. App. 1996) (Not approved for publication). In addition, the strategic meetings which a public body has with its attorney when threatened with or engaged in litigation, in which the public body may give direction to its attorney, are protected by the attorney-client privilege. *Id.*

15. **Opinions of the Attorney General:**

a. A closed session is not proper simply because matters permitting a closed session might arise. Such a closed session is permitted only when such matters do arise and must be dealt with. Op. Att'y Gen. No. 94035 (May 11, 1994); Op. Att'y Gen. No. 11 (January 20, 1983).

b. Discussions of legal matters between a county board and a county attorney involving pending litigation or legal consequences of specific action are suitable for a closed session. 1975-76 Rep. Att'y Gen. 150 (Opinion No. 116, dated August 29, 1975).

c. A public body can go into a proper closed session for discussion of personnel matters and then reconvene for a public vote with no lengthy explanation of the rationale underlying the decision. Op. Att'y Gen. No. 89063 (October 12, 1989).

d. The closed session exception for prevention of needless injury to reputation is for the protection of individual employees and not for the protection of governmental officers on the public body. *Id.*

e. In Op. Att'y Gen. No. 98045 (November 4, 1998), the Attorney General indicated that detailed minutes of all matters discussed need not be maintained when a public body is meeting in closed or executive session, so long as the requirements of § 84-1410 pertaining specifically to the minute entries necessary for a closed session are met.

f. A county clerk, county attorney and county treasurer acting as a group under § 32-567(3) to make an appointment to fill a vacancy on a county board may not go into closed session for evaluation of the merits of the candidates based upon the express language of § 84-1410(1). Op. Att’y Gen. No. 97050 (September 18, 1997).

g. In Op. Att’y Gen. No. 17-004 (June 5, 2017), the Attorney General indicated that the Public Service Commission may not discuss management and operational issues outside of a duly convened meeting which satisfies all requirements of the Open Meetings Act, except when conducting judicial proceedings. Alternatively, the commission could discuss these issues in closed sessions under limited circumstances or form subcommittees of less than a quorum, which are generally excluded from the act.

h. The Attorney General has indicated informally that developing testimony for an upcoming Legislative hearing is not a proper reason for a state agency to go into closed session. On the other hand, the Attorney General has also indicated informally that discussion of “sensitive medical and financial information” pertaining to specific individuals who applied for admission to a state home could be conducted in a closed session so long as the actual vote on admission was done in an open meeting.

J. CIRCUMVENTION OF THE OPEN MEETINGS ACT. Section 84-1410(4) prohibits a person or a public body from circumventing the purpose of the open meetings statutes by failing to invite a portion of its members to a meeting or by designating itself as a subcommittee of the whole body. That section also prohibits the use of any closed session, informal meeting, chance meeting, social gathering, email, fax or other electronic communication for the purpose of circumventing the requirements of the open meetings statutes.

1. This provision was added to the open meetings statutes by LB 43 in 1983. This section was directed at the intentional circumvention of the open meetings statutes rather than inadvertent acts. Government, Military and Veterans’ Affairs Committee Hearing on LB 43, 88th Nebraska Legislature, First Session (1983) at 5.

2. 2004 Neb. Laws LB 1179 added emails, faxes and other electronic communications to the list of mediums which could not be used to circumvent the requirements of the Open Meetings Act.

3. Similar language prohibiting the use of virtual conferencing, emails, faxes, or other electronic communications to circumvent any of the public government purposes of the Open Meetings Act is contained in § 84-1411(3).

4. The Attorney General has indicated that intent is a necessary element of the conduct prohibited by § 84-1410(4), and that members of a public body can communicate with other members of that body by electronic means, even if that communication is directed to a quorum of the body, so long as there is no course of communication which becomes sufficiently involved so as to evidence an intent or purpose to circumvent the Open Meetings Act. Op. Att'y Gen. No. 04007 (March 8, 2004).

K. ACTIONS FOR ENFORCEMENT. Section 84-1414 sets out various enforcement options available to individuals who believe that the open meetings statutes have been violated.

1. Any motion, resolution, rule, ordinance, or formal action of a public body made or taken in violation of the public meetings statutes shall be declared void by the district court if the suit is commenced within 120 days of the meeting of the public body at which the alleged violation occurred. Any such motion or other action taken in substantial violation of the public meeting statutes shall be voidable by the district court if the suit is commenced after more than 120 days 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. Under § 84-1414(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 statutes, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the open meetings statutes to discussions or decisions of the public body. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007). The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under

§ 84-1414(3). Under LB 898 from 2006, it shall not be a defense to such a suit that the citizen attended the meeting and failed to object to violations at such time.

3. The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the provisions of the open meetings statutes.

4. **History.** The original version of § 84-1414(1), which was a part of LB 325 passed in 1975, simply provided that actions taken in violation of the public meetings statutes should be void. The void/voidable distinction was added by LB 43 in 1983. The apparent intent of that later language was to allow a court to void an action by a public body taken when there was any violation of the open meetings statutes if the action was filed within four months of the meeting in question. After four months, the violation of the open meetings statutes would have to be substantial to allow a court to void the action of the public body. In any event, no action could be brought after one year of the public meeting in question. Floor Debate on LB 43, 88th Nebraska Legislature, First Session, March 22, 1983, at 1892.

5. The legislative history of LB 325 from 1975 indicates that the initial intent of that statute was to have the county attorney responsible for enforcement proceedings involving public bodies at a local level. The Attorney General would be responsible for enforcement against state entities. Floor Debate on LB 325, 84th Nebraska Legislature, First Session, May 14, 1975, at 4620.

6. The Nebraska Supreme Court has indicated that action by a public body which is proper under the open meetings statutes may cure defects in actions previously taken by the same public body. In such an instance, an action by a public body which previously might have been declared void will be declared proper. *Pokorny v. City of Schuyler*, *supra*. On the other hand, under those circumstances, the original improper meeting itself is still void. *Steenblock v. Elkhorn Township Board*, 245 Neb. 722, 515 N.W.2d 128 (1994). *Pokorny* also indicates that the effect of an invalid public meeting under the open meetings laws is the same as if the meeting had never occurred.

7. A county lacks capacity to maintain an action to declare its official conduct void for noncompliance with the open meetings statutes. *County of York v. Johnson*, 230 Neb. 403, 432 N.W.2d 215 (1988).

8. Reading of a city ordinance in accordance with a city charter constitutes "formal action" of a city council which may be voided in a lawsuit under § 84-1414(1). *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
9. A number of Nebraska cases deal with waiver of rights under the Open Meetings Act by a failure to make a timely objection to violations of the Act. *Stoetzel & Sons, Inc. v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003) (if a person who attends a meeting of a public body believes that copies of documents discussed by the body should be made available to the public at the meeting, a timely objection should be made, or that person waives his or her right to object); *Wasikowski v. Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002); *Otey v. State*, 240 Neb. 813, 485 N.W.2d 153 (1992); *Witt v. School District No. 70, Frontier County*, 202 Neb. 63, 273 N.W. 2d 669 (1979) (any person who has notice of a meeting and attends the meeting is required to object specifically to a lack of public notice at the meeting or waive his rights to object on that ground under the open meetings statutes); *Hauser v. Nebraska Police Standards Advisory Council*, 264 Neb. 944, 653 N.W.2d 240 (2002) (if a person present at a meeting observes and fails to object to an alleged open meetings violation in the form of a failure to conduct roll call votes before taking action on questions or motions pending, that person waives his or her right to object at a later date); *Alexander v. School District No. 17 of Thurston County*, 197 Neb. 251, 248 N.W.2d 335 (1976) (where teachers had notice of a termination hearing, appeared, and no objection was made to a failure of the school board to give proper notice under the open meetings statutes, those teachers waived any objection they might have had to violations of the open meetings law). Those cases appear to be legislatively overruled by LB 898 from 2006 which provides that it shall not be a defense to a citizen lawsuit under § 84-1414(3) that the citizen attended the meeting and failed to object at that time.

10. In *Robinson v. Morrill County School District #63*, 299 Neb. 740, 910 N.W.2d 752 (2018), the Nebraska Supreme Court declined to consider the propriety of the school board's closed session to deliberate on the cancellation of Robinson's teaching contract following an evidentiary hearing since Robinson failed to object to the closed session or the process followed by the school board in closing the meeting.

11. Actions for relief under the open meetings statutes are tried as equitable cases, given the fact that the relief sought is in the nature of a declaration that particular action taken in violation of the laws is void or voidable. Such cases are also considered as equitable cases on appeal. *Stoetzel & Sons, Inc. v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003); *Hauser v. Nebraska Police Standards Advisory Council*, 264 Neb. 944, 653 N.W.2d 240 (2002); *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009); *Hansmeyer v. Nebraska Public Power District*, 6 Neb. App. 889, 578 N.W.2d 476 (1998), *aff'd*, 256 Neb. 1, 588 N.W.2d 589 (1999).

12. The *Hansmeyer* case also discusses the distinction between "void" and "voidable" under § 84-1414. "Void" means ineffectual and having no legal force or binding effect, while "voidable" means that which may be avoided or declared void, not absolutely void. In *Hansmeyer*, the court considered factors such as whether any purpose would be served or whether decisions were made in secret without public discussion in determining whether a voidable vote by the Nebraska Public Power District should, in fact, be voided.

13. Once a meeting has been declared void pursuant to the Open Meetings Act, the members of the public body involved are prohibited from considering any information which they obtained at the illegal meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009); *Alderman v. County of Antelope*, 11 Neb. App. 412, 653 N.W.2d 1 (2002).

14. The decision to award attorney's fees to a "successful plaintiff" in an action under § 84-1414 is discretionary with the trial court. *Hansmeyer v. Nebraska Public Power District*, 6 Neb. App. 889, 578 N.W.2d 476 (1998), *aff'd*, 256 Neb. 1, 588 N.W.2d 589 (1999). The court in *Hansmeyer* also held that the plaintiffs in that case were "successful plaintiffs" who could recover attorney's fees under

§ 84-1414 because there was a finding that a substantial violation of the open meetings statutes had occurred, and because the public body involved amended its practices to prepare proper agendas after the plaintiffs filed their action. The court reached that conclusion even though it ultimately determined that the improper action of the public body at issue should not be voided. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009) also contains a discussion regarding the basis for an award of attorney's fees in that case, including the court's analysis of why it reduced a fee award on appeal.

15. Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009). The court in the *Wolf* case also specifically considered whether violations of the Open Meetings Act were "substantial" violations in determining whether it was appropriate to void actions of a county board when the enforcement lawsuit was filed more than 120 days after the meetings in question.

16. In *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (Neb. Ct. App. 2009) there was no evidence in the record which established that a county board had published notice of its meetings anywhere. The Court of Appeals held that in the absence of contrary evidence, it may be presumed that public officers faithfully performed their official duties. *Id.* In addition, absent evidence showing misconduct or disregard for the law, the regularity of official acts is also presumed. *Id.* In *Wolf*, the court also indicated that the plaintiffs had the burden at all times to show that it was more probable that notices of meetings were not posted than probable that they were.

17. The United States District Court for the District of Nebraska has indicated that it has supplemental jurisdiction over claims under § 84-1414 based upon 28 U.S.C. § 1367(a). *Buzek v. Pawnee County Nebraska*, 207 F. Supp. 2d 961 (D. Neb. 2002).

18. "Citizens," as well as members of the general public and reporters or other representatives of the news media, are the intended beneficiaries of the Open Meetings Act, and have standing to bring an action under that Act. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010). This is true even though individual citizens may not be able to allege a particularized injury as a result of action by a public body or the pecuniary interest in the public body's action

which might be necessary for common law standing. *Id.* An action under § 84-1414 is permissible when the ultimate result of the questionable meetings of the public body is annexation. *Id.*

19. The plaintiffs in *Pierce v. Drobny*, 279 Neb. 251, 777 N.W.2d 322 (2010), contended that a local school board held a number of secret meetings without notice or public participation to plan for a special election for the issuance of bonds for a new school. A resolution authorizing the special election was subsequently passed by the board at a public meeting, and at the special election, voters approved the school bond issue. The plaintiffs sought to void the board's resolution for the special election under the Open Meetings Act rather than filing an election contest. The Nebraska Supreme Court held that an election contest was the exclusive remedy under such circumstances, and that a separate challenge under the Open Meetings Act did not exist once the bond issue was voted upon by the public.

L. CRIMINAL SANCTIONS. Section 84-1414(4) provides that any member of a public body who knowingly violates or conspires to violate the Open Meetings Act, or who attends or remains at a meeting knowing that the public body is in violation of any provision of that Act, shall be guilty of a Class IV misdemeanor for a first offense, and a Class III misdemeanor for a second or subsequent offense.

1. The legislative history of LB 325 from 1975 indicates that the criminal sanctions included in this section were originally directed at intentional behavior rather than at inadvertence. Government Committee Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at 16.

2. The criminal sanctions for violation of the open meetings statutes were first increased as a result of LB 1019 passed in 1992. Also, that same bill in 1992 added language which made knowingly remaining at or attending a meeting in violation of the open meetings statutes a crime. The present language which applies criminal sanctions to those members of a public body who remain at a meeting knowing that the public body is in violation of the open meetings statutes was added by LB 621 in 1994.

3. Under Neb. Rev. Stat. § 28-106 (2016), a Class IV misdemeanor is punishable by a fine of \$100 to \$500 and no imprisonment. In addition, a

Class III misdemeanor is punishable by up to 3 months imprisonment or up to a \$500 fine, or both. A Class III misdemeanor has no minimum penalty.

Rev. 7/2024

Blair Community Schools
Financial Report to the Board of Education
Cash-Bank Reconciliation
August 31, 2024

08/01/2024 through 8/31/24

Book Balance

Beginning Balance	\$8,888,401.21
Total Receipts	\$572,009.58
Total Disbursements	<u>-\$2,867,600.06</u>
Reconciled Book Balance-Ending Balance	<u><u>\$6,592,810.73</u></u>

Bank Balance

Beginning Balance		\$546,049.46
Deposits	\$2,653,546.19	
Interest	<u>\$129.79</u>	
Total Receipts		\$2,653,675.98
Total Disbursements		<u>-\$2,823,741.53</u>
Bank Balance Ending Balance		\$375,983.91
Add Deposit in Transit		\$2,016.00
Less Outstanding Checks/Wires		<u>-\$286,636.15</u>
Reconciled Bank Balance-Ending Balance		<u><u>\$91,363.76</u></u>

Reconciled Balance	\$91,363.76
Total Investments	<u>\$6,501,446.97</u>
Total General Fund Balance	<u><u>\$6,592,810.73</u></u>

Leslie Watts

Leslie Watts, Board of Education Treasurer

9/5/04

Date

Blair Community Schools
Financial Report to the Board of Education
Building Fund
August 31, 2024

08/01/2024 through 8/31/24

Beginning Balance	\$2,495,110.87
Total Receipts	\$74,757.35
Total Disbursements	-\$397,142.68
Building Fund Balance	<u>\$2,172,725.54</u>

Bank Balance

Bank Balance Ending Balance	\$528,202.23
Less Outstanding Checks/Wires	-\$172,402.72
Reconciled Bank Balance	\$355,799.51
Total Investments	\$1,816,926.03
Total Building Fund Balance	<u>\$2,172,725.54</u>

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Blair Community Schools
Financial Report to the Board of Education
Savings Depreciation
August 31, 2024

08/01/2024 through 8/31/24

Beginning Balance	\$1,724,187.59
Total Receipts	\$772,983.61
Total Disbursements	-\$57,822.05
Savings Depreciation Fund Balance	<u>\$2,439,349.15</u>

Bank Balance

Bank Balance Ending Balance	\$2,471,063.28
Less Outstanding Checks/Wires	-\$31,714.13
Total Savings Depreciation Fund Balance	<u>\$2,439,349.15</u>

ACTIVITY FUND & STUDENT FEE FUND-CHECKS ISSUED IN AUGUST 2024 TO BE RATIFIED 9/16/2024

VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
JOURNEYED.COM INC.	\$250.00	STAFF COMPUTER LIMITED USE FEES	ADOBE LICENSES
THE SIGN DEPOT	\$721.77	AP ADVISORY COUNCIL	AP SHIRTS
JOURNEYED.COM INC.	\$250.00	STAFF COMPUTER LIMITED USE FEES	ADOBE LICENSES
JOURNEYED.COM INC.	\$250.00	STAFF COMPUTER LIMITED USE FEES	ADOBE LICENSES
JIM BEWLEY	\$130.00	GIRLS SOFTBALL	SOFTBALL ASSIGNOR FEE
HAUFF SPORTS	\$844.32	GIRLS SOFTBALL	SOFTBALL SUPPLIES
ROSS UDEY	\$245.01	BOYS GOLF	STATE GOLF
HOLIDAY INN EXPRESS & SUITES	\$404.90	BOYS GOLF	BOYS GOLF LODGING
HOLIDAY INN EXPRESS & SUITES	\$404.90	BOYS GOLF	BOYS GOLF LODGING
CASH	\$160.00	BOYS GOLF	CASH-STATE BOYS GOLF MEAL
HAUFF SPORTS	\$381.58	VOLLEYBALL	VB UNIFORMS
VISA	\$117.18	BOARD OF ED	WESTFIELD FLORAL
VISA	\$150.00	BOARD OF ED	AMAZON
MADE IT MYSELF SHAVED ICE	\$900.00	CLASS OF 2019	SHAVED ICE
BLAIR ACE HARDWARE	\$318.53	CLASS OF 2020	BHS SUPPLIES
NASSP CONVENTION	\$385.00	NATIONAL HONOR SOCIETY	NHS DUES - A LUEDERS
VISA	\$5.00	F. B. L. A.	FBLA NAT'LS - UBER
VISA	\$9.27	F. B. L. A.	FBLA NAT'LS - UBER
VISA	\$19.07	F. B. L. A.	FBLA NAT'LS - UBER
VISA	\$46.38	F. B. L. A.	FBLA NAT'LS - UBER
VISA	\$149.10	F. B. L. A.	FBLA NAT'LS - WALT DISNEY
VISA	\$166.14	F. B. L. A.	FBLA NAT'LS - WALT DISNEY
VISA	\$370.62	F. B. L. A.	FBLA NAT'LS - WALT DISNEY
VISA	\$7.91	F. B. L. A.	FBLA NAT'LS - SHAKE SHACK
VISA	\$11.98	F. B. L. A.	FBLA NAT'LS - HYATT REG ORLANDO
VISA	\$12.33	F. B. L. A.	FBLA NAT'LS - WALT DISNEY
VISA	\$12.76	F. B. L. A.	FBLA NAT'LS - WALT DISNEY
VISA	\$13.23	F. B. L. A.	FBLA NAT'LS - RIGEL AIRPORT SERVICE
VISA	\$13.84	F. B. L. A.	FBLA NAT'LS - JERSEY MIKE
VISA	\$14.50	F. B. L. A.	FBLA NAT'LS - MDW BREECHERS
VISA	\$17.02	F. B. L. A.	FBLA NAT'LS - WALT DISNEY
VISA	\$19.70	F. B. L. A.	FBLA NAT'LS - HYATT REG ORLANDO
VISA	\$21.30	F. B. L. A.	FBLA NAT'LS - ORANGE COUNTY CC
VISA	\$25.45	F. B. L. A.	FBLA NAT'LS - HYATT REG ORLANDO
VISA	\$25.51	F. B. L. A.	FBLA NAT'LS - HYATT REG ORLANDO
VISA	\$25.67	F. B. L. A.	FBLA NAT'LS - HYATT REG ORLANDO
VISA	\$26.04	F. B. L. A.	FBLA NAT'LS - SEAWORLD FOOD
VISA	\$29.29	F. B. L. A.	FBLA NAT'LS - ORANGE COUNTY CC
VISA	\$30.42	F. B. L. A.	FBLA NAT'LS - WALT DISNEY
VISA	\$33.94	F. B. L. A.	FBLA NAT'LS - THREE BROOM STICKS
VISA	\$45.14	F. B. L. A.	FBLA NAT'LS - HYATT REG ORLANDO
VISA	\$45.21	F. B. L. A.	FBLA NAT'LS - ORANGE COUNTY CC
VISA	\$60.04	F. B. L. A.	FBLA NAT'LS - JOES CRAB SHACK
VISA	\$70.87	F. B. L. A.	FBLA NAT'LS - BAHAMA BREEZE
CISHIRTS	\$81.00	F. B. L. A.	FBLA SUPPLIES
SPARTAN STORES LLC	\$55.94	F. B. L. A.	BHS SUPPLIES
VISA	\$105.57	F. B. L. A.	EL VALLARTA
JOURNEYED.COM INC.	\$250.00	STAFF COMPUTER LIMITED USE FEES	ADOBE LICENSES
AMAZON CAPITAL SERVICES	\$99.95	UNIFIED SPORTS	UNIFIED BOWLING BALL
HUDL	\$10,800.00	ALL SPORTS	SPORTS SOFTWARE
EASTERN MIDLANDS CONFERENCE	\$500.00	ALL SPORTS	2024-25 MEMBERSHIP
BRYAN SOUKUP	\$1,998.84	CAMP-FOOTBALL	FB SUPPLIES
BRYAN SOUKUP	\$2,832.50	CAMP-FOOTBALL	FB SUPPLIES
BRYAN SOUKUP	\$3,858.24	CAMP-FOOTBALL	FB SUPPLIES
THE SIGN DEPOT	\$303.75	CAMP-SOFTBALL	SOFTBALL CAMP SHIRTS
THE SIGN DEPOT	\$845.46	CAMP-SOFTBALL	SOFTBALL CAMP SHIRTS
JESS LANSMAN	\$50.07	CAMP-VOLLEYBALL	CASEYS
JESS LANSMAN	\$54.63	CAMP-VOLLEYBALL	CASEYS
JESS LANSMAN	\$971.20	CAMP-VOLLEYBALL	VB CAMP LODGING
JESS LANSMAN	\$113.83	CAMP-VOLLEYBALL	JIMMY JOHNS
JESS LANSMAN	\$122.98	CAMP-VOLLEYBALL	DOMINOS
JESS LANSMAN	\$132.97	CAMP-VOLLEYBALL	SUBWAY

VENDOR	TOTAL	ORGANIZATION	DESCRIPTION
AMAZON CAPITAL SERVICES	\$95.95	CAMP-VOLLEYBALL	VB SUPPLIES
THE SIGN DEPOT	\$762.42	CAMP-VOLLEYBALL	VB CAMP SHIRTS
JESS LANSMAN	\$182.34	CAMP-VOLLEYBALL	WALMART
PEPSI CO	\$1,811.75	BHS CONCESSIONS	BHS CONCESSIONS
BAND SHOPPE	\$131.90	BAND UNIFORM RENTALS	STYLE PLUS FASHION FEMALE
BAND SHOPPE	\$197.85	BAND UNIFORM RENTALS	STYLE PLUS FASHION FEMALE
BAND SHOPPE	\$65.95	BAND UNIFORM RENTALS	STYLE PLUS FASHION FEMALE
BAND SHOPPE	\$65.95	BAND UNIFORM RENTALS	STYLE PLUS FASHION FEMALE
BAND SHOPPE	\$39.95	BAND UNIFORM RENTALS	ESTIMATED SHIPPING/HANDLI
BAND SHOPPE	\$1,043.35	BAND UNIFORM RENTALS	BAND UNIFORM
ARTF/X SCREENPRINTING & EMBR	\$1,100.00	BAND UNIFORM RENTALS	2024 BAND SHIRTS
BAND SHOPPE	\$79.90	BAND UNIFORM RENTALS	JAZZ LEG PANTS 444090-BLA
BAND SHOPPE	\$353.55	BAND UNIFORM RENTALS	JAZZ LEG PANTS 444090-BLA
MATHESON TRI-GAS INC	\$68.13	VOCATIONAL EDUCATION	WELDING GAS
AARON DUEKER	\$125.00	FOOTBALL	ASSIGNING FEES
HAUFF SPORTS	\$402.39	GIRLS GOLF	GIRLS GOLF SUPPLIES
VARSITY SPIRIT FASHIONS	\$71.45	CHEERLEADERS	CHEER UNIFORMS
VARSITY SPIRIT FASHIONS	\$29,704.31	CHEERLEADERS	CHEER UNIFORMS
THE LINEUP	\$677.60	DANCE TEAM	BASKETBALL JERSEY-MEDIUM
THE LINEUP	\$116.80	DANCE TEAM	BASKETBALL JERSEY-3XL
THE LINEUP	\$96.80	DANCE TEAM	BASKETBALL JERSEY-XL
THE LINEUP	\$96.80	DANCE TEAM	BASKETBALL JERSEY-XXL
VARSITY SPIRIT FASHIONS	\$273.90	DANCE TEAM	DANCE LEOTARD
VARSITY SPIRIT FASHIONS	\$88.00	DANCE TEAM	VSF 3 CLR BLOCK DBL ARCH
VARSITY SPIRIT FASHIONS	\$82.00	DANCE TEAM	LOWER SLEEVES
VARSITY SPIRIT FASHIONS	\$179.90	DANCE TEAM	VSF MOTIONFLEX SKIRT
VARSITY SPIRIT FASHIONS	\$46.00	DANCE TEAM	SKIRT PANELS
VARSITY SPIRIT FASHIONS	\$419.65	DANCE TEAM	MOTION FLEX A-LINE SKIRT
VARSITY SPIRIT FASHIONS	\$86.85	DANCE TEAM	BOW W/STONES
VARSITY SPIRIT FASHIONS	\$111.00	DANCE TEAM	STOCK REVERSIBLE JACKET
VARSITY SPIRIT FASHIONS	\$15.00	DANCE TEAM	HEAT TRANSFER BHS
VARSITY SPIRIT FASHIONS	\$18.00	DANCE TEAM	HEAT TRANSFER NAME
VARSITY SPIRIT FASHIONS	\$802.45	DANCE TEAM	OVERSIZE PULLOVER
VARSITY SPIRIT FASHIONS	\$242.00	DANCE TEAM	OUTWEAR EMBROIDERY
VARSITY SPIRIT FASHIONS	\$123.75	DANCE TEAM	INDIVIDUAL NAME MONOGRAM
VARSITY SPIRIT FASHIONS	\$530.00	DANCE TEAM	STOCKED JACKET
VARSITY SPIRIT FASHIONS	\$190.00	DANCE TEAM	OUTWEAR LETTERING
VARSITY SPIRIT FASHIONS	\$112.50	DANCE TEAM	SERIF BLOCK NAME
VARSITY SPIRIT FASHIONS	\$260.00	DANCE TEAM	VERTICAL SLEEVES
VARSITY SPIRIT FASHIONS	\$260.00	DANCE TEAM	VERTICAL SLEEVES
VARSITY SPIRIT FASHIONS	\$739.50	DANCE TEAM	SUBLIMATED DANCE TOP
VARSITY SPIRIT FASHIONS	\$599.50	DANCE TEAM	SUBLIMATED DANCE TOP
VARSITY SPIRIT FASHIONS	\$360.00	DANCE TEAM	ALL STAR STONES BURST
VARSITY SPIRIT FASHIONS	\$395.00	DANCE TEAM	ESTIMATED SHIPPING/HANDLI

GENERAL FUND CLAIMS - 9/16/2024

VENDOR	AMOUNT	DESCRIPTION
9 SQUARE IN THE AIR LLC	\$2,700.91	PE CLASS SUPPLIES (K-5)
ABE'S TRASH SERVICE INC	\$4,156.17	TRASH SERVICES
ADA BADMINTON & TENNIS CO	\$4,869.00	PE CLASS SUPPLIES (BHS)
AJ'S SERVICE AND REPAIR INC	\$465.14	BUS & FOOD TRUCK REPAIRS
ALBIREO ENERGY	\$720.00	HVAC REPAIRS (OMS)
AMAZON CAPITAL SERVICES	\$76,185.84	SUMMER ORDERS- CLASSROOM SUPPLIES, TECHNOLOGY SUPPLIES, LIBRARY BOOKS & SUPPLIES, CUSTODIAL & SAFETY SUPPLIES, SPED SUPPLIES, OFFICE SUPPLIES, GRANT SUPPLIES
AMERICAN FENCE CO	\$7,774.00	INSURANCE CLAIM- WIND DAMAGE TO FENCING (S,DF,BHS)
AMY LUEDERS	\$14.49	EMPLOYEE REIMBURSEMENT- CLASSROOM SUPPLIES
ARBOR FAMILY COUNSELING	\$6,922.44	COUNSELING SERVICES FOR STUDENTS & STAFF
ARBOR SCIENTIFIC	\$232.04	SCIENCE CLASSROOM SUPPLIES (BHS)
AUL SPECIAL PAY TRUST	\$9,960.00	NEGOTIATED AGREEMENT- ACCUM. SICK LEAVE PAYOUT BENEFIT
BARB VITEK	\$101.44	EMPLOYEE MILEAGE
BIL-DEN GLASS	\$420.00	DOOR REPAIRS (BHS)
BJOREM SPEECH PUBLICATIONS LLC	\$60.00	SPEECH PATH SOUND CUES SUPPLIES
BLAIR ACE HARDWARE	\$494.43	CUSTODIAL, MAINTENANCE, & TRANSPORTATION SUPPLIES
BLICK ART MATERIALS	\$11,261.58	SUMMER ORDER ART CLASSROOM SUPPLIES (BHS, OMS)
BOMGAARS	\$196.19	GROUNDS SUPPLIES
BOYS TOWN	\$17,195.59	GRANT FUNDED- MENTAL HEALTH STAFF TRAINING
BOYS TOWN PRESS	\$641.65	SPED & OFFICE SUPPLIES- SOCIAL SKILLS OF THE WEEK
BREEZIN THRU INC	\$312.50	BAND SOFTWARE (BHS)
CAMELOT TRANSPORTATION INC	\$1,317.50	CONTRACTED STUDENT TRANSPORTATION TO BOYSTOWN
CAPITAL BUSINESS SYSTEMS INC	\$5,119.48	COPIER SERVICES
CAPSTONE	\$1,999.00	LIBRARY SUBSCRIPTIONS (AP)
CAROLINA BIOLOGICAL SUP CO	\$4,689.57	SCIENCE CLASSROOM SUPPLIES (BHS, OMS)
CDW GOVERNMENT INC	\$5,858.26	MALWAREBY SOFTWARE
CENGAGE LEARNING	\$781.00	BUSINESS ED CLASSROOM CURRICULUM (BHS)
CENTERVENTION	\$600.00	SPED-CENTERVENTION WEBSITE LICENSE
CINDY PAGE	\$16.75	EMPLOYEE MILEAGE
CISSY JENNINGS	\$1,080.04	PARENT MILEAGE
CITY OF BLAIR	\$4,502.55	SRO
CITY OF BLAIR	\$4,074.36	UTILITY - WATER/SEWER
COLORWORKS GROUP LLC	\$1,521.00	SIXPENCE-PARENTING CLASS
CONTINENTAL CLAY COMPANY	\$1,515.07	ART CLASSROOM SUPPLIES (OMS)
CONTROL SERVICES INC	\$1,567.90	HVAC REPAIRS (DF, AP)
CORNHUSKER INTERNATIONAL TRUCKS	\$221.72	BUS REPAIRS
CRISIS PREVENTION INSTITUTE	\$200.00	SAFETY TRAINING
DEMCO INC	\$4,138.37	LIBRARY SUPPLIES (ALL SCHOOLS)
DGR PAINTING CONTRACTORS	\$2,875.00	CONTRACTED PAINTING FOR DF LOUNGE & AP OFFICE
DICK'S ELECTRIC	\$3,801.43	ELECTRICAL REPAIRS (DF, AP, BHS)
DIETZE MUSIC HOUSE	\$514.88	BAND SUPPLIES (BHS, OMS)
DUNHAM HARDWOODS	\$3,934.35	SHOP CLASS SUPPLIES
EAKES OFFICE PLUS	\$117.13	FAX SERVICES - AUG24
EBSCO INDUSTRIES INC.	\$357.95	LIBRARY SUBSCRIPTIONS (BHS)
ED MILLS	\$306.00	TUITION ASSISTANCE EMPLOYEE REIMBURSEMENT BENEFIT
EDCLUB INC	\$1,293.00	LIBRARY BOOKS (AP)
EMILY JACKSON	\$142.00	EMPLOYEE REIMB-NAFME MEMBERSHIP
ENTERPRISE PUBLISHING CO INC	\$764.77	LEGAL NOTICES & NEWSPAPER SUBSCRIPTIONS
ESPECIAL NEEDS	\$155.00	B-3 SPEECH PATH-BIGMACK COMMUNICATOR
ESU COORDINATING COUNCIL	\$1,989.00	SWANK MOVIE SITE LICENSING
FAIRWAY OIL CO	\$4,301.09	VEHICLE GAS, DIESEL, & PROPANE
FASTWYRE BROADBAND CABLE	\$2,197.56	TELEPHONE & NETWORK SERVICES
FAT BRAIN TOYS LLC	\$399.00	SPED SUPPLIES (SKILLS ACADEMY)
FIREGUARD LLC	\$1,672.10	FIRE ALARM SERVICES
FIRST WIRELESS INC	\$482.00	PROGRAM WALKIE TALKIES (K-5)
FLINN SCIENTIFIC INC	\$3,215.95	SCIENCE CLASSROOM SUPPLIES (OMS, BHS)
FOLLETT SCHOOL SOLUTIONS LLC	\$6,165.55	LIBRARY BOOKS, TECHNOLOGY, & WEBSITE LICENSING
GOPHER SPORT	\$12,218.93	PE CLASS SUPPLIES (ALL)
GRAINGER	\$638.12	SHOP CLASS SUPPLIES, SAFETY & MAINTENANCE SUPPLIES
GREENHOUSE MEGASTORE	\$1,538.94	AG ED SUPPLIES-GREENHOUSE SUPPLIES
GRUNWALD MECHANICAL	\$2,781.03	GAS LINE REPAIR (S)
HATCH	\$3,097.50	PRESCHOOL WEBSITE LICENSE
HEGGERTY	\$211.68	TITLE READING SUPPLIES (K-5)
HEINEMANN	\$3,968.34	SPED CURRICULUM (DF)
I KNOW IT	\$300.00	ACP SPED SOFTWARE LICENSE
IDEAL PURE WATER	\$334.39	PURIFIED WATER

INTRADATA INC	\$575.00	CLASSROOM SUPPLIES (AP)
INTRADO INTERACTIVE SERVICES CORP	\$531.25	READNQUIZ LICENSE (DF)
J F AHERN CO	\$1,104.00	FIRE SPRINKLER INSPECTIONS
JOHNSON FITNESS AND WELLNESS	\$2,506.77	PE EQUIPMENT REPAIRS (BHS)
KEYMASTERS LOCKSMITH	\$77.43	KEYS
LAKESHORE LEARNING MATERIALS	\$9,982.29	CLASSROOM, SPED, LIBRARY SUPPLIES (PREK, K-5)
LAURA SCHLACHTER	\$49.98	EMPLOYEE MILEAGE
LEARNING A-Z	\$517.00	TITLE READING SOFTWARE (K-5, OMS)
LEARNING WITHOUT TEARS	\$2,121.74	CLASSROOM CURRICULUM (K-5)
LEDGER MANIA	\$445.16	BUSINESS ED CLASSROOM SUPPLIES (BHS)
LESLEY WARD	\$293.32	SIXPENCE EMPLOYEE MILEAGE
LEXIA LEARNING SYSTEMS LLC	\$16,500.00	TITLE I READING SOFTWARE LICENSING
LONG'S OK TIRE	\$25.00	SUBURBAN TIRE REPAIRS
MAC TUPA	\$143.00	GREENHOUSE WORKER
MACGILL & CO	\$2,125.17	NURSE OFFICE SUPPLIES (ALL)
MARCIE REED	\$880.32	PARENT MILEAGE
MATHESON TRI-GAS INC	\$1,302.48	WELDING CLASS GLOVES
MCGRAW-HILL EDUCATION INC.	\$1,062.58	SPED CURRICULUM (AP)
MCKINNIS ROOFING INC	\$1,249.31	AP ROOF REPAIRS
MECHANICAL SYSTEMS INC	\$8,867.99	HVAC REPAIRS (DF, AP, BHS)
MIDWEST TECHNOLOGY PRODUCTS	\$910.71	ROBOTICS CLASS/WOODS CLASS SUPPLIES
MIDWEST WINDOW FILMS LLC	\$5,139.91	SAFETY WINDOW FILM
MONICA MALY	\$194.62	EMPLOYEE REIMB-SPED CLASSROOM SUPPLIES
MONTROSE BIOLOGY LLC	\$174.90	SCIENCE CLASSROOM SUPPLIES (BHS)
MYSTERY SCIENCE	\$2,990.00	WEBSITE SOFTWARE LICENSE (K-5)
N2Y	\$4,294.90	SPED SOFTWARE LICENCE (ALL)
NANNEN PHYSICAL THERAPY	\$20,833.34	PHYSICAL & OCCUPATIONAL THERAPY CONTRACTED SERVICES
NASB	\$534.00	BOARD OF ED MEMBERSHIPS
NASB ALICAP	\$315,793.00	COMMERCIAL & WORKERS' COMPENSATION INSURANCE
NASCO	\$813.60	ART CLASSROOM SUPPLIES (DF)
NEBR LIBRARY ASSN.	\$76.50	LIBRARY BOOKS (AP)
NEBRASKA CENTRAL EQUIPMENT INC	\$218.53	BUS 15 REPAIRS
NEBRASKA SCIENTIFIC	\$723.60	SCIENCE CLASSROOM SUPPLIES (BHS)
NEWSBANK	\$6,048.00	LIBRARY SUBSCRIPTIONS (BHS)
OFFICE DEPOT	\$19,332.78	COPY PAPER, CLASSROOM, SPED, NURSE, OFFICE SUPPLIES
OMAHA PUBLIC POWER DISTRICT	\$30,153.09	UTILITY - ELECTRICITY
ONESOURCE THE BACKGROUND CK CO	\$863.10	BACKGROUND CHECKS
OTUS LLC	\$15,750.00	WEBITE LICENSE SUBSCRIPTION (OMS, BHS)
OVERDRIVE INC	\$1,000.00	LIBRARY EBOOKS (BHS)
PLANK ROAD PUBLISHING INC	\$150.45	VOCAL MUSIC SUBSCRIPTIONS
PRESENT NOT PERFECT	\$140.83	SENSORY KITS (AP)
PROFESSIONAL FORMS INC	\$84.75	BUSINESS CARDS
RALSTON PUBLIC SCHOOLS	\$989.42	SPED-HEARING SERVICES
REALLY GOOD STUFF LLC	\$1,160.61	SPED & CLASSROOM SUPPLIES (DF, AP, SKILLS)
REGAL AWARDS INC	\$38.40	NEW ADMIN NAME PLATES
RIVERSIDE INSIGHTS	\$3,350.00	HAL - COGNITIVE ABILITY DATA PROCESSING
ROCHESTER 100 INC	\$700.50	PRESCHOOL & CLASSROOM SUPPLIES
RYLAN BLATTERT	\$176.00	GREENHOUSE WORKER
S E SMITH & SONS	\$279.82	CUSTODIAL & MAINTENANCE SUPPLIES
SCHMIDT SPEECH LANG PATHOLOGY LLC	\$4,839.60	CONTRACTED SPEECH PATH SERVICES (6-12)
SCHOLASTIC MAGAZINES	\$3,618.50	PRESCHOOL & CLASSROOM SUBSCRIPTIONS
SCHOOL AIDS	\$107.53	CLASSROOM SUPPLIES (DF)
SCHOOL DATEBOOKS INC.	\$4,432.22	STUDENT AGENDAS/DATEBOOKS SUPPLIES (AP, OMS, BHS)
SCHOOL HEALTH CORP	\$40.89	PE CLASSROOM SUPPLIES (DF)
SCHOOL SPECIALTY LLC	\$2,222.13	CLASSROOM SUPPLIES (K-5)
SCHOOLSIN	\$3,271.65	ART CLASSROOM STORAGE CABINET (BHS)
SECURITY EQUIPMENT INC	\$37,497.15	SECURITY SYSTEM & CAMERA SERVICES & REPAIRS (ALL)
SOCIAL THINKING	\$166.87	SPED SUPPLIES & BOOKS (SKILLS, BHS)
SPARTAN STORES LLC	\$410.55	SPED, CLASSROOM SUPPLIES
SPEED STACKS INC	\$215.00	PE CLASSROOM SUPPLIES (DF)
STAPLES BUSINESS ADVANTAGE	\$804.91	DISTRICT COPYING, SPED, CLASSROOM SUPPLIES
STRATUS BUILDING SOLUTIONS	\$20,236.00	CUSTODIAL CONTRACT SERVICES-SEP24 (BHS, AP)
TAB AND SLOT LLC	\$2,356.29	WELDING CLASS EQUIPMENT -CERTIFLAT FABBLOCK
TAMMY HOLCOMB	\$99.16	EMPLOYEE MILEAGE
TEACHING STRATEGIES LLC	\$1,820.00	SIXPENCE-SOFTWARE WEBSITE LICENSE
THE HOME DEPOT PRO	\$6,542.00	CUSTODIAL SUPPLIES
THE MASTER TEACHER INC	\$1,375.00	PARA ONLINE TRAININGS
THE OMNI GROUP	\$12.00	403B FEE- AUG24
THEMES & VARIATIONS	\$400.00	VOCAL MUSIC ED WEBSITE LICENSE (K-5)

TOBII DYNAVOX LLC	\$2,507.40	SPED-BOARDMAKER SOFTWARE RENEWAL (ALL)
TRUCK CENTER COMPANIES	\$3,279.92	BUS REPAIRS
UNIVERSITY OF OREGON	\$400.00	SPED SOFTWARE (SKILLS ACADEMY)
US CELLULAR	\$217.45	STUDENT MIFIS-WIRELESS INTERNET ACCESS
US TICKET INC	\$255.50	ART CLASSROOM SUPPLIES (DF)
USI ED & GOVERNMENT SALES	\$382.87	OFFICE SUPPLIES-LAMINATING FILM (OMS)
VERIZON	\$120.03	MIFIS
VERSARE SOLUTIONS LLC	\$2,115.62	OFFICE SUPPLIES (AP)
VEX ROBOTICS	\$902.89	ROBOTICS CLASS SUPPLIES (OMS)
WARD'S SCIENCE	\$156.34	SCIENCE CLASSROOM SUPPLIES (OMS)
WENGER CORP	\$13,704.07	PARTIAL GRANT-BAND CHAIRS
WEST MUSIC	\$648.07	VOCAL MUSIC - MUSIC & SUPPLIES (K-5)
WOODCRAFT SUPPLY LLC	\$1,350.82	SHOP SUPPLIES (BHS)
Summary	\$843,442.25	

GENERAL FUND-CHECKS ISSUED TO BE RATIFIED 9/16/2024

VENDOR	TOTAL	DESCRIPTION
VISA	\$5,109.84	TRAVEL, DUES, TRAINING & INSERVICE, SUPPLIES, MISC, REPAIRS, MEETINGS, EQUIPMENT, TECHNOLOGY NEEDS, CLASSROOM SUPPLIES & MATERIALS
KANSAS CITY LIFE INSURANCE COMPANY	\$781.08	LIFE INSURANCE BENEFIT BINDER PAYMENT
SCHOOL DISTRICT 145	\$50.00	OMS MARCHING BAND ENTRY FEE
Summary	\$5,940.92	

LUNCH FUND CLAIMS 9/16/2024

VENDOR	TOTAL	DESCRIPTION
TAHER	\$55,329.12	FOOD SERVICE MANAGEMENT - AUG24
HOME TOWN REPAIR SERVICES	\$1,020.00	REMOVAL & INSTALLATION OF NEW KITCHEN OVENS (OMS,AP)
CHERYL PENNER	\$9.45	LUNCH ACCOUNT REFUND
TRIMARK HOCKENBERGS	\$197,743.22	NEW KITCHEN EQUIPMENT (BHS,OMS,AP,DF)
Summary	\$254,101.79	

BUILDING FUND CLAIMS 9/16/2024

VENDOR	TOTAL	DESCRIPTION
HARDWOOD SPECIALISTS & CRAFTSMAN	\$2,150.00	GYM FLOOR REFINISH - VOLLEYBALL LINE CORRECTION
RICHARD VONDRAK	\$1,920.00	GYM FLOOR - VOLLEYBALL LINE INSTALL
MCKINNIS ROOFING	\$16,878.96	BCAT BUILDING ROOFING/SIDING
MECHANICAL SYSTEMS INC	\$22,375.00	DAIKIN HEAT PUMP (OMS,DF)
BART MOORE SUBCONTRACTING	\$37,760.00	CONCRETE WORK ON NEW HOUSE BUILDING SLAB & SIDEWALK AT AP
FLOORS INC	\$169,681.00	REMOVAL & INSTALLATION OF NEW CARPET (BHS,OMS)
Summary	\$250,764.96	

SAVINGS/DEPRECIATION FUND CLAIMS 9/16/2024

VENDOR	TOTAL	DESCRIPTION
THE HOME DEPOT SUPPLY	\$2,691.39	SHOP CLASS TOOL & EQUIPMENT (BHS)
HOUGHTON MIFFLIN CO	\$2,858.13	MATH CURRICULUM TEXTBOOKS (DF)
REALLY GREAT READING	\$6,567.00	READING CURRICULUM TEXTBOOKS (OMS,AP,DF)
CORE KNOWLEDGE	\$1,153.80	CURRICULUM TEXTBOOKS (DF)
Summary	\$13,270.32	

Policy/Curriculum Committee Meeting Minutes

Monday, August 19, 2024

Call to Order at 12:00pm

Central Office

Committee Members Present: Deb Parks (Chair), Denise Cada, and Courtney Tabor

Others Present: Dr. Randall Gilson, Dr. Violet Glasshoff, Brett Schwartz, Steve Callaghan, and Angie Conety

1. Old Business

A. Policy 612.10-Curriculum Review Cycle

Policy 612.10-Curriculum Review Cycle was introduced for a first reading during the August Board meeting. This policy aims to ensure that educational programs remain current and effective by regularly reviewing and updating the curriculum. After discussion, it was decided to recommend a pause before proceeding to the second and final reading of the policy.

2. New Business

B. Title IX

Dr. Gilson is recommending to the Blair Governing Board to reaffirm policy 103.02 Title IX and to amend policy-103.03-Title IX – Procedure for Complaints of Sexual Harassment.

On April 19, 2024, the US Department of Education announced new, proposed changes to the Title IX regulations. In fairness to the Department of Education, many of these new changes would benefit school districts in their investigation and handling of Title IX complaints. However, as with any new regulations, new rules usually mean new requirements. New requirements usually mean changes to policies and handbooks. And under the proposed Title IX regulations, the investigation process would look different (again) and every school staff member would need to be trained.

These new regulations are set to become effective on August 1, 2024. Since the April release, at least four federal courts have entered injunctions to prevent the new regulations from going into effect. The State of Nebraska has filed a similar lawsuit to block the regulations in our state, though the court has not ruled on that request as of the date of this Memorandum. Nonetheless, it seems likely that Nebraska's request will be granted, given the number of other judges who have already heard the same legal arguments and decided to prevent the regulations from moving forward.

Under this approach, the Board continues to have a Title IX Policy, but does not need to regularly update the Title IX formal grievance procedures based upon new administrative guidance or court decisions. Moving forward, the presented Procedures are sample procedures that the Superintendent can implement and follow. In our view, these Procedures comply with Title IX as the statute is drafted, maintain the essential and best elements of both the 2020 and 2024 regulations, and would be defensible in an OCR complaint or lawsuit. Once the Superintendent approves the Procedures, the Procedures should be posted somewhere on the school's website. Any future updates to the Title IX interpretation or guidance could then be addressed via the Superintendent's changes to these procedures.

A motion may be brought at the September 16, 2024 Board of Education meeting **to reaffirm policy 103.02-Title IX and to approve the first reading on revised policy 103.03-Title IX - Procedure for Complaints of Sexual Harassment as presented.**

C. District 2025-26 Calendar

The District Calendar Committee met prior to the Policy/Curriculum Committee meeting to discuss the proposed calendar for the 2025-26 school year. The meeting allowed committee members to review various factors that assists with creating the school calendar, such as holidays, breaks, and professional development days for teachers.

The committee discussed the current 2024-25 calendar and the significant modifications approved to the calendar at the April 15, 2024 Board meeting. One of the most notable modifications was the introduction of two separate start days for students. Pre-Kindergarten through 8th grade students will begin school on one day, while high school students in grades 9-12 will start on a different day. The committee asked the administration to conduct a survey in December among staff members to collect their insights and thoughts about the effectiveness of the new start days.

A draft calendar was completed and is ready to be presented to the Policy Committee for review. The committee will examine the calendar to ensure it meets all Board requirements. Once reviewed, it will be presented to the Board of Education for approval.

The Policy Committee is proposing the adoption of the 2025-26 calendar as presented.

A motion may be brought at the September 16, 2024 Board of Education meeting **to approve the 2025-26 school calendar as presented.**

D. Tuition Assistance Program

Dr. Gilson reviewed the district Tuition Assistance Program. The program will reimburse a certificated employee up to a maximum of \$2,500 per year for continuing education through an accredited program that leads to teaching endorsements, certifications, or supports classroom management and classroom outcomes in the areas targeted by the Board of Education. The targeted areas approved were for: graduate courses supporting student behavior disorders and positive behavior supports, graduate courses supporting an Early Childhood Special Education or K-12 Special Education endorsement, graduate courses supporting a High Ability Learning Endorsement, and graduate courses in a content area that leads to teaching dual credit college classes for Blair Community Schools. At the time this program was approved, the district had a shortage in staff in the Special Education Department and areas related to behavior management.

Staff members needed to obtain pre-approval from the Superintendent prior to class registration to be eligible for tuition assistance. This benefit is only for teachers not already teaching or who have not yet received prior endorsements/certification in those areas. The tuition assistance program will be limited to \$25,000 per year and will be awarded first come first serve. An employee must provide transcripts, certifications, and endorsements to receive any reimbursement. Reimbursed expenses must be validated by receipts and a copy of the final grade or certification received. Any teacher who receives tuition assistance is expected to stay with the district and the endorsed position. Should the teacher leave the district or change positions, the teacher will reimburse the district 100% if leave after one year, 50% if leave after two-years, 50% after three-years. Reimbursements will be a deduction from the teacher's paycheck.

Prior to enrolling in an educational course, the employee must complete a pre-approval form to the office of the superintendent with information about the course for which he or she would like to

receive reimbursement and discuss the needed endorsement of the continuing education. The form is not considered complete until signed and dated by both employee and superintendent. Unfortunately, many employees overlook this critical step, which can lead to misunderstandings and complications when trying to receive reimbursements.

This benefit will expire at the conclusion of the 2025-26 school year. Dr. Gilson would like to review the program to make sure we are targeting additional certification in high-demand areas.

E. Removal of Planters & Addition of Parking at Blair High School

Dr. Gilson informed he will be recommending Board approval, at the Special Board meeting scheduled for Monday, August 26th, for a bid from Bart Moore Subcontracting, Inc., in the amount of \$16,700 for concrete work to the bus loop area of the high school staff parking lot. The project aims to enhance this space by removing existing trees and dirt from a landscaping island that has made maintenance difficult due to limited manpower. By tearing out the old curbs and replacing them with new concrete, the school hopes to create additional handicap accessible parking and a more manageable and aesthetically pleasing environment.

F. Next Scheduled Policy/Curriculum Committee Meeting

Monday, September 16, 2024 at 12:00pm.

3. Adjournment

G. Adjournment:

The committee adjourned at 1:21pm.

Buildings, Grounds, and Transportation Committee Meeting Minutes

Tuesday, August 27, 2024

Call to Order at 4:00pm

Central Office

Committee Members Present: Steve Callaghan (Chair) and Tim Welch

Absent Committee Member: Ginger Fredericksen

Present: Dr. Randall Gilson, Jeffrey Steinbeck, Tyler Siecke, and Angie Conety

1. Old Business

A. Blair High School Gym Skylights

Coach Jess Lansman, the Girls Head Volleyball coach, spoke with Mr. Steinbeck regarding a concern with the skylights in the main gym. Mrs. Lansman expressed her concerns about how the bright sunlight streaming through the skylights affects her volleyball practices, particularly on Saturdays when the sun is at its peak. Mrs. Lansman explained that the excessive light creates visibility challenges for her players, especially for setters who need to look up to accurately set the ball. This concern hinders their performance but also raises safety concerns, as it can be difficult for hitters to track the ball.

This request was first presented in March 2024 to the committee. At that time, Mr. Steinbeck received a bid from McKinnis Roofing in the amount of \$12,559.39 to have them install dark rubberized covering designed to withstand extreme temperatures. However, the Board ultimately decided not to approve this proposal, believing it was more of a want than a necessity, especially since the skylights have been there for years. The committee discussed to explore more affordable alternatives, suggesting that Mr. Steinbeck contact McKinnis Roofing to inquire whether painting the existing skylights might be a viable solution.

B. Blair High School Track Resurfacing

The high school track resurfacing is set to start on August 31st, which will take about nine days to complete. This timeline is convenient as we have a home game on August 30th and an away game September 6th. With this schedule, we anticipate that the track will be ready in time for the next home game on September 13th. During the resurfacing process, the field turf will be completely covered with plastic to protect it while the new surface is sprayed. Mr. Siecke worked with Mr. Soukup and Mrs. Field to establish an alternative site for students to practices and hold games. The plan is to use Dana College's football field for three upcoming games, including one junior varsity game and two middle school games. The field is in good shape, making it suitable for play. To prepare for the games, our grounds crew will line the field so it is game ready. Additionally, we will bring in porta johns for restroom access and our grounds crew will manage the trash cleanup.

C. Camera System Updates

We have completed the camera system upgrades at Deerfield Elementary and Arbor Park Elementary, enhancing safety and security. These upgrades included installation of interior cameras and playground cameras at each building. The principals of each school were pleased with these improvements.

D. Kitchen Equipment

The new kitchen equipment at Arbor Park Elementary and Otte Middle School has been delivered and installed. Everything is working well and the ladies are appreciative of the new ovens and steamers.

2. New Business

E. Director of Operations Monthly Report – August 2024

Mr. Steinbeck shared a Director of Operations report. The report is attached to the agenda for viewing.

F. SEI – Door Fobs

Mr. Steinbeck received an estimate from SEI for installing door fob readers at the BCAT Building (Blair Center for Automotive Technology). This project would involve the installation of door fobs on three entrances for access to the building. For security, there will be two interior cameras placed in the shop areas to monitor activity and two additional cameras will be installed outside for external surveillance. The total cost for this project is \$17,578.

A motion may be brought at the September 16, 2024 Board of Education meeting **to approve the bid from SEI in the amount of \$17,578 for the installation of cameras and door fobs at the BCAT Building.**

G. Keymasters – Omaha NE

Mr. Steinbeck met with Keymasters, a locksmith service from Omaha, to go through Otte Middle School, Arbor Park Elementary, Deerfield Elementary, and Blair High School. The goal would be to create a unified locking system where all doors in each building would operate with a single key. The plan would include installing classroom door handles that stay locked from the inside and can only be keyed open from the outside. You can use the handle to exit the room and the lock will stay locked, still allowing students and teachers to exit freely. The high school went to this two years ago and all building principals would like to implement similar systems. Mr. Steinbeck met with each principal and the locksmith to go over a building map and took the locksmith to each door to look at what it will take to do this. Keymasters will soon provide an estimate for the required changes in each building.

H. Fleet Inventory

Mr. Siecke shared an update regarding the district's current transportation fleet and needs. The board approved the following purchases in 2024:

- February 12, 2024 approved the purchase of two Transit Vans from Woodhouse Ford, which are currently being built and are expected to arrive this fall.
- April 8, 2024 approved the purchase of two new 71-passenger buses with air conditioning from Nebraska/Central Equipment, Inc. These buses are scheduled to be delivered in late October.

The district is looking to establish a routine plan for the annual purchase of new buses. This plan is intended to keep the bus fleet updated and efficient through regular rotation. Mr. Siecke, the transportation director, is preparing to release a Request for Proposal (RFP) to acquire one new 71-passenger bus, which will come equipped with air conditioning and the purchase of one new 26-passenger Special Education (SPED) bus, also featuring air conditioning.

I. Window Shades

Mr. Steinbeck received a bid from Craftsman Window Coverings, Inc. for new shades to be installed at Blair High School (BHS), Otte Middle School (OMS), Arbor Park Elementary (AP), and Deerfield Elementary (DF). This recommendation stemmed from discussions held at school safety meetings led by Mr. Gutschow, aimed at improving security in classrooms. The shades would provide an area in the classroom to hide in the event of a lockdown and can be closed to limit visibility into the classroom. Last year, we installed quite a few and as school principals and the safety team conduct regular walk-throughs, the need for additional shades has become apparent. The bids for the additional shades are as follows: OMS-\$1,014, BHS-\$880, AP-\$3,536, and DF-\$5,975. DF has the highest quote, requiring Board approve, as none of their interior classroom entrances currently have shades, allowing you to look directly into the classroom from the hallway.

A motion may be brought at the September 16, 2024 Board of Education meeting **to approve the bid from Craftsman Window Coverings, Inc. in the amount of \$5,975.00 for the purchase and installation of shades at Deerfield Elementary.**

J. Next Scheduled BG&T Committee Meeting

Tuesday, September 24, 2024 at 4:00pm.

3. Adjournment

K. The meeting adjourned at 5:09pm.

Finance Committee Meeting Minutes

Tuesday, September 10, 2024

Call to Order at 12:00pm

Central Office

Committee Members Present: Brandi Petersen (Chair), Kari Loseke, and Courtney Tabor

Also Present: Dr. Randy Gilson, Tom Shearer, Dr. Violet Glasshoff, Brett Schwartz, Scott Macholan, and Angie Conety

1. Old Business

A. Capital Forecast

1. Electronic Sound, Inc. – Page System

Mr. Macholan, the Director of Technology, shared a quote from Electronic Sound, Inc. regarding an upgrade to the existing bells and intercom systems at Deerfield Elementary (DF), Arbor Park Elementary (AP), Otte Middle School (OMS), and Blair High School (BHS). The Telecenter U All Page System upgrade would improve safety and ensure the best possible communication for our students. BHS and DF have significant challenges since their bell schedules can only be updated with a device connected directly to the server or through an hourly charge from Electronic Sound. Each school's system is set up and managed differently, which complicates the process. By upgrading these systems, it would create a more reliable and uniform communication that enhances safety and ensures efficient communication for all students and staff.

In addition, the recommendation would include the enrollment of a Cloud service. With the Cloud service, schools can easily change the bell schedule from any device with minimal on-site maintenance. Also, the software will automatically update to the latest version which is for administrators to access the intercom remotely to communicate with staff and can prerecord messages. However, there is an annual charge for the Cloud service of \$8,250.00.

Charges per building are as follows:

Deerfield Elementary	\$21,000
Arbor Park Elementary	\$3,460
Otte Middle School	\$3,460
Blair High School	\$28,400
Total	\$56,320

A motion may be brought at the September 16, 2024 Board of Education meeting to approve the purchase from Electronic Sound, Inc., in the amount of \$56,320 for the installation of Telecenter U All Page System at Deerfield Elementary, Arbor Park Elementary, Otte Middle School, and Blair High School using funds from the Savings Depreciation Fund.

2. Change Order Request – Wall Paneling (McKinnis Roofing)

In May 2024, the Board approved McKinnis Roofing to install new wall paneling inside the BCAT Building (Blair Center for Automotive Technology). However, during installation process they noticed some rotting and decay with the windows, an issue we were previously aware of. To address this, McKinnis installed sheet metal over windows on the inside covering the windows and are now proposing to add sheet metal to the outside. This would prevent leaves and other debris from getting inside the window well.

The committee would like to obtain a quote to resheet the entire exterior of the building, rather than just the windows. They would like the information to be presented to the BG&T Committee for further discussion and recommendation.

B. 2024-25 Budget Update

Mr. Shearer informed the 2024-25 Budget Notices for A Public Hearing were published in the Washington County Enterprise today, Tuesday, September 10, 2024. The Public Hearings are scheduled for September 16th at 7:00pm, just ahead of the Regular Board meeting. Mr. Shearer shared his Public Budget presentation for committee feedback.

C. Scoreboard Advertiser Sponsor Update

Mr. Shearer and Dr. Gilson provided an update regarding the current scoreboard sponsors and potential new sponsors with the committee.

2. New Business

D. Review of Policy 612.10-Curriculum Review Cycle

The committee discussed and reviewed Policy 612.10-Curriculum Review Cycle, which outlines the Curriculum Review Cycle for the district. After consideration, a decision was made to rearrange the order in which subjects are reviewed. English Language Arts (ELA) will be moved up in the rotation for curriculum evaluation and adoption.

The policy was approved on a first reading at the August Board meeting and will be presented for a second and final reading at the September Board meeting.

A motion may be brought at the September 16, 2024 Board of Education meeting to approve second and final reading on revisions to Policy 612.10-Curriculum Review Cycle.

E. Monthly Financials – August 2024

Mr. Shearer provided the financial recap of the monthly financials to the committee.

F. Interlocal Agreements 2024-25

1. Contracting with other districts for Blair's SPED Services/Skills Academy.
This will be presented to the committee next month.

2. ESU#3 sharing of Blair's contracted physical therapist for their Brook Valley Program.

The district will be partnering with Educational Service Unit #3 (ESU#3) through an Interlocal Agreement to provide Physical Therapy services for their Brook Valley Program. The agreement allows our district's Physical Therapist to work with students in the program a total of up to 23 days at \$600 per day.

A motion may be brought at the September 16, 2024 Board of Education meeting to enter into an Interlocal Agreement with ESU#3 to provide Physical Therapy services to ESU#3's Brook Valley Program for the 2024-25 school year.

G. Precision Machine of Omaha Donation

Mr. Shearer informed that Precision Machine in Omaha would like to donate \$15,000 worth of equipment to the Precision Machine program at Blair High School. An approval of the donated equipment will have costs associated for the moving the equipment from Omaha to Blair and electrical work for power. The committee was in support of the donation.

H. Surplus Sale

The district is currently conducting a surplus sale from Monday, September 9-13, 2024. A recommendation to approve the sales will be presented at Monday night's Board meeting

I. Next Scheduled Finance Committee Meeting

Tuesday, October 8, 2024 at 12:00pm.

3. Adjournment

The meeting was adjourned at 1:50pm.

		2023-2024				2022-2023			
	Program Name	Month Exp	YTD Exp	Budget	%	Month Exp	YTD Exp	Budget	%
201100	Regular Instruction	\$1,387,025	\$12,739,608	\$12,952,745	98.4%	\$1,377,655	\$12,446,969	\$12,521,159	99.4%
201125	Regular Instruction - FLEX	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
201150	Instruction - Limited English Programs	\$4,205	\$55,457	\$69,556	79.7%	\$5,133	\$104,538	\$109,213	95.7%
201160	Instruction - Poverty Programs	\$68,188	\$681,428	\$541,833	125.8%	\$54,318	\$575,781	\$530,225	108.6%
	Subtotal REGULAR INSTRUCTION	\$1,459,417	\$13,476,492	\$13,564,135	99.4%	\$1,437,106	\$13,127,288	\$13,160,597	99.7%
201200	Special Education	\$190,862	\$2,875,484	\$2,808,063	102.4%	\$174,836	\$2,698,626	\$2,875,420	93.9%
202141	Special Education (Psychology)	\$14,737	\$198,533	\$413,219	48.0%	\$35,387	\$386,234	\$418,318	92.3%
202151	Special Education (Speech Path)	\$21,577	\$245,899	\$217,909	112.8%	\$19,039	\$239,469	\$195,922	122.2%
202161	Special Education (Occup Therapy)	\$5,208	\$72,088	\$158,389	45.5%	\$14,229	\$122,690	\$128,082	95.8%
202171	Special Education (Physical Therapy)	\$1,908	\$60,174	\$1,183	5084.4%	\$5,208	\$5,373	\$569	944.4%
202181	Special Education (Vision Services)	\$0	\$108,587	\$85,000	127.7%	\$0	\$77,224	\$85,000	90.9%
	Subtotal SPED - SCHOOL AGE	\$234,292	\$3,560,766	\$3,683,763	96.7%	\$248,699	\$3,529,616	\$3,703,311	95.3%
201190	Early Childhood Education	\$925	\$34,613	\$27,086	127.8%	\$430	\$32,266	\$1,200	2688.8%
201291	Preschool - SPED - Ages 3-5	\$1,434	\$78,259	\$98,887	79.1%	\$4,542	\$171,133	\$344,508	49.7%
201292	Preschool - SPED - Ages 0-2	\$0	\$43	\$1,078	4.0%	\$0	\$0	\$200	0.0%
202142	Preschool - Psych - Ages 3-5	\$3,869	\$36,483	\$0	100.0%	-\$60	\$263	\$0	100.0%
202143	Preschool - Psych - Ages 0-2	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
202152	Preschool - Speech Path - Ages 3-5	\$75	\$1,768	\$3,983	44.4%	-\$105	\$8,097	\$2,242	361.2%
202153	Preschool - Speech Path - Ages 0-2	\$1,634	\$58,640	\$39,470	148.6%	-\$60	\$32,671	\$40,420	80.8%
202162	Preschool - Occup Therapy - Ages 3-5	\$2,604	\$32,481	\$20	162403.1%	\$4,618	\$25,980	\$24,200	107.4%
202163	Preschool - Occup Therapy - Ages 0-2	\$2,604	\$31,358	\$299	10489.3%	\$5,244	\$27,369	\$24,380	112.3%
202172	Preschool - Physical Therapy - Ages 3-5	\$818	\$32,120	\$60,075	53.5%	\$5,979	\$36,571	\$40,576	90.1%
202173	Preschool - Physical Therapy - Ages 0-2	\$1,090	\$27,289	\$35,200	77.5%	\$7,395	\$38,242	\$40,701	94.0%
202182	Preschool - Vision Services - Ages 3-5	\$0	\$13,729	\$20,000	68.6%	\$0	\$16,579	\$20,000	82.9%
202183	Preschool - Vision Services - Ages 0-2	\$0	\$13,729	\$14,000	98.1%	\$0	\$8,290	\$14,000	59.2%
	Subtotal PRESCHOOL (non-reimbursed)	\$15,054	\$360,511	\$300,098	120.1%	\$27,984	\$397,461	\$552,426	71.9%
202610	Operation of Plant	\$111,373	\$1,537,190	\$1,486,522	103.4%	\$120,497	\$1,491,625	\$1,392,281	107.1%
202620	Maintenance of Plant	\$97,343	\$653,241	\$410,956	159.0%	\$50,879	\$391,860	\$280,425	139.7%
202630	Grounds Maintenance	\$31,674	\$181,398	\$176,787	102.6%	\$20,881	\$166,482	\$142,931	116.5%
202640	Equipment Maintenance	\$41,363	\$76,467	\$19,400	394.2%	\$8,583	\$29,452	\$11,200	263.0%
202650	Non-Student Vehicle Maint & Purch	\$50,853	\$60,923	\$68,696	88.7%	\$50,097	\$65,334	\$68,869	94.9%
202660	Security	\$388	\$81,935	\$89,200	91.9%	\$140	\$90,293	\$84,200	107.2%
202670	Safety	\$40,696	\$106,109	\$57,893	183.3%	\$12,807	\$66,378	\$52,484	126.5%
202680	Operation/Maintenance of Plant-Other	\$4,270	\$4,270	\$4,000	106.8%	\$0	\$3,900	\$3,000	130.0%
	Subtotal MAINTENANCE COSTS	\$377,961	\$2,701,532	\$2,313,454	116.8%	\$263,885	\$2,305,324	\$2,035,389	113.3%
202710	Reg Pupil Transportation-Operating	\$193,411	\$571,702	\$676,862	84.5%	\$303,287	\$629,929	\$342,126	184.1%
202712	SPED Transportation-Operating	\$254	\$70,281	\$64,376	109.2%	\$80	\$55,925	\$151,221	37.0%
202713	SPED Transport-Preschool-Operating	\$0	\$2,133	\$0	100.0%	\$0	\$472	\$0	100.0%
202720	Reg Pupil Transportation-Monitoring	\$5,386	\$66,242	\$65,256	101.5%	\$5,202	\$110,810	\$2,095	5289.3%
202722	SPED Transportation-Monitoring	\$1,855	\$54,905	\$72,976	75.2%	\$1,867	\$78,231	\$47,227	165.6%
202730	Reg Pupil Transportation-Maintenance	\$10,526	\$99,796	\$84,473	118.1%	\$4,911	\$92,564	\$379,914	24.4%
202732	SPED Transportation-Maintenance	\$585	\$19,941	\$31,390	63.5%	\$1,200	\$16,143	\$30,893	52.3%
202790	Reg Pupil Transportation-Other	\$32	\$401	\$1,168	34.4%	\$33	\$754	\$120,159	0.6%
202792	SPED Transportation-Other	\$0	\$0	\$3,435	0.0%	\$0	\$4,872	\$47,290	10.3%

		2023-2024				2022-2023			
	Program Name	Month Exp	YTD Exp	Budget	%	Month Exp	YTD Exp	Budget	%
202793	SPED Transportation-Other Preschool	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
	Subtotal STUDENT TRANSPORTATION	\$212,050	\$885,401	\$999,937	88.5%	\$316,580	\$989,699	\$1,120,925	88.3%
202110	Attendance & Social Work Services	\$3,815	\$45,777	\$0	100.0%	\$3,676	\$33,447	\$0	100.0%
202120	Guidance Services	\$42,474	\$482,629	\$371,762	129.8%	\$37,609	\$467,663	\$489,740	95.5%
202130	Health Services	\$13,101	\$243,597	\$238,902	102.0%	\$14,561	\$235,599	\$241,264	97.7%
202140	Psych Services	\$0	\$20,263	\$32,850	61.7%	\$0	\$4,736	\$25,000	18.9%
202190	Other Pupil Supp Services	\$7,020	\$107,733	\$136,244	79.1%	\$15,234	\$130,647	\$133,080	98.2%
202210	Improvement of Instruction	\$18,026	\$117,747	\$46,172	255.0%	\$9,556	\$72,098	\$132,911	54.2%
202212	Curriculum & Assessment	\$3,460	\$6,825	\$15,073	45.3%	\$9,354	\$13,489	\$46,838	28.8%
202213	Instructional Staff Training/Development	\$4,141	\$29,063	\$61,698	47.1%	\$1,955	\$41,687	\$64,901	64.2%
202211	School Improvement	\$755	\$755	\$0	100.0%	\$0	\$0	\$1,410	0.0%
202214	Implementation of Standards	\$728	\$2,234	\$276	809.0%	\$0	\$2,781	\$0	100.0%
202220	Library Services	\$40,144	\$517,465	\$603,596	85.7%	\$42,036	\$555,389	\$597,778	92.9%
202230	Instruction-Related Technology	\$44,964	\$344,721	\$199,054	173.2%	\$38,164	\$236,933	\$325,131	72.9%
202223	Audio-Visual Services	\$2,672	\$10,667	\$7,300	146.1%	\$2,859	\$10,750	\$7,300	147.3%
202240	Academic Student Assessment	\$8,040	\$35,540	\$35,125	101.2%	\$0	\$32,653	\$45,121	72.4%
202310	Board of Education	\$357	\$40,504	\$41,649	97.3%	\$3,718	\$36,532	\$40,799	89.5%
202320	Executive Admin Services	\$60,715	\$656,508	\$698,977	93.9%	\$56,975	\$376,127	\$365,379	102.9%
202330	Legal Services	\$0	\$15,552	\$14,850	104.7%	\$490	\$12,591	\$17,500	71.9%
202410	Office of Principal	\$105,169	\$1,397,467	\$1,351,186	103.4%	\$97,780	\$1,339,315	\$1,355,457	98.8%
202490	School Administration - Other	\$1,035	\$12,118	\$9,200	131.7%	\$0	\$10,001	\$10,700	93.5%
202510	Gen Business Support	\$33,088	\$434,769	\$426,437	102.0%	\$29,695	\$393,534	\$384,872	102.3%
202520	Warehousing & Distribution	\$0	\$297	\$301	98.8%	\$0	\$554	\$1	55418.0%
202530	Printing, Publishing, Duplicating Services	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
202540	Planning, R&D, & Evaluation Services	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
202560	Public Information Services	\$4,996	\$14,585	\$0	100.0%	\$0	\$0	\$0	100.0%
202570	Personnel Services	\$0	\$27,993	\$2,500	1119.7%	\$0	\$2,478	\$3,000	82.6%
202580	Technology-Administration Services	\$0	\$3,953	\$7,300	54.1%	\$0	\$9,635	\$3,750	256.9%
202900	Other Support Services	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
203300	Community Services	\$411	\$909	\$1,542	58.9%	\$496	\$946	\$2,015	47.0%
203400	Corporate/Private Interest Grants	\$0	\$48,141	\$0	100.0%	\$0	\$7,742	\$0	100.0%
203535	High Ability Learners Grant	\$0	\$11,734	\$11,410	102.8%	\$0	\$10,436	\$10,130	103.0%
203540	State Early Childhood Grant	\$8,027	\$72,881	\$72,405	100.7%	\$7,889	\$64,012	\$63,560	100.7%
203541	Sixpence Early Childhood Grant	\$11,688	\$92,892	\$85,000	109.3%	\$5,400	\$68,256	\$105,558	64.7%
203551	Extended Learning Opportunity Grant	\$0	\$3,778	\$0	100.0%	\$0	\$0	\$0	100.0%
203590	Career Education Grant	\$0	\$1,088	\$0	100.0%	\$0	\$0	\$0	100.0%
203599	State Categorical Grants-NDEQ Grant	\$0	\$2,160	\$0	100.0%	\$0	\$0	\$0	100.0%
201300	Summer School	\$0	\$4,158	\$0	100.0%	\$0	\$0	\$0	100.0%
208000	Activity Fund Transfers	\$118,000	\$118,000	\$60,000	196.7%	\$25,000	\$55,000	\$30,000	183.3%
209000	NON-PROGRAM EXPEND	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
	FEDERAL PROGRAMS			\$0					
206200	Title I	\$0	\$200,887	\$245,033	82.0%	\$8,406	\$208,246	\$255,491	81.5%
206210	Title I Accountability	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206310	Title IIA	\$0	\$44,263	\$0	100.0%	\$0	\$49,709	\$0	100.0%
206404	IDEA 611 BIRTH TO	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206406	IDEA 619 AGES 3-4	\$0	\$12,503	\$12,503	100.0%	\$0	\$12,290	\$12,290	100.0%

August-24

Blair Community Schools Budget Comparison Expenditures

		2023-2024				2022-2023			
	Program Name	Month Exp	YTD Exp	Budget	%	Month Exp	YTD Exp	Budget	%
206408	IDEA - SPED BASE-EP	\$35,101	\$470,581	\$470,581	100.0%	\$36,565	\$453,299	\$450,230	100.7%
206410	IDEA - SPED Preschool	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206412	IDEA - Part B Proportionate Share	\$0	\$8,160	\$8,160	100.0%	\$0	\$4,350	\$4,350	100.0%
206415	IDEA SPECIAL PROJECTS	\$0	\$35,000	\$0	100.0%	\$0	\$320	\$0	100.0%
206418	IDEA PART B PEAK PROJECTS	\$0	\$985	\$0	100.0%	\$900	\$4,309	\$0	100.0%
206421	IDEA PART-B (611) ARP BASE & ENROLL	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206422	IDEA PRESCHOOL (619) ARP	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206700	PERKINS GRANT	\$0	\$18,451	\$18,961	97.3%	\$510	\$20,726	\$20,216	102.5%
206925	Title III	\$900	\$2,016	\$3,000	67.2%	\$0	\$2,590	\$3,108	83.3%
206940	HEAD START	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
206990	FEDERAL CATEGORICAL GRANTS	\$0	\$9,530	\$0	100.0%	\$0	\$77,900	\$0	100.0%
206998	ARP - ESSER III GRANT	\$0	\$13,157	\$215,669	6.1%	\$16,346	\$369,757	\$551,685	67.0%
TOTAL		\$2,867,600	\$26,724,738	\$26,366,105	101.4%	\$2,759,426	\$25,777,915	\$26,373,212	97.7%

Period: 12 (AUGUST)

Year: 2023-2024

Total Budget of Disbursements

\$26,366,105

\$26,373,212

Debt Service (Spending Authority Adjustment)

\$10,316,750

\$9,709,723

Necessary Cash Reserve

\$1,596,686

\$1,521,108

Total Requirements

\$38,279,541

\$37,604,043

August-24

Blair Community Schools Budget Comparison Receipts

		2023-2024				2022-2023			
Description	Code	Mon Rec	YTD Rec	Budget	%	Mon Rec	YTD Rec	Budget	%
Local Receipts									
Local Property Taxes	11100	\$234,819	\$15,699,442	\$16,450,818	95.4%	\$1,451,929	\$18,798,768	\$17,470,198	107.6%
Property Tax Interest & Penalties	11140	\$1,160	\$34,760	\$38,000	91.5%	\$416	\$38,972	\$37,000	105.3%
Carline Tax	11115	\$0	\$5,649	\$1,200	470.7%	\$5,129	\$6,282	\$8,500	73.9%
OPPD In Lieu	11120	\$516	\$221,932	\$232,000	95.7%	\$516	\$245,406	\$220,000	111.5%
Motor Vehicle Tax	11125	\$183,230	\$1,830,422	\$1,750,000	104.6%	\$143,277	\$1,762,303	\$1,700,000	103.7%
Tuition ESU#3 (PT Contract)	11315	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Tuition Other Districts (SPED)	11323	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Tuition for Summer School	11312	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Tuition for Preschool	11370	\$0	\$50,925	\$45,000	113.2%	\$0	\$50,953	\$40,000	127.4%
Transportation School Districts	11423	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Transportation Private Sources	11440	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Interest	11510	\$23,047	\$132,705	\$26,000	510.4%	\$5,327	\$46,790	\$14,000	334.2%
Local License Fee	11911	\$0	\$6,365	\$6,500	97.9%	\$0	\$6,340	\$7,000	90.6%
Police Court Fines	11921	\$150	\$1,175	\$900	130.6%	\$0	\$968	\$600	161.3%
Community Service Fees	11800	\$0	\$2,052	\$2,000	102.6%	\$0	\$0	\$1,800	0.0%
Rentals - Facilities and Equip	11910	\$0	\$8,700	\$5,000	174.0%	\$1,800	\$8,740	\$4,000	218.5%
Contributions/Donations	11920	\$75	\$2,741	\$4,000	68.5%	\$887	\$7,599	\$4,000	190.0%
Grant - Corporate/Private Interest	11925	\$200	\$27,717	\$0	100.0%	\$0	\$17,164	\$0	100.0%
Misc Revenue-Other School Districts	11951	\$0	\$400	\$0	100.0%	\$0	\$0	\$0	100.0%
Misc Revenue-Local Government	11960	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Other Local Receipts	11990	\$0	\$0	\$0	100.0%	\$0	\$385	\$0	100.0%
Total		\$443,198	\$18,024,984	\$18,561,418	97.1%	\$1,609,282	\$20,990,671	\$19,507,098	107.6%
Intermediate Source									
County Fines & Licenses	12110	\$0	\$154,519	\$110,000	140.5%	\$0	\$114,150	\$107,000	106.7%
ESU #3 Receipts	12210	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Total		\$0	\$154,519	\$110,000	140.5%	\$0	\$114,150	\$107,000	106.7%
State Source									
State Aid	13110	\$0	\$3,752,253	\$3,752,253	100.0%	\$0	\$438,874	\$438,874	100.0%
Special Education	13120	\$0	\$2,590,227	\$2,499,504	103.6%	\$0	\$1,268,820	\$1,310,000	96.9%
SPED Sch Age Transportation	13125	\$0	\$115,378	\$101,000	114.2%	\$0	\$100,850	\$120,000	84.0%
Homestead Exemption	13130	\$67,229	\$406,918	\$375,000	108.5%	\$75,958	\$469,808	\$425,000	110.5%
Payments for Hi Ability	13535	\$0	\$11,734	\$11,410	102.8%	\$0	\$10,436	\$9,740	107.1%
Flex Funding: Before Age 5	13165	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Flex Funding: School Age	13166	\$0	\$0	\$0	100.0%	\$0	\$0	\$8,000	0.0%
Pro-Rate Motor Vehicles	13180	\$8,728	\$38,856	\$45,000	86.3%	\$6,431	\$45,449	\$41,000	110.9%
State Apportionment	13400	\$0	\$421,971	\$370,000	114.0%	\$0	\$429,646	\$310,000	138.6%
Property Tax Credit	13131	\$0	\$1,151,381	\$850,000	135.5%	\$0	\$1,154,526	\$1,000,000	115.5%
Personal Property Tax Credit	13132	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%

August-24

Blair Community Schools Budget Comparison Receipts

		2023-2024				2022-2023			
Description	Code	Mon Rec	YTD Rec	Budget	%	Mon Rec	YTD Rec	Budget	%
Education Innovation Grant	13575	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Teacher Training Grants	13551	\$0	\$8,147	\$0	100.0%	\$0	\$0	\$0	100.0%
State Field Trip Grant (NAC)	13590	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
NDEQ Transportation Grant	13500	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Early Childhood Grant	13540	\$0	\$72,405	\$72,405	100.0%	\$0	\$63,927	\$63,560	100.6%
SixPence Early Childhood Grant	13541	\$47,697	\$62,616	\$85,000	73.7%	\$0	\$65,977	\$105,558	62.5%
NDEQ Transportation Grant	13599	\$2,000	\$2,000	\$0	100.0%	\$0	\$0	\$0	100.0%
Other	13990	\$50	\$950	\$0	100.0%	\$0	\$780	\$0	100.0%
Total		\$125,703	\$8,634,836	\$8,161,572	105.8%	\$82,389	\$4,049,092	\$3,831,732	105.7%
Federal Sources									
IDEA Part B, Peak Grant	14418	\$0	\$0	\$0	100.0%	\$900	\$2,551	\$0	100.0%
Title I Current	14505	\$0	\$22,800	\$185,092	12.3%	\$170,696	\$188,396	\$193,496	97.4%
Title I - Accountability	14506	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Title II Part A	14509	\$0	\$0	\$44,146	0.0%	\$0	\$49,709	\$49,826	99.8%
Title IV	14969	\$0	\$0	\$15,795	0.0%	\$12,169	\$12,169	\$12,169	100.0%
IDEA PART B (611) ARP	14421	\$0	\$0	\$0	100.0%	\$0	\$12,535	\$0	100.0%
IDEA PRESCHOOL (619) ARP	14422	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
IDEA BASE AGE 0-3/3-5	14512	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
IDEA 619 Ages 3-4	14516	\$0	\$12,290	\$12,503	98.3%	\$0	\$0	\$12,290	0.0%
IDEA Part B (611) Base Allocation	14518	\$0	\$450,230	\$470,581	95.7%	\$0	\$64,737	\$450,230	14.4%
IDEA Part B Proportionate Share	14521	\$0	\$4,350	\$8,160	53.3%	\$0	\$0	\$4,530	0.0%
IDEA Special Projects	14523	\$0	\$35,000	\$0	100.0%	\$320	\$320	\$0	100.0%
MIPS	14708	\$0	\$61,803	\$45,000	137.3%	\$0	\$59,550	\$30,000	198.5%
MEDICAID ADMIN	14709	\$0	\$12,294	\$22,000	55.9%	\$0	\$21,170	\$26,000	81.4%
Forest Reserve: De Soto	14707	\$0	\$13,819	\$14,000	98.7%	\$0	\$14,812	\$13,500	109.7%
Perkins Grant	14525	\$510	\$20,726	\$18,961	109.3%	\$0	\$0	\$20,216	0.0%
Title III NCLB-LEP	14527	\$0	\$0	\$3,000	0.0%	\$0	\$456	\$3,108	14.7%
Head Start	14309	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Disaster Aid (FEMA-Covid19)	14995	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
ESSER Grant (Covid19)	14996	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
ESSER II Grant (Covid19)	14997	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
ESSER III Grant (Covid19)	14998	\$0	\$0	\$215,670	0.0%	\$0	\$156,298	\$551,685	28.3%
Other Fed Categorical	14530	\$0	\$84,729	\$0	100.0%	\$0	\$0	\$0	100.0%
Total		\$510	\$718,042	\$1,054,908	68.1%	\$184,085	\$582,703	\$1,367,050	42.6%
Non Revenue Receipts									
Insurance Adjustment	15301	\$0	\$0	\$0	100.0%	\$0	\$13,408	\$0	100.0%
Transfer of Funds In	15200	\$0	\$0	\$0	100.0%	\$0	\$0	\$0	100.0%
Refunds from Prior Years Expenses	11980	\$583	\$5,759	\$0	100.0%	\$10,699	\$25,561	\$0	100.0%
Other Non-Revenue Rec	15690	\$0	\$1,354	\$0	100.0%	\$0	\$1,482	\$0	100.0%

August-24

Blair Community Schools Budget Comparison Receipts

		2023-2024				2022-2023			
Description	Code	Mon Rec	YTD Rec	Budget	%	Mon Rec	YTD Rec	Budget	%
Total		\$583	\$7,113	\$0	100.0%	\$10,699	\$40,451	\$0	0.0%
Non Program Receipts									
Sale of Property	15300	\$0	\$7,736	\$0	100.0%	\$0	\$23,666	\$0	100.0%
Total		\$0	\$7,736	\$0	100.0%	\$0	\$23,666	\$0	100.0%
GRAND TOTAL		\$569,994	\$27,547,230	\$27,887,898	98.8%	\$1,886,454	\$25,800,733	\$24,812,880	104.0%

Period: 12
Month: AUGUST
Year: 2023-2024

Receipts to be Collected		\$27,887,898	\$24,812,880
Local Property Taxes-State Budget	11101	-\$1,319,641	\$1,567,515
Cash Balance Estimated on Budget		\$5,518,862	\$5,226,297
County Treasurer Balance Estimated on Budget		\$6,192,422	\$5,997,351
Total Receipts		\$38,279,541	\$37,604,043

Notice of Special Hearing To Set Final Tax Request

Blair Community Schools (89-0001) in Washington County, Nebraska

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1632, that the governing body will meet on the 16th day of, September 2024 at 7:00 o'clock P.M. immediately following the Budget Hearing, at School District Central Office (formerly North School), 1326 Park St, Blair, NE 68008 for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request.

	2023-2024	2024-2025	Change
Property Valuations	2,632,040,875	2,824,884,732	7%

2023-2024 Budget Information

2024-2025 Budget Information

Fund	2023-2024 Operating Budget	2023-2024 Property Tax Request	2023 Tax Rate	Property Tax Rate (2023-2024 Request Divided By 2023 Valuation)	2024-2025 Operating Budget	2024-2025 Proposed Property Tax Request	Proposed 2024 Tax Rate	Change in Tax Rate	Change in Operating Budget
General Fund	36,682,855.00	16,559,775.00	0.629161	0.586211	38,073,440.00	18,027,741.00	0.638176	1%	4%
Bond Fund(s) K - 12	13,979,728.00	1,999,725.00	0.075976	0.070790	11,981,613.00	2,001,629.00	0.070857	-7%	-14%
Special Building Fund	5,474,337.00	3,684,861.00	0.140000	0.130443	5,329,810.00	1,814,462.00	0.064231	-54%	-3%
Qualified Capital Purpose Undertaking Fund K - 12	3,953.00	-	0.000000	0.000000	3,965.00	-	0.000000	#DIV/0!	0%
Total	56,140,873.00	22,244,361.00	0.845137	0.787444	55,388,828.00	21,843,832.00	0.773264	-9%	-1%

**BLAIR COMMUNITY SCHOOLS
BOARD OF EDUCATION**

(PUBLIC HEARINGS PRECEDING BUDGET ADOPTION AND TAX RESOLUTION)

#1 -BUDGET HEARING

#2 - HEARING TO SET FINAL TAX REQUEST

September 16, 2024



NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

7pm Public Hearing

Objective #1 of State Form Budget: Establish Spending Authority

(NOT THE DISTRICT'S OPERATING BUDGET)

FUNDS	Actual Disbursements & Transfers	Actual/Estimated Disbursements & Transfers	Budgeted Disbursements & Transfers	Necessary Cash Reserve (4)	Total Available Resources Before Property Taxes (5)	Total Personal and Real Property Tax Requirement (7)
	2022-2023 (1)	2023-2024 (2)	2024-2025 (3)			
General	\$ 25,777,920.00	\$ 26,686,602.00	\$ 38,073,440.00	\$ 2,704,040.00	\$ 22,930,016.00	\$ 18,027,741.00
Depreciation	\$ 1,017,030.00	\$ 968,717.00	\$ 3,600,408.00		\$ 3,600,408.00	
Employee Benefit	\$ -	\$ 181.00	\$ 4,266.00	\$ -	\$ 4,266.00	
Contingency	\$ -	\$ -	\$ -		\$ -	
Activities	\$ 642,051.00	\$ 664,812.00	\$ 1,006,511.00	\$ -	\$ 1,006,511.00	
School Nutrition	\$ 1,067,354.00	\$ 1,069,429.00	\$ 2,219,587.00	\$ -	\$ 2,219,587.00	
Bond	\$ 1,980,303.00	\$ 1,979,527.00	\$ 11,981,613.00	\$ 1,090,734.00	\$ 11,090,734.00	\$ 2,001,629.00
Special Building	\$ 1,578,258.00	\$ 1,920,975.00	\$ 5,329,810.00		\$ 3,533,493.00	\$ 1,814,462.00
Qualified Capital Purpose Undertaking	\$ 62,270.00	\$ -	\$ 3,965.00	\$ -	\$ 3,965.00	\$ -
Cooperative	\$ 27,300.00	\$ 6,600.00	\$ 100,000.00	\$ -	\$ 100,000.00	
Student Fee	\$ 174,004.00	\$ 198,430.00	\$ 392,144.00	\$ -	\$ 392,144.00	
	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTALS	\$ 32,326,490.00	\$ 33,495,273.00	\$ 62,711,744.00	\$ 3,794,774.00	\$ 44,881,124.00	\$ 21,843,832.00

Breakdown of Property Tax	Bond Purposes	Non-Bond Purposes	Total
	\$ 2,001,629.00	\$ 19,842,203.00	\$ 21,843,832.00

General Fund Operating Budget 2024-25 State Form – Spending Authority

Row Labels	'2024-25 BUDGET		'PY 2023-24 BUDGET		'2023-24 FORECAST (as of 7-17-2024)		'2022-23 ACT		'2021-22 ACT		'2020-21 ACT		'2019-20 ACT	
01 - SALARIES & BENEFITS	\$	23,621,591	\$	22,066,308	\$	21,854,098	\$	21,506,656	\$	20,404,690	\$	19,272,831	\$	18,779,464
02 - SAVINGS DEPRECIATION TRANSFER	\$	1,000,000	\$	826,000	\$	826,000	\$	826,000	\$	783,000	\$	868,000	\$	826,000
03 - COMMERCIAL INSURANCE	\$	316,293	\$	313,151	\$	313,155	\$	272,949	\$	220,986	\$	236,398	\$	227,429
04 - ACTIVITY FUND TRANSFER & ATHLETIC TRAINER SUPPORT	\$	80,000	\$	60,000	\$	60,000	\$	55,000	\$	73,000	\$	30,000	\$	10,000
05 - VOLUNTARY SEPARATION AGREEMENTS	\$	6,360	\$	11,800	\$	10,040	\$	25,640	\$	9,041	\$	6,075	\$	126,840
06 - OCCUPANCY & MAINTENANCE EXPENSES	\$	1,433,851	\$	1,232,147	\$	1,537,122	\$	1,319,497	\$	1,141,811	\$	887,423	\$	864,654
07 - SPED OUTSOURCED SERVICES	\$	421,440	\$	377,883	\$	298,484	\$	263,866	\$	622,779	\$	663,704	\$	642,560
08 - SPED IN-HOUSE EXPENSES	\$	324,756	\$	88,947	\$	373,025	\$	79,356	\$	77,614	\$	87,242	\$	45,465
09 - PRESCHOOL EXPENSE	\$	119,323	\$	216,555	\$	121,817	\$	107,062	\$	130,879	\$	87,813	\$	88,542
21 - DISTRICT BUSINESS, EXECUTIVE, BOARD OF ED EXPENSES	\$	143,372	\$	116,296	\$	147,237	\$	116,326	\$	110,228	\$	95,478	\$	92,877
30 - DISTRICT CURRICULUM & TRAINING EXPENSE	\$	100,554	\$	68,125	\$	46,040	\$	61,095	\$	57,964	\$	63,001	\$	19,657
60 - TECHNOLOGY EXPENSES	\$	266,125	\$	143,826	\$	217,670	\$	224,187	\$	93,525	\$	187,136	\$	222,029
70 - TRANSPORTATION SERVICES	\$	234,191	\$	195,891	\$	200,829	\$	183,656	\$	180,105	\$	152,601	\$	144,328
76 - INSURANCE CLAIMS	\$	-	\$	-	\$	3,349	\$	4,348	\$	5,743	\$	693	\$	13,172
90 - CLASSROOM EXPENSES	\$	675,779	\$	560,390	\$	654,575	\$	480,246	\$	489,657	\$	406,704	\$	343,236
98 - ESSER GRANTS/COVID19 RELATED EXPENSES	\$	-	\$	88,786	\$	13,157	\$	252,030	\$	252,090	\$	253,532	\$	169,940
99 - MISCELLANEOUS	\$	-	\$	-	\$	10,000	\$	-	\$	-	\$	55,561	\$	9,050
Grand Total	\$	28,743,635	\$	26,366,106	\$	26,686,600	\$	25,777,915	\$	24,653,112	\$	23,354,193	\$	22,625,241
REVENUE (Budget Revenue assumes 100% PPT Collection)	\$	28,743,635	\$	26,606,257	\$	27,184,788	\$	25,800,733	\$	24,765,821	\$	23,883,482	\$	24,123,222
NET INCREASE/(LOSS)	\$	0	\$	240,151	\$	498,187	\$	22,818	\$	112,709	\$	529,290	\$	1,497,981
Salaries & Benefits:		***												
% of Operating Expense Budget		82.2%		83.7%		81.9%		83.4%		82.8%		82.5%		83.0%
% of Operating Revnue Budget		82.2%		82.9%		80.4%		83.4%		82.4%		80.7%		77.8%
General Fund Current Levy	\$	0.638176	\$	0.629161	\$	0.629161	\$	0.9050	\$	0.9000	\$	0.9000	\$	1.0150

General Fund Operating Expenditures Budget Highlights

*increased by approx. \$2 million

- Salary & Benefits - \$1.8 million
 - *Staff Positions:*
 - 8 New Positions Teaching Positions
 - *HAL, DF Grade 3, BHS Computer Science, OMS Spanish, BHS Social Studies, OMS/BHS Ag, SPED DF/AP, OMS PE*
 - *Pay Increases*
 - Year 1 of 2 Negotiated Agreement signed 1-16-2024 - \$1,500 Base Increase, Added MA+45 through Step 16 Column
 - Horizontal movements – 88 of which 38 for the new MA+45 column (20-30 has been typical)
 - *Increase in Extra Curricular/Activity Event Pay*
 - *Co-Curricular Schedule Changes – Longevity pay*
 - Board approved increases in May/June for Classified Staff and Administrators
 - *Health & Dental Insurance -> 1.99% for Health and Dental*
- Transfers from General Fund increases
 - *Savings Depreciation \$174,000 – Student Technology, Desks and Furniture replacements*
 - *Activity Fund \$20,000*
- Occupancy / Maintenance +\$200K from last years budget

Notice of Special Hearing To Set Final Tax Request

2nd Public Hearing: Tax Request

Objective #2 of State Form Budget: Request Property Taxes, Set Tax Levy

	2023-2024	2024-2025	Change
Property Valuations	2,632,040,875	2,824,884,732	7%

2023-2024 Budget Information					2024-2025 Budget Information				
Fund	2023-2024 Operating Budget	2023-2024 Property Tax Request	2023 Tax Rate	Property Tax Rate (2023-2024 Request Divided By 2023 Valuation)	2024-2025 Operating Budget	2024-2025 Proposed Property Tax Request	Proposed 2024 Tax Rate	Change in Tax Rate	Change in Operating Budget
General Fund	36,682,855.00	16,559,775.00	0.629161	0.586211	38,073,440.00	18,027,741.00	0.638176	1%	4%
Bond Fund(s) K - 12	13,979,728.00	1,999,725.00	0.075976	0.070790	11,981,613.00	2,001,629.00	0.070857	-7%	-14%
Special Building Fund	5,474,337.00	3,684,861.00	0.140000	0.130443	5,329,810.00	1,814,462.00	0.064231	-54%	-3%
Qualified Capital Purpose Undertaking Fund K - 12	3,953.00	-	0.000000	0.000000	3,965.00	-	0.000000	#DIV/ 0!	0%
Total	56,140,873.00	22,244,361.00	0.845137	0.787444	55,388,828.00	21,843,832.00	0.773264	-9%	-1%

-The budgeted increase in General Fund Expenditures caused the district to shift Building Fund Tax resources to the General Fund. The General Fund includes a one-time \$750K ESSER Grant reimbursement to come in 2024-25. Without that, the property tax request for Building Fund would be closer to only \$1 million.

Property Tax Authority

- Last year's legislation, in efforts to reduce property taxes, placed a new budget constraint on Schools -> Property Tax Authority (PTA)
 - 2024-25 PTA for Blair Community Schools = \$19,842,203
 - General Fund \$18,027,741
 - Building Fund \$1,814,462
 - 2023-24 PTA \$20,244,636
 - Decrease (\$402,433)
 - 3% Growth factor additional \$900K, increasing PTA
 - However, State Special Education Reimbursement increased \$1.3 million, decreasing PTA
 - Board could have approved with 70% support to exceed PTA by as much as \$1,683,530
 - (\$1,683,530 of additional property tax request would be a Levy increase of \$0.0596)
 - This Proposed Budget DOES NOT include a Property Tax Request that exceeds PTA.

General Fund - Revenue Budget Summary

LB 583 State Aid & State Funded SPED Increase

	<u>2024-25</u> <u>BUDGET</u>	<u>2023-24</u> <u>BUDGET</u>	<u>2023-24</u> <u>Forecast</u>	<u>2022-23 ACT</u>	<u>2021-22 ACT</u>	<u>2020-21 ACT</u>	<u>2019-20 ACT</u>
Local Sources:							
Property Tax Request Collections (Includes Homestead & PPT Credits)	\$ 17,426,345	\$ 17,675,818	\$ 17,409,300	\$ 20,423,101	\$ 19,042,617	\$ 18,000,446	\$ 18,481,363
Omaha Public Power District in Lieu	\$ 225,000	\$ 232,000	\$ 221,932	\$ 245,406	\$ 224,859	\$ 213,289	\$ 232,057
Motor Vehicle Taxes	\$ 1,775,000	\$ 1,750,000	\$ 1,800,114	\$ 1,762,303	\$ 1,757,723	\$ 1,706,526	\$ 1,608,510
Other Local Receipts	\$ 185,900	\$ 128,600	\$ 203,011	\$ 166,644	\$ 136,678	\$ 110,441	\$ 142,657
County Sources:							
Fines and License Fees	\$ 110,000	\$ 110,000	\$ 154,519	\$ 114,150	\$ 107,026	\$ 103,430	\$ 110,975
State Sources:							
State Aid	\$ 3,591,273	\$ 3,752,253	\$ 3,752,253	\$ 438,874	\$ 456,255	\$ 419,754	\$ 1,033,441
Special Education Programs & SPED Transportation	\$ 2,786,000	\$ 2,600,504	\$ 2,705,605	\$ 1,369,670	\$ 1,334,182	\$ 1,387,064	\$ 1,507,010
Motor Vehicle Pro Rate	\$ 42,000	\$ 45,000	\$ 41,535	\$ 45,449	\$ 44,029	\$ 40,563	\$ 38,894
State Apportionment	\$ 400,000	\$ 370,000	\$ 421,971	\$ 429,646	\$ 306,193	\$ 310,417	\$ 357,054
Early Childhood Grant	\$ 69,466	\$ 72,405	\$ 15,738	\$ 63,927	\$ 81,471	\$ 113,754	\$ 11,366
Other State Receipts	\$ 105,147	\$ 96,410	\$ 35,700	\$ 77,193	\$ 52,642	\$ 86,155	\$ 11,051
Federal Sources:							
Title I, Title IIA, Title IV, & Title I Accountability	\$ 262,476	\$ 248,033	\$ 249,928	\$ 250,730	\$ 228,234	\$ 252,421	\$ 251,515
IDEA GRANTS	\$ 490,886	\$ 491,244	\$ 858,710	\$ 80,143	\$ 606,537	\$ 770,111	\$ 174,824
Medicaid in Public Schools	\$ 69,000	\$ 67,000	\$ 74,097	\$ 80,721	\$ 55,915	\$ 54,775	\$ 50,230
ESSER Grants (Covid19 Pandemic Funding)	\$ 749,580	\$ 215,670	\$ -	\$ 156,298	\$ 150,809	\$ 147,852	\$ -
Other Federal Categorical Receipts	\$ 34,443	\$ 32,961	\$ 118,765	\$ 14,812	\$ 57,941	\$ 89,824	\$ 32,519
Other Sources:							
Grants from Corporations & Other Private Interests	\$ -	\$ -	\$ 27,517	\$ 17,549	\$ 107,419	\$ 37,225	\$ 51,436
Refund from Prior Year Expenditures	\$ -	\$ -	\$ 15,875	\$ 25,561	\$ 3,612	\$ 12,776	\$ 15,458
Insurance Adjustments	\$ -	\$ -	\$ 7,736	\$ 37,074	\$ 6,128	\$ 26,661	\$ 12,861
Other Non-Revenue Receipts	\$ -	\$ -	\$ 1,354	\$ 1,482	\$ 5,550	\$ -	\$ -
OPERATING REVENUE	\$ 28,322,516	\$ 27,887,898	\$ 28,115,660	\$ 25,800,733	\$ 24,765,821	\$ 23,883,482	\$ 24,123,222
PROPERTY TAX REQUEST VS. PROPERTY TAX COLLECTIONS VARIANCE	\$ 421,119	\$ (1,281,641)	\$ (930,872)	\$ -	\$ -	\$ -	\$ -
SUBTOTAL STATE FORM REVENUE	\$ 28,743,635	\$ 26,606,257	\$ 27,184,788	\$ 25,800,733	\$ 24,765,821	\$ 23,883,482	\$ 24,123,222
Cash Balance, 9-1	\$ 7,197,362	\$ 5,518,862	\$ 5,768,303				
County Treasurer's Balance, 9-1	\$ 4,836,483	\$ 6,192,422	\$ 5,767,356				
Total CASH Beginning Balance (Bank & County Treasurer)	\$ 12,033,845	\$ 11,711,284	\$ 11,535,659				
TOTAL RESOURCES AVAILABLE - PER STATE FORM	\$ 40,777,480	\$ 38,317,541	\$ 38,720,447				

Blair Community Schools Historical Levy Comparisons

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
General Fund	1.060713	1.057928	1.026441	1.026424	1.052649	1.015000	0.900000	0.900000	0.905000	0.629161	0.638176
Bond Fund	0.093271	0.109543	0.102394	0.124368	0.124080	0.117590	0.103098	0.095320	0.087591	0.075976	0.070857
Building Fund	-0-	-0-	0.025000	0.025000	-0-	0.035000	0.080000	0.100000	0.085000	0.140000	0.064231
QCPUF	0.007589	0.003687	0.003503	0.003722	0.003647	0.003412	0.002979	0.002797	-0-	-0-	-0-
Total	1.161574	1.171158	1.157338	1.179514	1.180376	1.171002	1.086077	1.098117	1.077591	0.845137	0.773264

(\$0.071873) Total Levy Decrease for 2024-25

Only using \$0.702407 out of max \$1.05 Levy Lid (GF & Building Fund)

Estimated **Savings/Increases** for Property Owner
Prior Year Total Levy \$0.845137 vs Proposed Total Levy \$0.773264

- 2023-24 Tax
 - Property Value \$100,000 x \$0.845137 = \$845.14
- 2024-25 Tax
 - Property Value stays same \$100,000 x \$0.773264 = \$773.26
 - Savings of \$845.14 - \$773.26 = \$71.87
 - Property Value increase 5% \$105,000 x \$0.773264 = \$811.93
 - Savings of \$845.14 - \$811.93 = \$33.21
 - Property Value increase 10% \$110,000 x \$0.773264 = \$850.59
 - Increase of \$845.14 - \$850.59 = **(\$5.45)**
 - Property Value increase 15% \$115,000 x \$0.773264 = \$889.25
 - Increase of \$845.14 - \$889.25 = **(\$44.12)**
 - Property Value increase 20% \$120,000 x \$0.773264 = \$927.92
 - Increase of \$845.14 - \$927.92 = **(\$82.78)**
- Example: Live in a house valued at \$300,000 increased 10% to \$330,000
 - You would see a an additional increase of **(\$5.45)** * \$300,000/\$100,000 = **(\$16.35)**
- **HOWEVER** – Recent State Legislation that passed provides additional Property Tax Credit that the State pays for on taxpayers behalf. That additional Property Tax Credit is not factored in the above estimates.

Last Year -2023-24 Levy Comparison to Other School Districts

<u>2023-24</u>	<u>General</u>	<u>Bond</u>	<u>Building</u>	<u>Qualified</u>	<u>Total</u>	<u>Enrollment</u>
<u>Washington County Schools</u>						
FORT CALHOUN COMMUNITY SCHS	0.9500	0.1000	0.1300	0.0250	1.2050	848
ARLINGTON PUBLIC SCHOOLS	0.7565	0.0659	0.0286	0.0401	0.8911	709
BLAIR COMMUNITY SCHOOLS	0.6292	0.0760	0.1400	0.0000	0.8452	2,212
<u>Other Area Schools/Array Schools</u>						
BENNINGTON PUBLIC SCHOOLS	0.9520	0.3400	0.0480	0.0180	1.3580	4,285
OMAHA PUBLIC SCHOOLS	0.9864	0.1631	0.0550	0.0125	1.2170	51,693
ELKHORN PUBLIC SCHOOLS	0.8996	0.3000	0.0101	0.0000	1.2097	11,455
COLUMBUS PUBLIC SCHOOLS	1.0158	0.1374	0.0409	0.0000	1.1941	4,145
FREMONT PUBLIC SCHOOLS	0.9197	0.1934	0.0250	0.0000	1.1381	5,333
RALSTON PUBLIC SCHOOLS	0.9161	0.1680	0.0431	0.0000	1.1272	3,409
MILLARD PUBLIC SCHOOLS	0.9421	0.1150	0.0410	0.0000	1.0981	23,300
OAKLAND CRAIG PUBLIC SCHOOLS	0.8993	0.0771	0.0300	0.0000	1.0064	405
BLAIR COMMUNITY SCHOOLS	0.6292	0.0760	0.1400	0.0000	0.8452	2,212
DOUGLAS CO WEST COMMUNITY SCHS	0.5665	0.0706	0.1300	0.0302	0.7973	1,116
TEKAMAH-HERMAN COMMUNITY SCHS	0.5806	0.0883	0.0882	0.0000	0.7571	518
<u>School Enrollment within 1,000 Students of Blair:</u>						
GERING PUBLIC SCHOOLS	1.0499	0.2200	0.0600	0.0147	1.2846	2,020
PLATTSMOUTH COMMUNITY SCHOOLS	1.0499	0.1521	0.0000	0.0392	1.2412	1,459
SIDNEY PUBLIC SCHOOLS	1.0500	0.1352	0.0000	0.0309	1.2161	1,222
YORK PUBLIC SCHOOLS	0.9615	0.1236	0.0432	0.0208	1.1491	1,581
NEBRASKA CITY PUBLIC SCHOOLS	0.8916	0.1429	0.0603	0.0223	1.1171	1,402
CRETE PUBLIC SCHOOLS	0.8335	0.1108	0.1315	0.0000	1.0758	2,268
SCHUYLER COMMUNITY SCHOOLS	0.9171	0.0792	0.0365	0.0219	1.0547	1,965
ALLIANCE PUBLIC SCHOOLS	0.9036	0.0000	0.0984	0.0519	1.0539	1,355
BEATRICE PUBLIC SCHOOLS	0.8832	0.0000	0.1393	0.0226	1.0451	2,119
MC COOK PUBLIC SCHOOLS	0.9272	0.0553	0.0192	0.0000	1.0017	1,386
WAVERLY SCHOOL DISTRICT 145	0.8616	0.0667	0.0410	0.0199	0.9892	2,134
NORRIS SCHOOL DIST 160	0.8007	0.0674	0.0449	0.0171	0.9301	2,409
BLAIR COMMUNITY SCHOOLS	0.6292	0.0760	0.1400	0.0000	0.8452	2,212
AURORA PUBLIC SCHOOLS	0.7816	0.0220	0.0079	0.0000	0.8115	1,227
SEWARD PUBLIC SCHOOLS	0.7038	0.0852	0.0090	0.0000	0.7980	1,471
SPRINGFIELD PLATTEVIEW	0.4148	0.1244	0.1348	0.0116	0.6856	1,233
NORTHWEST PUBLIC SCHOOLS	0.5307	0.0000	0.0998	0.0000	0.6305	1,423

PROPOSED CURRENT YEAR-2024-25 Levy Comparison to Other School Districts

Proposed 2024-25 Levies as of 9/13/24

<u>School District</u>	<u>General</u>	<u>Bond</u>	<u>Building</u>	<u>Qualified</u>	<u>Total</u>	<u>% Levy Decrease</u>
<u>Washington County Schools</u>						
FORT CALHOUN COMMUNITY SCHS	0.8600	0.1250	0.1000	0.0250	1.1100	-7.88%
ARLINGTON PUBLIC SCHOOLS	0.7693	0.0675	0.0270	0.0270	0.8909	-0.03%
BLAIR COMMUNITY SCHOOLS	0.6382	0.0709	0.0642	0.0000	0.7733	-8.51%
<u>Other Area Schools/Array Schools</u>						
BENNINGTON PUBLIC SCHOOLS	0.9820	0.3580	0.0180	0.0000	1.3580	0.00%
OMAHA PUBLIC SCHOOLS	0.9024	0.1631	0.0300	0.0125	1.1079	-8.96%
ELKHORN PUBLIC SCHOOLS						
COLUMBUS PUBLIC SCHOOLS						
FREMONT PUBLIC SCHOOLS	0.8609	0.1676	0.0000	0.0000	1.0285	-9.63%
RALSTON PUBLIC SCHOOLS	0.9212	0.2309	0.0412	0.0000	1.1933	5.86%
MILLARD PUBLIC SCHOOLS						
OAKLAND CRAIG PUBLIC SCHOOLS	0.8384	0.0719	0.0400	0.0000	0.9503	-5.57%
BLAIR COMMUNITY SCHOOLS	0.6382	0.0709	0.0642	0.0000	0.7733	-8.51%
DOUGLAS CO WEST COMMUNITY SCHS	0.5500	0.0700	0.1177	0.0300	0.7677	-3.72%
TEKAMAH-HERMAN COMMUNITY SCHS						

School Enrollment within 1,000 Students of Blair:

GERING PUBLIC SCHOOLS						
PLATTSMOUTH COMMUNITY SCHOOLS	1.0500	0.1123	0.0000	0.0384	1.2006	-3.27%
SIDNEY PUBLIC SCHOOLS						
YORK PUBLIC SCHOOLS						
NEBRASKA CITY PUBLIC SCHOOLS	0.8653	0.1380	0.0530	0.0206	1.0769	-3.60%
CRETE PUBLIC SCHOOLS	0.8701	0.1050	0.0746	0.0000	1.0497	-2.42%
SCHUYLER COMMUNITY SCHOOLS	0.9418	0.0626	0.0342	0.0157	1.0543	-0.04%
ALLIANCE PUBLIC SCHOOLS						
BEATRICE PUBLIC SCHOOLS						
MC COOK PUBLIC SCHOOLS	0.8996	0.0000	0.0000	0.0000	0.8996	-10.19%
WAVERLY SCHOOL DISTRICT 145	0.8366	0.0605	0.0440	0.0299	0.9710	-1.84%
NORRIS SCHOOL DIST 160	0.7756	0.0285	0.0499	0.0178	0.8719	-6.26%
BLAIR COMMUNITY SCHOOLS	0.6382	0.0709	0.0642	0.0000	0.7733	-8.51%
AURORA PUBLIC SCHOOLS	0.6812	0.0193	0.0107	0.0000	0.7112	-12.36%
SEWARD PUBLIC SCHOOLS	0.6699	0.0805	0.0201	0.0000	0.7705	-3.44%
SPRINGFIELD PLATTEVIEW COMMUNITY SCHOOLS	0.3208	0.1171	0.1342	0.0198	0.5918	-13.68%
NORTHWEST PUBLIC SCHOOLS	0.4611	0.0000	0.0757	0.0000	0.5367	-14.87%

Notice of Special Hearing To Set Final Tax Request

Blair Community Schools (89-0001) in Washington County, Nebraska

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1632, that the governing body will meet on the 16th day of, September 2024 at 7:00 o'clock P.M. immediately following the Budget Hearing, at School District Central Office (formerly North School), 1326 Park St, Blair, NE 68008 for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request.

	2023-2024	2024-2025	Change
Property Valuations	2,632,040,875	2,824,884,732	7%

2023-2024 Budget Information

2024-2025 Budget Information

Fund	2023-2024 Operating Budget	2023-2024 Property Tax Request	2023 Tax Rate	Property Tax Rate (2023-2024 Request Divided By 2023 Valuation)	2024-2025 Operating Budget	2024-2025 Proposed Property Tax Request	Proposed 2024 Tax Rate	Change in Tax Rate	Change in Operating Budget
General Fund	36,682,855.00	16,559,775.00	0.629161	0.586211	38,073,440.00	18,027,741.00	0.638176	1%	4%
Bond Fund(s) K - 12	13,979,728.00	1,999,725.00	0.075976	0.070790	11,981,613.00	2,001,629.00	0.070857	-7%	-14%
Special Building Fund	5,474,337.00	3,684,861.00	0.140000	0.130443	5,329,810.00	1,814,462.00	0.064231	-54%	-3%
Qualified Capital Purpose Undertaking Fund K - 12	3,953.00	-	0.000000	0.000000	3,965.00	-	0.000000	#DIV/0!	0%
Total	56,140,873.00	22,244,361.00	0.845137	0.787444	55,388,828.00	21,843,832.00	0.773264	-9%	-1%

RESOLUTION SETTING THE PROPERTY TAX REQUEST

RESOLUTION NO. _____

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of Blair Community Schools passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of Blair Community Schools resolves that:

1. The 2024-2025 property tax request be set at:

General Fund:	\$ 18,027,741.00
Bond Fund:	\$ 2,001,629.00
Special Building Fund:	\$ 1,814,462.00
Qualified Capital Purpose	\$ -
Undertaking Fund:	

2. The total assessed value of property differs from last year's total assessed value by 7.33 percent.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 0.787444 per \$100 of assessed value.
4. Blair Community Schools proposes to adopt a property tax request that will cause its tax rate to be 0.773264 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Blair Community Schools will increase (or decrease) last year's budget by -1.34 percent.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2024.

Motion by _____, seconded by _____ to adopt Resolution.

Roll Call Vote as Follows:

Deb Parks	YES	NO
Steve Callaghan	YES	NO
Denise Cada	YES	NO
Ginger Frederickson	YES	NO
Kari Loseke	YES	NO
Brandi Petersen	YES	NO
Courtney Tabor	YES	NO
Tim Welch	YES	NO

Dated this _____ day of September, 2024