

Board of Education Regular Meeting
Monday, April 10, 2023 7:00 PM
HS CONFERENCE ROOM
705 N 9th Street
Arlington, NE 68002

1. OPENING PROCEDURES
 - 1.1. Call Meeting to Order
 - 1.2. Roll Call
 - 1.3. Pledge of Allegiance
 - 1.4. Approval of Regular Meeting Agenda
2. WELCOME TO GUESTS AND PUBLIC FORUM
3. CONSENT AGENDA
 - 3.1. Minutes of the Previous Board Meeting(s)
 - 3.2. Monthly Financial Reports
 - 3.3.
 - Resignations
 - Austyn McKee, ELA
 - Jacob Duhey, ELA
 - 3.4. Hires
 - Paige Talacko, ELA
 - Eric Daigle, Industrial Arts
 - Jake Polk, Physical Education
 - Jordan Jenkins, Elementary Special Education
 - Alexis Dobson, Elementary Classroom
 - Troy Schlueter, ELA
 - 3.5. Reassignments
4. CURRICULUM/INSTRUCTION REPORTS
 - Instrumental and Vocal Music ELEM & HS
5. PRINCIPALS' REPORTS
 - 5.1. Mrs. Morgan's Elementary Report
 - 5.2. Mr. Pfingsten's Secondary Report
 - 5.3. Mr. Shada's Activity Report
6. SUPERINTENDENT'S REPORT
 - 6.1. Legislative News
 - 6.2. Update on Curriculum Director Contract
 - 6.3. Enrollment Report
 - 6.4. NASB and NRCSA Updates
7. COMMITTEE AND REPRESENTATIVE REPORTS
 - 7.1. Buildings and Grounds Committee
 - 7.2. Finance Committee
8. UNFINISHED BUSINESS
 - 8.1. Discuss, Consider and Approve Wages for 2023-2024 for Bus Drivers as proposed
9. NEW BUSINESS

- 9.1. Review Policy 6615-- Special Education Policy and Regulations/Procedures
 - 9.2. Discuss, Consider and Take Necessary Action to Approve Building Level Budgets for 2023-2024
 - 9.3. Discuss, Consider and Take Necessary Action to Approve Buildings and Grounds Projects:
 - Asbestos Removal in the Boiler Room (Potential \$17,400 for all areas)
 - Concrete Parking Lot Repairs (price TBD)
 - Basketball Hoop Straps in Competition/Auxiliary Gym (only the straps, total \$11,429)
 - Lawn Mower(s) Trade-In Deal (Approx \$7200)
 - 9.4. Discuss, Consider and Take Necessary Action to Modify the 2022-23 Approved Calendar to Forgive Contact Days Canceled for Weather Related Concerns Beyond the Last Built-In Snow Day
 - 9.5. Discuss, Consider, and Take Necessary Action to Approve Contract for Special Education Related Physical Therapy Services for 2023-2024.
10. ADJOURNMENT

Board of Education Regular Meeting

Monday, March 13, 2023 7:00 PM Central

HS CONFERENCE ROOM

705 N 9th Street

Arlington, NE 68002

1. OPENING PROCEDURES

1.1. Call Meeting to Order

Matt O'Daniel called the meeting to order at 7:00 pm

1.2. Roll Call

Jason Arp: Present, Cassie Flesner, Present, Brian Laaker Present, Chase Kratochvil, Present, Matt O'Daniel, Present, Shanon Willmott, late- arrived at 7:05pm,

Mr. O'Daniel stated that Mrs. Willmott was running late and Shanon arrived at 7:05pm

Also Present Were Superintendent Lewis, Principals Arron Pffingsten and Jacque Morgan, Athletic Director James Shada and Recording Secretary Jennifer Arp

1.3. Pledge of Allegiance

1.4. Approval of Regular Meeting Agenda

Motion to approve the regular meeting agenda as presented Passed with a motion by Chase Kratochvil and a second by Jason Arp.

Jason Arp: Yea, Cassie Flesner: Yea, Chase Kratochvil: Yea, Brian Laaker: Yea, Matt O'Daniel: Yea

2. WELCOME TO GUESTS AND PUBLIC FORUM

2.1. Karen Toebben

Karen Toebben was present to speak on behalf of the bus drivers for APS. Karen spoke on the wages for the bus drivers, and presented some new wages from schools in the array that was used to come up with negotiations for wages.

Spoke on the issues they see on bus routes, the number of kids on bus routes- increasing numbers of students. Activity pay is lower than compared to other schools- they would like to see more pay, especially for Saturday's, days off, and field trips.

3. CONSENT AGENDA

Motion to approve the consent agenda as presented Passed with a motion by Matt O'Daniel and a second by Cassie Flesner.

Jason Arp: Yea, Cassie Flesner: Yea, Chase Kratochvil: Yea, Brian Laaker: Yea, Matt O'Daniel: Yea, Shanon Willmott: Yea

3.1. Minutes of the Previous Board Meeting(s)

3.2. Monthly Financial Reports

3.3.

Resignations:

Tyler Spitsler, 7-12 PE; Head Boys Basketball, Head Track and Field

Cienna Stegemann, Elementary SPED

Luke Brenn, 7-12 Industrial Arts

Hires:

Sarah Schmit - Elementary Para

Reassignments:

Lisa Stork, to 5-6 Grade Classroom

4. CURRICULUM/INSTRUCTION REPORTS

6th Grade

Art

5. REVIEW OF ANNUAL DISTRICT PLAN

Last revision tonight- newest goals, strategies added in pink at the board retreat in Feb.

Waiting for NRCSA to consider the Grant Writing Service would provide a service for us to

research and find grants for us.

A community engagement- meeting was held in January. The board want it to be an annual event, possibly at the same time each year. Would like to start to use the village digital board (on Highway 30) to help get information out to the public.

Would like to look at how to improve some of the aesthetics at the Competition gym entrance to look better and more welcoming.

Work on student services and mental health, and to continue to improve those services and how to help everyone that we can, use the benefits of Systems that Care to the fullest.

6. PRINCIPALS REPORTS

6.1. Mrs. Morgan's Elementary report

6.2. Mr. Pfingsten's Secondary report

6.3. Mr. Shada's Activity Report

7. SUPERINTENDENTS REPORT

Dr. Lewis reviewed her leave log- and Legislative updates.

The legislative conference was rescheduled from January due to weather, and Dr. Lewis attended the conference in Feb.

7.1. Review Supt Leave Log

7.2. Legislation Updates

7.3. NASB & NRCSA Reports

8. COMMITTEE AND REPRESENTATIVE REPORTS

8.1. Committee for Curriculum American Civics

Met this evening before the meeting at 6:15-

Went over the CTE (tech Classes) want to do moving forward, mostly just needed to update the textbooks that they currently have.

State is changing requirements for Info Tech Classes and we are already making sure that we are meeting meet requirements in that class.

Ag- has much more consumables that they will need, for their upcoming curriculum

8.2. Negotiations Committee

Negotiations met last week and the recommendations will be later in meeting.

9. UNFINISHED BUSINESS

9.1. Discuss, Consider, and Adopt Amended Policy 5007--Admission Foreign Exchange on Second Reading

Motion to adopt amended policy 5007 on second reading Passed with a motion by Shanon Willmott and a second by Chase Kratochvil.

Jason Arp: Yea, Cassie Flesner: Yea, Chase Kratochvil: Yea, Brian Laaker: Yea, Matt O'Daniel: Yea, Shanon Willmott: Yea

10. NEW BUSINESS

10.1. Review and Approval of Policy 5006

Policy and capacities resolutions were presented to the board- This is what sets our classroom sizes, nothing has changed on the capacity end, just updated the projected capacity for the upcoming year2023-2024. There has never been a year that we have needed all grade levels in Elementary to have needed 3 sections in each grade level in the past 8 years.

Dr. Lewis read the policy to the board members,

Resolution and Appendix 1--2023-2024Motion to Approve Option Capacity Resolution (Policy 5006) for 2023-2024 Passed with a motion by Matt O'Daniel and a second by Chase Kratochvil.

Jason Arp: Yea, Cassie Flesner: Yea, Chase Kratochvil: Yea, Brian Laaker: Yea, Matt O'Daniel: Yea, Shanon Willmott: Yea

10.2. Discuss, Consider and Take Necessary Action to Approve the 2023-2024 APS School Calendar

The calendar for the 2023-2024 school year was presented.

PLC times will change on Fridays to have a School start time to 9:00am

Bus times will need to be adjusted, and times that students will be able to arrive at school will be later. Calendar is based on Contract days for staff and contact days for students- this calendar meets those standards.

Motion to Approve Arlington Public Schools 2023-2024 Calendar Passed with a motion by Jason Arp and a second by Cassie Flesner. Jason Arp: Yea, Cassie Flesner: Yea, Chase Kratochvil: Yea, Brian Laaker: Yea, Matt O'Daniel: Yea, Shanon Willmott: Yea

10.3. Discuss, Consider and Take Necessary Action to Approve Wages for 2023-2024 for Classified Staff as Recommended by the Negotiations Committee:

- Custodians
- Bus Drivers
- Kitchen Staff
- Para Educators
- Business Manager/Transportation Director
- Facilities Director
- Technology Director

The negotiations committee met last Monday March 6th and discussed the arrays from different schools. The committee's goal is to try to be at/or near the midpoint of the various pay arrays that are presented each year from surrounding schools and conference schools.

The committee wants to be competitive with the tax payers monies, but also need to be responsible with tax funds. They try really hard to stay consistent with the arrays we have a lot of things on the plate with many different groups coming to the table with a list of wants- we tried to be fair with all the groups.

Dr. Lewis- suggested that the only place that the longevity wage had not been added to is the Drivers. 5 years would be .25 per hour- 10 years would be .50 15 would be .75 and 20+ would be \$1.00 this addition would be added to the Hourly activity pay as that is the only hourly wage for drivers.

Committee would like to meet and discuss this addition, and table the vote for the drivers pay. Negotiations will meet again to discuss the drivers pay and make changes. They will again present new wages on April board meeting.

Motion to approve classified staff wages for custodians, secretaries, kitchen staff, paras, and business manager, maintenance Director and technology director as presented Passed with a motion by Chase Kratochvil and a second by Cassie Flesner.

Jason Arp: Abstain (With Conflict), Cassie Flesner: Yea, Chase Kratochvil: Yea, Brian Laaker: Yea, Matt O'Daniel: Yea, Shanon Willmott: Yea

10.4. Discuss, Consider and Take Necessary Action to Enter into Contract for Superintendent for 2023-2025 as Proposed

The negotiation committee is presenting a contract for Superintendent Lewis at 2.34 % package increase in the salary for 2023-2024

Motion to Approve Contract with Dawn Lewis for 2023-2025, with 2023-2024 Salary of \$159,180 Passed with a motion by Matt O'Daniel and a second by Chase Kratochvil.

Jason Arp: Yea, Cassie Flesner: Yea, Chase Kratochvil: Yea, Brian Laaker: Yea, Matt O'Daniel: Yea, Shanon Willmott: Yea

10.5. Discuss, Consider, and Take Necessary Action to approve CTE curricular choices
Motion to Approve Purchase of CTE Curriculum Selections for Adoption as Presented for a total cost of \$53,652 Passed with a motion by Cassie Flesner and a second by Brian Laaker.

Jason Arp: Yea, Cassie Flesner: Yea, Chase Kratochvil: Yea, Brian Laaker: Yea, Matt O'Daniel: Yea, Shanon Willmott: Yea

10.6. Review Policies 6700-6920:

- 6700--Firearm Policy
- 6800--Internet Safety Policy
- 6900--Chronic Infectious Disease Practice and Procedure
- Dispensing Meds Caretaker Authorization Form
- 6910--Medication Forms
- 6910--Dispensing Medications
- 6920 (a) (b)--Self-Management of Asthma-Anaphylaxis-Diabetes and forms

11. EXECUTIVE SESSION

Motion to enter into Executive Session for collective bargaining and legal advice Passed with a motion by Matt O'Daniel and a second by Shanon Willmott.

Jason Arp: Yea, Cassie Flesner: Yea, Chase Kratochvil: Yea, Brian Laaker: Yea, Matt O'Daniel: Yea, Shanon Willmott: Yea

11.1. Enter Into Executive Session for Discussion of Collective Bargaining and Legal Consultation/Advice

Matt O'Daniel took at 5 min break at 8:48 to sign Seniors present at meeting and to then enter into executive Session. Entered into Executive Session at 8:55pm

12. ACTION ON EXECUTIVE SESSION ITEMS

13. ADJOURNMENT

Motion to adjourn meeting at 9:04 Passed with a motion by Matt O'Daniel and a second by Jason Arp.

Jason Arp: Yea, Cassie Flesner: Yea, Chase Kratochvil: Yea, Brian Laaker: Yea, Matt O'Daniel: Yea, Shanon Willmott: Yea

Matt O'Daniel, Board President

Dawn Lewis, Board Secretary

Date

Date

**Arlington Public Schools
March 31, 2023**

Fund Name 2 Rivers Bank	Bank Statement Starting Balance	Receipts	Disbursements	Interest	Interfund Transfers	Bank Statement Ending Balance
General Fund - 864	\$ 1,466,614.46	\$ 374,226.94	\$ 708,423.91	\$ 2,221.74	\$ 84,144.29	\$ 1,218,783.52
Activities - 109	\$ 245,978.15	\$ 26,053.19	\$ 24,580.95	\$ 410.65	\$ -	\$ 247,861.04
Hot Lunch - 487	\$ 296,230.42	\$ 52,622.88	\$ 84,144.29	\$ 475.43	\$ -	\$ 265,184.44
Depreciation Fund	\$ 798,005.57		\$ -	\$ 2,397.37	\$ -	\$ 800,402.94
Depreciation CD - 5826	\$ 255,711.11		\$ -		\$ -	\$ 255,711.11
					Total Depreciation:	\$ 1,056,114.05
2017 Bond Refunding	\$ 305,770.97	\$ 7,739.85	\$ -	\$ 695.67	\$ -	\$ 314,206.49
QCPUF	\$ 250,869.53	\$ 5,300.56	\$ -	\$ 570.77		\$ 256,740.86
Spec Bldg Fund	\$ 996,540.31	\$ 942.36		\$ 2,267.28	\$ -	\$ 999,749.95
Sp Bldg CD (none for now)	\$ -	\$ -	\$ -		\$ -	\$ -
					Total Spec Bldg:	\$ 999,749.95
Total Special Funds	\$ 2,606,897.49	\$ 13,982.77	\$ -	\$ 5,931.09	\$ -	\$ 2,626,811.35
Total SF minus CD's	\$ 2,351,186.38					\$ 2,371,100.24

CHECK REGISTER FOR April 2023 BOARD MEETING
(Includes special fund checks)

PAYEE NAME	DESCRIPTION	AMOUNT
American Broadband	Telephone service	\$ 410.86
Airgas	welding tank rental	\$ 136.57
Airgas	Welding materials for class	\$ 203.65
Bomgaars	Battery	\$ 122.78
B & D Diamond Pro	Mound dirt for ballfield	\$ 533.00
Blair Community School	OT Agreement	\$ 1,294.07
Martin Clausen	Pest Services	\$ 92.64
Capital One (Walmart)	supplies	\$ 228.07
D B Nebraska	HV/AC Control	\$ 288.00
Dietze Music	Music duets and books	\$ 77.16
Dennis Supply	hv/ac items	\$ 992.04
Frontline Technologies	renewal for applicant tracking	\$ 2,493.60
Fremont Lock Shop	Rekey Doors	\$ 135.25
Follett Content Solutions	Back ordered books for Library	\$ 40.27
Julie French	Reimbursement	\$ 32.58
Flinn Scientific	Zinc - Backordered from Fall	\$ 13.87
Goodheart Wilcox	Welding Curriculum	\$ 1,297.83
Goodheart Wilcox	School to Career Curriculum	\$ 14,033.35
Hy-Vee	food supplies	\$ 65.82
Hometown Leasing	Copier Lease for December	\$ 1,810.93
Jamie Huss	Athletic Trainer December	\$ 3,400.00
Hireright	drug testing	\$ 34.40
Hansen Tire	Repairs on bus 2017	\$ 7,634.22
Instrumentalist	choral awards	\$ 31.50
Knudsen's	Fuel for fuel tank (Buses)	\$ 4,148.54
KSB	Legal	\$ 455.00
Learn 2 Move	PT services	\$ 178.00
Lou's	Discus Cage	\$ 3,250.00
Lincoln Journal Star	Balance due from Advertising	\$ 0.74
Tamera Loftis	Accompanist	\$ 400.00
Midwest Movement	DOT Physical	\$ 75.00
Menards	Parts and supplies for maintenance repairs	\$ 239.89
McGraw Hill	National Inspire 2020	\$ 134.36
NRCSA	Spring Conference for Superintendent	\$ 210.00
NCS Pearson	Psych testing materials	\$ 321.52
OPPD	electricity	\$ 8,264.81
Omaha Truck Center	bus parts and repairs	\$ 841.45
Payflex	Fee for account managing	\$ 100.00
Popplers Music	Music	\$ 26.19
Pave the Way Concrete	Fence work at Fuel tank	\$ 7300
One Source	Background check service	\$ 5.00
J.W. Pepper	music	\$ 105.45
Skills USA	Registration for state skills contest	\$ 100
Thermo King	Def for buses	\$ 128.50
United Private Networks	Distance Learning Subscription	\$ 555.44
Village Of Arlington	Water	\$ 4,406.27
Visa (General Supplies)	Various Items for General Fund	\$ 4,406.27 <i>See attached itemized list for VISA</i>
Wood River	Natural Gas	\$ 7,713.27
Waste Connections	Trash service	\$ 1,288.45
		\$ -

Total Payables (GF checks not mailed until approved by the BOE) **\$ 74,361.89**

HANDPAYABLES (GF Paid and mailed after previous board meeting but before this board meeting)

Lexia Learning	LETRS conference (reimbursed by Grant \$\$)	\$ 6,134.00
Waste Connections	Trash	\$ 1,288.45
Washington CO Sheriffs	SRO costs	\$ 24,536.01

Casey's	Fuel for vans	\$	1,025.75
Two Rivers Bank	Safe Deposit box fee	\$	40.00
Douglas Co Election Commis	Election cost from November	\$	100.00
Alpha Pro Solutions	Alcohol testing strips	\$	114.50
Total Hand payables		\$	33,238.71
Total General Fund		\$	107,600.60

SPECIAL FUNDS (Building, Bond, QCPUF, Dep checks)

\$ -

Total Special Funds

\$ -

Hot Lunch Expenses

CWD (Cash-Wa)	Food for Hot Lunch	\$	7,535.79
Bimbo's Bakery	Bakery Goods for Hot Lunch	\$	842.10
Hiland Dairy	Milk Products for hot Lunch	\$	4,151.72
Jackson Services	Kitchen Supplies	\$	288.35
Sysco	Food for Hot Lunch	\$	3,236.44
US Foods	Food order for Hot Lunch	\$	4,967.55
		\$	-
		\$	-
	Hot Lunch Total	\$	21,021.95

EFINANCE - POWERSCHOOL
 DATE: 04/07/2023
 TIME: 12:38:41

ARLINGTON PUBLIC SCHOOL
 CHECK REGISTER

PAGE NUMBER: 1
 VENCHK11
 ACCOUNTING PERIOD: 8/23

FUND - 99 - DISBURSEMENT FUND

CHECK NUMBER	CASH ACCT	DATE ISSUED	VENDOR	ACCT	DESCRIPTION	AMOUNT
48050			4607	VISA	VOID: MULTI STUB CHECK	
48051	9001	04/07/23	4607	VISA	20 POWER BUTTON CABLES FR	196.95
48051	9001	04/07/23	4607	VISA	3 REPLACEMENT BATTERIES F	73.80
48051	9001	04/07/23	4607	VISA	50 HP LAPTOP CHARGERS	608.89
48051	9001	04/07/23	4607	VISA	AMAZON - 5 PACK SAND TIME	7.48
48051	9001	04/07/23	4607	VISA	AMAZON - ALPHABET WATER C	15.99
48051	9001	04/07/23	4607	VISA	AMAZON - HEAVY DUTY HOLE	82.99
48051	9001	04/07/23	4607	VISA	AMAZON - LONG USB CABLE	9.99
48051	9001	04/07/23	4607	VISA	AMAZON - OFFICEMATE MAGNE	7.53
48051	9001	04/07/23	4607	VISA	AMAZON - TEXTURE SENSORY	16.91
48051	9001	04/07/23	4607	VISA	AMAZON - THE LIGHTNING TH	69.90
48051	9001	04/07/23	4607	VISA	AMAZON - THE PENCIL GRIP	12.93
48051	9001	04/07/23	4607	VISA	CAR WASH FOR PREK VAN	9.07
48051	9001	04/07/23	4607	VISA	CIRCUIT BOARD CABLE	46.44
48051	9001	04/07/23	4607	VISA	EPSON 535W PROJECTORS	781.44
48051	9001	04/07/23	4607	VISA	FOLDERS, STICKERS, BUSINE	71.07
48051	9001	04/07/23	4607	VISA	FUEL FOR VAN	69.86
48051	9001	04/07/23	4607	VISA	FUEL RITE SYSTEM ON FUEL	85.00
48051	9001	04/07/23	4607	VISA	HDMI CABLE, HDMI ADAPTER	201.67
48051	9001	04/07/23	4607	VISA	IPEVO VZ-R DOCUMENT CAMER	230.99
48051	9001	04/07/23	4607	VISA	IPEVO VZ-R DOCUMENT CAMER	230.99
48051	9001	04/07/23	4607	VISA	LEGALSHIELD MEMBESHIP FOR	14.95
48051	9001	04/07/23	4607	VISA	LEXMARK MS621DN PRINTERS	1,125.40
48051	9001	04/07/23	4607	VISA	PARKING FOR STATE WRESTLI	20.00
48051	9001	04/07/23	4607	VISA	PARKING FOR SUPERINTENDEN	7.50
48051	9001	04/07/23	4607	VISA	PIONEER LONG DISTANCT BIL	83.16
48051	9001	04/07/23	4607	VISA	REPLACEMENT IMAGING DRUM	95.39
48051	9001	04/07/23	4607	VISA	USB WIFI ADAPTER	25.98
48051	9001	04/07/23	4607	VISA	WE MAKE LEARNING FUN - MI	204.00
TOTAL CHECK						4,406.27
TOTAL FUND						4,406.27
TOTAL REPORT						4,406.27

**General Fund
2022-2023**

<u>Receipts</u>	<u>Budgeted</u>	<u>Actual Receipts</u>	<u>% Received</u>	<u>Last Year At this time %</u>
Property Taxes	\$ 7,259,435.00	\$ 2,689,830.15	37.05%	46.92%
Carline Taxes	\$ 4,000.00	\$ 733.37	18.33%	31.64%
Motor Vehicle	\$ 380,000.00	\$ 253,035.36	66.59%	72.03%
PreSchool Tuition	\$ 15,000.00	\$ 14,705.00	98.03%	82.33%
County Sources	\$ 25,000.00	\$ 34,117.88	136.47%	100.45%
State Aid	\$ 1,189,903.00	\$ 833,013.00	70.01%	70.00%
Sped SA Revenue	\$ 400,000.00	\$ 272,692.00	68.17%	78.41%
Federal & all other	\$ 428,750.00	\$ 1,162,493.08	271.14%	
Transfer From Depreciation	\$ -	\$ -	-	
	\$9,702,088.00	\$5,260,619.84	54.21%	67.34%

<u>Expenditures:</u>	<u>Budgeted</u>	<u>Expenditures YTD</u>	<u>% Disbursed</u>	
<u>General Fund Totals</u>				
Elementary	\$ 4,069,804.58	\$ 2,275,686.87	55.92%	52.94%
Secondary	\$ 4,508,413.27	\$ 2,251,893.77	49.95%	53.88%
District	\$ 2,210,342.50	\$ 978,748.88	44.28%	36.13%
Total	\$ 10,788,560.35	\$ 5,506,329.52	51.04%	49.44%

General Fund Categories of Particular Interest

<u>Special Education</u>				
Elementary	\$ 726,928.19	\$ 2,830,554.14	38.94%	46.10%
Secondary	\$ 500,005.10	\$ 251,159.79	50.23%	50.96%
<u>Transportation</u>				
Elementary	\$ 176,150.46	\$ 55,382.05	31.44%	40.89%
Elem Transportation Maint.	\$ 90,644.32	\$ 52,231.83	57.62%	37.71%
Secondary	\$ 93,747.01	\$ 33,561.46	35.80%	45.51%
HS Transportation Maint.	\$ 22,661.08	\$ 26,319.17	116.14%	94.25%

District Level Categories of Particular Interest

<u>Facilities and Operations</u>				
Operat of Building	\$ 542,992.32	\$ 278,781.23	51.34%	48.40%
Building Maint.	\$ 414,666.61	\$ 97,490.54	23.51%	5.98%
Grounds Maint	\$ 102,850.00	\$ 17,159.76	16.68%	5.72%

	Activity Balances as of		3/31/2023		
Source Code:	Account	Beginning Bal	YTD Revenues	YTD Expenditures	Balance
701	One School One Team	\$ 3,963.75	\$12,545.00	\$14,989.00	\$ 1,519.75
702	Always For Kids ELEM	\$ 33,257.52	\$1,956.43	\$8,037.49	\$ 27,176.46
702	HS Always for Kids	\$ 3,622.04	\$200.00	\$2,244.99	\$ 1,577.05
703	Art Class	\$ 13,032.17	\$1,007.72	\$8,264.16	\$ 5,775.73
704	Art Club	\$ 1,632.03	\$0.00	\$0.00	\$ 1,632.03
705	Athletics	\$ 7,714.00	\$54,204.03	\$77,868.19	\$ (15,950.16)
706	Band	\$ 7,266.24	\$7,836.50	\$9,364.32	\$ 5,738.42
708	Book Club	\$ 270.55	\$0.00	\$0.00	\$ 270.55
709	Cheerleading	\$ 2,255.82	\$4,969.74	\$2,965.38	\$ 4,260.18
710	Welding	\$ 456.15	\$90.00	\$0.00	\$ 546.15
714	SKILLS	\$ 1,070.14	\$1,790.00	\$1,240.00	\$ 1,620.14
717	Transition	\$ 1,613.51	\$0.00	\$0.00	\$ 1,613.51
720	Concessions	\$ 2,836.00	\$28,175.97	\$28,973.71	\$ 2,038.26
721	Dance Squad	\$ 3,130.76	\$3,059.14	\$2,759.24	\$ 3,430.66
722	Drama	\$ 461.35	\$2,013.44	\$986.74	\$ 1,488.05
723	MS STEM	\$ 59.75	\$0.00	\$0.00	\$ 59.75
724	Elem Lounge	\$ (55.16)	\$55.16	\$0.00	\$ -
726	FBLA	\$ 13,562.37	\$23,690.33	\$20,340.90	\$ 16,911.80
727	Football	\$ 12,728.91	\$1,709.25	\$1,874.74	\$ 12,563.42
728	Reimbursement (general)	\$ 370.33	\$1,465.27	\$1,141.86	\$ 693.74
732	Fam Cons Science	\$ 1,532.52	\$1,305.00	\$1,309.04	\$ 1,528.48
733	Wrestling	\$ 2,172.38	\$2,841.00	\$2,575.35	\$ 2,438.03
735	Honor Society	\$ 1,171.06	\$302.80	\$385.00	\$ 1,088.86
736	Activities Interest	\$ (41.61)	\$41.61	\$0.00	\$ -
737	MS Student Council	\$ 2,234.91	\$595.00	\$0.00	\$ 2,829.91
739	Library Fund Elem/HS	\$ 2,448.12	\$2,859.39	\$1,733.95	\$ 3,573.56
740	Industrial Tech / Woods	\$ 1,814.56	\$2,250.00	\$2,546.72	\$ 1,317.84
742	Quiz Bowl	\$ 970.82	\$0.00	\$100.00	\$ 870.82
744	HS Lounge	\$ 251.17	\$0.00	\$0.00	\$ 251.17
746	Spanish Club	\$ 149.97	\$0.00	\$0.00	\$ 149.97
747	Speech	\$ 840.60	\$291.02	\$1,140.71	\$ (9.09)
748	Spring Musical	\$ 8,023.61	\$16,143.80	\$9,310.90	\$ 14,856.51
749	Student Council	\$ 4,324.40	\$4,018.16	\$1,867.46	\$ 6,475.10
750	Student Vending	\$ 1,403.01	\$0.00	\$0.00	\$ 1,403.01
751	Swing Choir	\$ 895.51	\$0.00	\$317.50	\$ 578.01
753	Yearbook	\$ 5,199.96	\$9,110.00	\$5,000.00	\$ 9,309.96
756	Pepsi	\$ (297.15)	\$1,884.73	\$870.67	\$ 716.91
758	Floor Fund	\$ 427.95	\$0.00	\$0.00	\$ 427.95
761	Honors History	\$ -	\$0.00	\$0.00	\$ -
762	Baylor/ACT	\$ 2,981.09	\$216.00	\$216.00	\$ 2,981.09
764	Metro	\$ 31,850.84	\$0.00	\$1,049.99	\$ 30,800.85
766	FFA	\$ 23,063.40	\$35,084.00	\$28,174.11	\$ 29,973.29
768	Class of 2022	\$ 962.37	\$0.00	\$0.00	\$ 962.37
770	K3 Basketball Camp	\$ -	\$2,130.00	\$1,826.88	\$ 303.12
772	Class of 2023	\$ 2,945.98	\$0.00	\$0.00	\$ 2,945.98
773	Class of 2024	\$ 4,916.15	\$665.00	\$2,113.35	\$ 3,467.80
774	Class of 2025	\$ 2,420.98	\$2,606.02	\$483.12	\$ 4,543.88
775	Class of 2026	\$ -	\$839.90	\$0.00	\$ 839.90
782	Volleyball	\$ 4,369.61	\$3,376.12	\$1,325.84	\$ 6,419.89
783	Boys Golf	\$ 1,830.56	\$1,153.00	\$0.00	\$ 2,983.56
784	Girls Golf	\$ 4,236.21	\$1,173.00	\$324.00	\$ 5,085.21
785	Cross Country	\$ 3,754.88	\$4,989.00	\$5,329.12	\$ 3,414.76
786	Track Fund	\$ 1,354.58	\$1,153.00	\$0.00	\$ 2,507.58
787	MS Track	\$ 222.12	\$0.00	\$0.00	\$ 222.12
788	Softball	\$ 1,575.92	\$2,347.90	\$1,562.68	\$ 2,361.14
789	Baseball Fund	\$ 3,976.58	\$2,420.84	\$2,560.99	\$ 3,836.43
790	Boys Basketball	\$ 4,262.32	\$4,483.25	\$1,666.55	\$ 7,079.02
791	Girls Basketball	\$ 384.56	\$1,892.25	\$1,184.98	\$ 1,091.83
792	MS Girls Basketball	\$ (24.00)	\$304.00	\$256.50	\$ 23.50
793	Striv	\$ 400.00	\$4,520.00	\$703.50	\$ 4,216.50
794	Sped	\$ 420.25	\$1,534.24	\$559.92	\$ 1,394.57
795	Wellness (District)	\$ 900.00	\$5,810.00	\$5,329.47	\$ 1,380.53
796	Elementary Activity	\$ -	\$152.00	\$152.00	\$ -
799	Girls On The Run	\$443.75	\$0.00	\$0.00	\$ 443.75
	Totals	\$239,818.17	\$263,260.01	\$263,027.02	\$240,051.16

Instrumental and Vocal Music Board Report 2022-2023

Multicultural Aspect:

Music students in Arlington Public Schools K-12 are introduced to different cultures through the music classroom. In elementary music classes students are introduced to different cultures through song, instruments, and other representations of music in other cultures. There is a bulletin board in the classroom dedicated to representing minority composers. As students begin to develop as musicians in middle school and high school they learn how to perform music from an array of cultures, as well as learning about the culture of the piece. In the middle and high school ensembles we strive to perform or study at least one multicultural piece a year.

Examples include folk songs, folk dances, children's games, children's songs and instrumental music from various cultures. The selected method book for the elementary bands includes many folk songs from around the world. For the middle school and high school band the goal is to find quality literature that is inclusive of an array of cultures and people. The middle school has been able to play several pieces from Africa, Brazil, and in the high school we have sight-read music from different cultures. The middle school choir has performed the songs "Betelehemu, Tres Cantos Nativos, and Tumekuja Kuimba." Betelehemu is a Nigerian Carol, Tres Cantos Nativos is a set of three songs based on melodies sung by the Krao tribe from Brazil, and Tumekuja Kuimba is in Swahili. Students learned Nigerian, Swahili, and English lyrics as well as various African rhythms. High School Choir rehearsed music in Latin and Spanish this year. Soloists, small groups, and honor choir students have rehearsed/performed in multiple languages including French, Italian, Spanish, Latin, German, and English.

2. What do we want students to learn?

In instrumental music the focus has been on building musicianship skills. Elementary band students work on foundational skills including reading notes/rhythms, producing characteristic sounds on their instrument and how to practice. Middle school students add to these skills by adding in ensemble skills such as dynamic and articulation contrasts and expanding the range their instrument plays. High school students work on developing emotional and empathetic musicianship to create the overall musical experience. With the addition of the Canvas learning platform all band students have had more opportunities to study music theory and as an instructor I have had more chances to hear students play individually to better direct instruction. Students continue to reflect on individual and group performance that helps lead students to understand how the ensemble works together to create a better sound.

In vocal music often high school can be very student led and student centered. The greatest of this at the high school level with more independent sectionals for learning parts. We have had more activities with student reflection on performances/practice for improvement within the group. Many students have worked to lead others in our team learning. This has made us able to accomplish more in less time. With the access of Canvas in the vocal classroom, students have had easy access to small group, solo, and sectional recordings from anywhere.

Middle school has been a struggle with only myself in the classroom with over 80 students most of the time. I am very excited to team teach this with Mrs. Morin next year! We are planning to have the boys and girls do a lot of rehearsals separate which is highly recommended for this age.

At the elementary level the main focus is fostering a love for music and desire to be a lifelong learner and musician. We do this through music games that build music reading skills, music writing projects that instill creativity, instrument and song exploration, and singing a variety of fun songs that students can make connections to.

3. How do we know when our students are learning?

All instructors continue to use rehearsal techniques such as full group, individual pull out, and sectionals during the school year as the main assessment style. In the past two years the music department has relied on recording programs and editing software (Striv, YouTube, Canvas, iMovie, Final Cut Pro and Flipgrid) not only for teacher and student assessment, but to show the community what we are doing in our classrooms. The music department continues to provide concerts throughout the year to parents and community members in person and when available through Striv. We also play for community events such as Veterans Day, Memorial Day, Arlington Fireman's Breakfast, and The Arlington Tree Lighting. Each grade level and ensemble is able to perform at least one time throughout the year and the older students at least 3 times a year. We have several upcoming concerts including the High School Recital and Spring Concert, District Music Contest and the Middle School Spring Concert and Recital.

In Elementary, each unit is begun with a pre-assessment and finished with a summative assessment. Throughout each unit, I refer back to the pre-assessment to ensure that each student is improving in the skills.

4. How do we respond when students are not learning?

In the music classrooms when students turn in assignments that are incomplete or incorrect they will be asked to redo the work until it is correct. Since music is largely a performed skill most re-teaching is done in the classroom either as a quick one on one instruction or in a large group review. Students in higher grade levels may be asked to come in before or after school to work in a sectional or one on one with the instructor for more help. In the secondary building we are able to use TA time to help students who are not meeting learning goals as well as GRIP and ESP. Elementary band students are also able to use their recess time to receive one on one instruction if needed. In the past year the elementary band recess lesson time has really bloomed with students coming in not only to make up lessons but to extend and improve beyond what we are learning in class.

Elementary general music students who are not improving in the skills taught get marked in my own notes and throughout the unit and the year I create lessons in which I can focus on the students individually, while making sure that the students don't feel singled out. This allows me to use mistakes as a teaching moment and correct skills that are being practiced incorrectly.

5. How do we extend or enrich the learning for students who exceed proficiency?

Students who are more advanced or wish for further instruction in their musical education are encouraged to participate in honor groups, outside ensembles, outside performances, and solos and small ensembles. Though most of these opportunities require work outside of standard class time, students are excited by the challenge. Students who participate in these groups and performances are often rewarded with new skills and knowledge and increase the overall performance ability in the musical ensembles at Arlington. This group of students is also used to lead sectionals or be section leaders in our ensembles which allows them to share their knowledge and provide support for the teachers.

Similarly, students in elementary general music are provided opportunities to be leaders in their classes through teaching, projects, or group work where they can help teach their peers.

6. Other Information

Music Trip: Last year the High School Band and Choir students took a trip to St. Louis and the Middle School Band and choir traveled to Kansas City for a day. High School students saw The Lion King musical and performed at The St. Louis Wheel. The middle school students worked with area clinicians in preparation for their spring concert and spent several hours at Worlds of Fun.

Honor Bands: Participation in honor bands was up this year with many students electing to participate and/or audition.

Doane Honor Band: November, 6 participants (auditioned)

Wayne State Honor Band: January, 5 participations (auditioned, canceled due to weather)

NCC Honor Band: March, 13 participants (selected)

Blair Middle School Honor Band: March, 2 participants (selected)

Class B All-State: March, 5 participants (auditioned)

Pender Elementary Honor Band: May, 43 participants

Honor Choirs: Many honor choirs returned after many were canceled during the pandemic. We had many students selected to honor choirs this year!

Nebraska Middle Level Allstate: 4 participants (auditioned)

Sing Around Nebraska Honor Choir: 15 participants (auditioned)

(Record number and most students selected from one school in the entire state!)

Midland Festival Choir 5 participants (nomination)

Fremont Festival Middle School Choir 11 participants (nomination)

Nebraska Allstate Choir 5 participants (auditioned)

Nebraska Honor Choir Middle Level 4 participants (auditioned)

Doane Honor Choir 3 participants (Nomination/selection)

Wayne State Honor Choir 3 participants (auditioned)

UNO Middle Level Honor Choir 4 participants (auditioned)

Screamin' Eagles Marching Band: In the 2022-2023 school year the marching band performed at the Washington County Fair, Nebraska State Fair, five home football games, three basketball games, one volleyball game, The Village Pointe Lighting Ceremony and several pep rallies. We also hosted our second alumni pep band in January with 8 participants.

Veteran's Day: High School Band, Choir, and Elementary music ensembles performed at the Annual Veteran's Day Assembly.

Conference Choral Clinic: Fort Calhoun hosted the Conference Choral Clinic this year. Students were able to rehearse with all conference schools with esteemed director Pat Ribar. Each school, including Arlington, was featured individually in the concert as well. Arlington had many soloists chosen for the mass choir pieces.

Soaring Sound Show Choir: Show choir was not able to attend any competitions this year. We were able to return to our regular performance schedule this year. They performed at the Middle School concert in October, Peru State College Festival, Midland Festival of the Arts, and Nebraska Choral Directors Association Show Choir Festival as well as all of our high school concerts. They will be performing at District Music Contest as well.

Community: Soaring Sound Show Choir performed at the Fireman's Pancake Breakfast in December. Various middle school and high school students performed at the Arlington Christmas Tree Lighting. (It was a very cold night!)

District Music Contest: On April 21-22 the Arlington Music Department will perform at the District Music Contest at Platteview. This year we will have 13 instrumental solos/ensembles and 20 vocal solos/ensembles performing as well as the Arlington High School Band, Arlington High School Choir and Soaring Sound Show Choir.

Middle School Recital: Middle school vocal/instrumental students will soon begin their preparations for their recital in May. Many solos and ensembles are in progress for this performance.

Music In Our Schools Month: This past March the whole staff participated in an optional music survey which they shared with their students outside of their classrooms. The whole

school also participated in our Music Madness Bracket where they could vote for the top song out of 50! Student and staff involvement was high and we got a lot of positive feedback. Each building also had a music timeline that contained the top songs from everyone's birth year. I really appreciated the feedback and participation that I received from the staff and students.

Canvas:

The Canvas Learning Platform continues to be a huge asset to classroom instruction. Especially in our secondary classrooms it has allowed us to create online spaces to house a lot of our materials and made assessment more streamlined. This included the one to one access of computers. When computers were on carts for specific classrooms we were not able to utilize technology due to our large class size numbers.

Additional Music Department Staff:

We were excited to hear that we now have three full time music teachers on staff at Arlington for next year. This allows us to add more educational support and opportunities for all of our music students K-12. The opportunity to plan more thoroughly and focus on specific grade levels was certainly a need for our department. We are sure Arlington will continue to see growth in our music programs due to this change.

April 2023 Elementary Principal Report

Musical – We had over 35 elementary students practice and perform in this year’s musical, Cinderella. ALL performances were amazing!

Preschool Parent Meeting - The preschool parent meeting took place. We had approximately a dozen families in attendance. We will have a full preschool next year with a small waitlist!

PTO Trivia - Another great event raising several thousand dollars. The PTO is working to get Informational TV’s for the elementary! One in the entryway and one for the Blue Gym. PTO is also working to get Eagle specific mats for the entryways in the Elementary!

5th/6th Band and Choir Concert - Wonderful performance by all of our budding musicians.



Secondary Principal's Report

April 2023 Board Meeting

Prom

Prom will be held on Saturday, April 22 in the competition gym with post prom to follow at the Two Rivers Bank Arena. Thank you to all of the parents, businesses, community members, teachers, sponsors, and others who have contributed to making this night a fun night for our students.

Finance/Economics Recognition

- Two Arlington middle school teams placed in the Nebraska Economics Challenge. (1st and 3rd)
- The fall finance challenge team from Arlington earned a berth at the Nebraska Regional Finance Challenge competition in Omaha later this month.

MOS Certification

The following students earned their Microsoft Office Certification (MOS) in the month of March.

Microsoft Access

- Corinne Crosland, Katy Douglas, Joel Molzahn, Colton Willmott

Microsoft Excel

- Jonathan Taylor

Microsoft Word

- Gracen Adams, Jaydin Allen, Valeria Carvajal, Jake Flesner, Libby Hegemann, Sydney Kallhoff, Henry Lancaster, Lilly Lang, Savannah Lang, Emily Marcucci, Owen Meehan, Dustin Osborne, Emma Rohn, Lydia Schaapveld, Luke Sharp, Tess Spivey, Emme Timm

State Leadership Conferences

FFA - March 29-31

FBLA - April 3-5

SkillsUSA - April 13-14

State FFA

Arlington FFA recently represented us at state in Lincoln. Some of the top results from the convention are listed and they feature the first Arlington FFA State Individual Champion, first state runner-up in an LDE, three TOP 10 teams and three state degree recipients! Five of our nine CDE teams were in the top 17 in their respective events, an amazing accomplishment! To earn a team or individual ribbon you must be in the top 50% of teams and individuals. Together our chapter earned 7 team ribbons and 20 individual ribbons!

State Degree Recipients

Braden Monke

Dalton Newcomer

Kyle Quinn

Livestock Evaluation: Sr. Division - BLUE - 8th out of 57

Including Brooke Hilgenkamp - STATE CHAMPION - Purple

Discovery Speaking

Erika Cruikshank - State RUNNER-UP - Gold Rating

Veterinary Science - BLUE - 7th out of 36

Farm & Agribusiness Management - PURPLE - 10th out of 97

Agronomy - BLUE - 13th out of 56

Livestock Evaluation: Jr. Division - RED - 17th out of 56

NCC Art Show

This year's conference art show is on April 12 in Louisville.

Student Awards

Midland Leaders - Taylor Arp, Brooke Hilgenkamp, Kevin Flesner, and Lizzie Meyer were awarded as Outstanding High School Leaders by Midland University at a ceremony on March 31. Congratulations to them for their hard work leading to this recognition.

Other Fun!



James Shada
April
Board Report

NCPA Academic All-State Awards – Winter 2022



NCPA ACADEMIC ALL-STATE AWARDS

Since 2006 this NSAA Award Program has recognized students who meet the criteria for nomination by their school in the season of their activity. Each year the NSAA and the NCPA recognize students during fall, winter and spring seasons who are nominated by their schools for their individual academic excellence, leadership, and significant contributions in their NSAA activity. The criteria are as follows:

1. A nominated student must be a varsity player or organizational leader who has played a significant role on the team or in the organizational activity during the seasons for which nominations are accepted.
2. A nominated student must have a minimum cumulative grade point average, in all curricular subjects, of 93% or 3.7 on a 4.0-point scale or the equivalent.
3. NSAA high schools or their cooperative sponsorship may nominate a maximum of two students per NSAA activity program.

Nebraska Chiropractic Physicians Association (NCPA) Academic All-State Awards winner from Arlington winners were:

Boys Basketball: Schuyler Logemann, Tyler Ott
Girls Basketball: Libby Hagemann, Emme Timm
Speech: Joseph Burns, Kolby Tighe
Girls Wrestling: Jaydin Allen

Spring Events Update

- FFA State Conferences are happening in Lincoln! March 29th – 31st
- FBLA at State Leadership Conference are happening in Kearney April 3rd – 5th
- State Skills USA is happening in Grand Island! April 13th – 15th

- High School Music Concert: 4/17 at 7:00
- Middle School Music Concert: 4/25 at 7:00
- District Music Competition: 4/21 and 4/22 at Platteview, performance times TBA
- High School Honors Night: 4/27 at 7:00 pm
- Track Meet: *Jr. High May 5th at 4:00 pm, High School May 4th at 2:00 pm*
- Boys Golf Invitational: *April 28th at 9:00 am*
- Athletic Banquet: *May 7th at 5pm at the City Auditorium*

Grade Level	4/10/2023	2/13/2023	5/20/2022	10/10/2022	12/6/2022
PS	27	27	29	26	27
KG	45	44	43	42	45
1ST	48	48	48	44	45
2ND	49	48	35	48	48
3RD	37	38	50	36	37
4TH	53	52	48	50	51
5TH	54	54	46	53	54
6TH	49	49	62	47	48
PS-6 TOTAL	362	360	361	346	355
7TH	66	66	57	66	65
8TH	55	55	48	57	57
9TH	54	54	49	54	54
10TH	49	50	66	50	50
11TH	65	65	54	65	65
12TH	53	53	63	53	53
7-12 TOTAL	342	343	337	345	344
PK-12 TOTAL	704	703	698	691	699

OPTION ENROLLMENT

IN/OUT	IN/OUT	IN/OUT	IN/OUT
KG	8/3		
1ST	10/4		
2ND	8/0		
3RD	6/6		
4TH	9/2		
5TH	12/3		
6TH	3/3		
7TH	12/2		
8TH	12/3		
9TH	14/5		
10TH	17/7		
11TH	15/5		
12TH	22/16		
TOTAL	148/59	12.64%	
net positive	89		
Last Years Total In/Out	149/56		

Projected Change in Option for 2023-24 (in/out) 141/41

NASB BOARD QUICKS

A MONTHLY E-UPDATE OF KEY DATES FROM THE NEBRASKA ASSOCIATION OF SCHOOL BOARDS



1,960,000 Nebraskans 324,000 Students 1,700 Locally Elected School Board Members 260 Member Districts/ESUs ONE NEBRASKA

Join NASB, as we travel the state for various workshops, meetings and events throughout the year. To learn more and register for an NASB event, click on the 'My Membership' link, then navigate to the 'Events' dropdown and select 'Register'.

Events & Networking - <http://members.nasbonline.org/index.php/events>



Your Monthly Board Agenda Update Video Links from NASB

<http://members.nasbonline.org/index.php/news-resources/videos>

REGISTER NOW!



NASB Legislative Advocacy Day - April 17 - Lincoln

Join NASB for its first Advocacy Day. With a third of the session remaining, spend the morning learning the status of bills important to the board room and classroom. Hear from the State Budget Administrator on the Governor's school finance reform package, and gain tools for advocacy, then head to the Capitol after lunch to put those tools to use as we engage with Senators and watch the floor debate.

Watch: Governor's School Funding Package District by District Breakdown - 3/31/23 - <https://vimeo.com/813634389>



Leadership Workshop - June 7-8 - Lincoln

NASB Member Golf Outing - June 14 - Kearney Country Club

School Leaders & Law Conference - June 14-15 - Kearney

FORE!

Continued on Page 2



Leadership

Innovation

Vision

Engagement

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ALICAP Summer Workshops - July 10-11-12 - Gering - Kearney - Lincoln



Area Membership Meetings Begin August 22nd!!!

YOUR 2023 PLATINUM AFFILIATES



If your business would like to become an Affiliate Member of NASB, please visit: <http://members.nasbonline.org/index.php/affiliate-member>



Leadership Innovation Vision Engagement #liveNASB #weLIVEhere

The Nebraska Association of School Boards provides programs, services and advocacy to strengthen public education for all Nebraskans. Learn more at www.NASBonline.org



Nebraska Rural Community Schools Association

Member Update

April 7, 2023



Photo Credit: Cambridge Public Schools



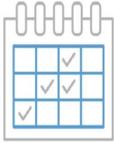
www.nrcsa.net



www.twitter.com/NRCSA1980



www.facebook.com/nrcsahome/



NRCSA Calendar

NRCSA Events

NRCSA Golf Tournament

July 25, 2023

Meadowlark Hills Golf Course in Kearney

[More about this event](#)

NRCSA Legislative Forum

February, 2024

Cornhusker Hotel in Lincoln

[More about this event](#)

NRCSA Spring Conference

March, 2024

Crowne Plaza & Younes North Convention Center in
Kearney

[More about this event](#)

Committee Meetings

NRCSA Executive Committee

June 28, 2023

9:30 AM

Bayside Golf Club Meeting Room

NRCSA Legislative Committee

January, 2022 - June 2022

Every other Thursday

Via Zoom - Links to be distributed prior to meetings

4/20/23	9:30 AM
5/4/23	9:30 AM
5/11/23	9:30 AM
5/18/22	9:30 AM
6/1/23	9:30 AM
6/22/23	9:30 AM



NRCSA Search Service

Please let Jack Moles know where superintendent vacancies occur, so that NRCSA Superintendent Search can make direct contact. We need to hear as soon as possible in anticipation of getting promotional materials specific to that board of education ready. It is critical that Board Presidents have the NRCSA contact information so that if they choose to consider a Superintendent Search Service, NRCSA is one they hopefully will consider.



Ansley Public Schools
Search Complete



Randolph Public Schools
Search Complete



Bruning-Davenport Unified School System
[Notice of Vacancy](#)
[Application Instructions](#)
Application Deadline: **April 26, 2023**
Finalists Selected: **May 2, 2023**
Interviews: **May 6, 2023**
Contract Starts: **July 1, 2023**



Ravenna Public Schools
Search Complete



Educational Service Unit 16
Search Complete



South Central NE Unified System 5
Interim Search Complete



Lakeview Community Schools
Application Process Complete
Finalists Selected: **April 10, 2023**
Interviews: **April 12, 2023**
Contract Starts: **July 1, 2023**



Southwest Public Schools
Search Complete



Louisville Public Schools
Search Complete



Superior Public Schools
Search starting soon



Medicine Valley Schools
Search Complete



Tekamah-Herman Schools
Search Complete



North Bend Central Public Schools - Permanent
Search Complete



Thayer Central Community Schools
Search Complete



NSAA Executive Director
Search Complete



Thayer Central Community Schools - Principal
Search Complete

Other Vacancies

Sumner-Eddyville-Miller Schools

Sumner-Eddyville-Miller is seeking qualified applicants for a **K-12 Principal**. The position will begin August 1, 2023 for the 2023-2024 school year. Applicants should be able to possess or be able to acquire a Nebraska Administrative Certificate with the proper endorsement.

SEM is a D-1/2 school district located in south-central Nebraska approximately 30 miles west of Kearney, NE with an enrollment of 223 students in grades PK-12. SEM school has a tradition of academic excellence, enjoys strong community support, and has established a positive, caring, and connected environment. The district is seeking candidates who possess competencies for working with staff, students, and parents.

Candidates must be able to communicate with and work effectively with community members, students, and staff. They must also possess strong leadership skills and knowledge of:

- School Improvement
- Curriculum
- Technology
- Career Technical Education
- Student Behavior

Applicants should email application materials to Dr. Candace Conradt, Superintendent, cconradt@semmustangs.org. Please include a cover letter, resume, credentials, references, and any other appropriate application materials.

Please reach out with any further questions.

Contact Information

Sumner-Eddyville-Miller Schools
205 E. 5th
Sumner, NE 68878
<https://www.semmustangs.org/>

Dr. Candace Conradt
(p) (308) 752-2925 Ext. 1004

Access the Members area of www.nrcsa.net anytime.
Login: member Password: playground

The 2023 NRCSA Spring Conference is in the books and was a huge success. We had the highest actual attendance that we've had in at least 10 years, maybe ever. Most of the feedback we received on the conference was very positive, but we did receive some suggestions to consider on how we might improve things. We will definitely take those under consideration. Thank you to all who attended and participated. It was awesome to see all of you there!



Panel members for the “So, What Makes a Good Board Member” discussion at the Spring Conference were: Jason Richtets (Centennial), Megan Kozisek (East Butler), Heidi Proskocil (Ord), Brad Wilkins (Ainsworth), and Matt Hothan (SEM).

The musical performances are always a highlight of the conference. Thank you to those who took the time to display the talents they are developing in our rural schools.



Alivia Schemek of Humphrey Public Schools sings the National Anthem at the 2023 NRCSA Spring Conference.

NRCSA Leadership

Dr. Dawn Lewis, President.
Arlington Public Schools

Ginger Meyer, Past President
Chadron Public Schools

Mark Lenihan, Pres-Elect.
Wayne Community Schools

Jane Davis, Secretary.
Hershey Public Schools

District Representatives:

Eugene Hanks, West
Crawford Public Schools

Dale Hafer, North Central
Ainsworth Community Schools

Dr. Jon Cerny, Northeast
Bancroft-Rosalie Community Schs

Paul Sheffield, Southeast
Exeter-Milligan Public Schools

Jon Davis, South Central
Alma Public Schools

Alan Garey, Southwest
Medicine Valley Schools

Executive Director:

Jack Moles

Lobbyists:

Jon Edwards
Trent P. Nowka
Russell Westerhold

Legislative Co- Chairs:

Dr. Jason Dolliver
Pender Public Schools

Scholarship & Recognition Co Chairs:

Tim Heckenlively,
Falls City Public Schools

Jim Widdifield
Minden Public Schools



The Minden Madrigal performs at the 2023 NRCSA Spring Conference.



The Gothenburg Swingin' Swedes perform at the 2023 NRCSA Spring Conference.

Congratulations to this year's NRCSA Award winners! One of the favorite features of many who attend the NRCSA Spring Conference is the awards presentation. Each year NRCSA recognizes an Outstanding Superintendent/ESU Administrator, Board of Education Member, Principal, Secondary Teacher, Elementary Teacher, Music Teacher, ESU Staff Member, and Support Staff Member. Most often the recipients do not even know they have been nominated. NRCSA works with the recipients' school/ESU to sneak family and friends in to make the presentation even that much more special for the recipient. Of course, many of the messages from the recipients are very emotional. It is just rewarding to recognize some of the many great people working in our rural schools. Congrats to all!



*NRCSA Outstanding Superintendent
Kevin Wingard, Milford Public Schools*



*NRCSA Outstanding Board of Education Member,
Stephanie Summers, David City Public Schools*



NRCSA Outstanding Principal, Laura Kroll, Exeter-Milligan Public Schools



NRCSA's Gary Fisher Outstanding Music Teacher Award winner, Matt Bertrand, Humphrey Public Schools



NRCSA Outstanding Secondary Teacher, Mike Peterson, O'Neill Public Schools



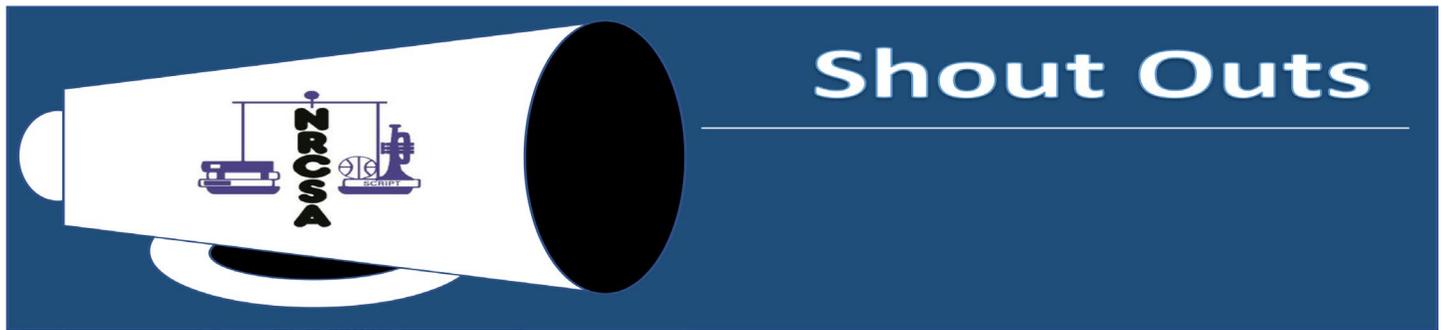
NRCSA's Outstanding ESU Staff Member, Jen McNally, ESU #5



NRCSA Outstanding Elementary Teacher, Jean Loshonkohl, Eustis-Farnam Public Schools



NRCSA's Outstanding Support Staff Member, Pam Ginkens, Mullen Public Schools



NRCSA is excited to add a new feature to the Member Update. We want to do a “shout out” to our member schools/ESUs for special things happening in rural Nebraska. For example, we will try to recognize things such as:

- State Champions in NSAA Activities
- Special awards or recognitions received by the district or staff members.
- Extraordinary accomplishments by individual students or student groups
- National or regional level recognitions for schools, students, or staff members.
- Special grants received.

This month we celebrate:

* Cailyn Erickson (Auburn) and Landon Classen (O’Neill) received the Bill Lewis Memorial Scholarship through the Nebraska School Activities Association. They were recognized at the Boys State Basketball Tournament.

* Pawnee City’s Elementary team of staff members received the ASD Friends of Autism Team Award. Team members include Joni Hegemann (Elementary Special Education Teacher), Beverly Smith (paraeducator), Julie Kettelhake (paraeducator), Maria Hippen (Speech Language Pathologist), Mandy Bredemeier (Occupation Therapist), Rachel Jackson (Physical Therapist), Heidi Koster (classroom teacher), Angela Sholty (Art teacher), Laura Dieckgrafe (vocal music), Mason Amundson (physical education), and Brian Rottinghaus (Superintendent/Elementary Principal).

* Johnson-Brock won the Class D1 State Boys Basketball Championship.

* Freeman won the Class C2 State Boys Basketball Championship.

* Schools recognized as Sportsmanship Award winners at the State Boys Basketball Tournament were Pierce in Class C1 and Shelton in Class D2.

* Milford recently won the ProStart Culinary Arts State Championship for the 2nd year in a row. The management team got 2nd. The Culinary team will represent Nebraska at the national ProStart competition in May held in Washington DC.

* History Nebraska honored Dr. Sara Crook of Peru State College with the Excellence in Teaching Award.

* Science teachers Jennifer Jones (Ogallala High School), Kristen Benton (Kenesaw High School), and Chelle Gillan (Central City Public Schools) were selected as finalists for the Presidential Awards for Excellence in Mathematics and Science Teaching (PAEMST).

* Jeffrey Horner of Minden was recognized as the 2022-23 National Federation of State High School Associations Outstanding Educator in Speech and Debate Award recipient.

* State Champions in NSAA Speech included David City (C1), Elmwood-Murdock (C2), Wausa (D1) and Stuart (D2). 39 entries from NRCSA-member schools won gold medals!

* Wayne voters passed a \$28 million bond issue.

* Students from NRCSA-member districts who were chosen “Best of the Best” (best among all classes in each event) from NSAA State Speech included Claire Woeppel of Chambers (Program Oral Interpretation), Jenason Spady of Garden County (Extemporaneous), Eden Coppersmith of Paxton (State Speech Spotlight), Keetyn Valentine of David City (Poetry), and Drew Leisy of Bridgeport (Humorous Prose).

* Many students from NRCSA-member districts were selected by the Omaha World-Herald or the Lincoln Journal-Star to their All State Basketball Teams. Honored were: All-Nebraska (All Class) Girls First Team, both papers: Kaitlyn Emanuel, North Bend Central. First team all-state honorees by class were: C1 Girls for both papers: Kaitlyn Emanuel (North Bend Central), Ruthie Loomis-Goltl (Bridgeport), Halle Dolliver (Malcolm), and Olivia Loomis-Goltl (Bridgeport). C2 Girls: Maya Dolliver (Pender), Chaney Nelson (Oakland-Craig), Sadie Nelson (Oakland-Craig) each by both papers,, Tori Sklenar (Ravenna) and Josilyn Miller (Niobrara/Verdigre) by the World-Herald and Chloe Hanel (Clarkson-Leigh) and Samantha Ehlers (Ponca) by the Journal-Star D1 Girls: Sydney Davis (Centura), Tori Sklenar (Ravenna), Josilyn Miller (Niobrara/Verdigre) each by both papers. D2 Girls: McKenna Yates (McCool Junction), MaKenna Willis (Shelton) by both papers and Amber Lawson (Wynot) by the World-Herald.. C1 Boys: Jeron Gager (Ogallala) and Ben Brahmer (Pierce) by both papers. C2 Boys: Carter Ruse (Freeman), Taylan Vetrovsky (Freeman), Carter Siems (Tri County), and Tayje Hadwiger (Amherst) by both papers. D1 Boys: Camden Dalinghaus (Johnson-Brock), Carter Erickson (Elm Creek), Jackson Kerchal (Dundy County Stratton), and Hayden Kramer (Maywood/Hayes Center) by both papers. D2 Boys: Riley Bombeck (Shelton) by both papers, Clayton Moore (Mullen) and Austyn Saul (Santee) both by the World-Herald, and Isaiah Zelasney (Osceola) and Kale Gustafson (Osceola) by the Journal-Star..

* The newest members of the Nebraska School Activities Association’s Student Advisory Committee for the next two years include the following students from NRCSA-member districts: Emma Kennedy (Ainsworth), Emma Brown (Bertrand), Calah Archibeque (Burwell), Karelin Deras-Hernandez (Fairbury), Tristen Boehle (Malcolm), Christian Burton (Lexington), and Cordell Frerichs (South Platte).

* Elected as State FFA Officers for the 2023-24 school year were: President Thomas Perrin (Ogallala), Secretary Alex Boudreau (Minden), Vice-Presidents Keetyn Valentine (David City), Paige Bunn (North Bend), Brayden Binger (Hay Springs), Abby Hodges (Johnson-Brock), and Bethany Nichols (Bridgeport).



The 2023 legislative session has been slowed down dramatically by Senators reacting to a pair of bills aimed at transgender youth. Sen. Machaela Cavanaugh and Sen. Megan Hunt has led the move to filister all bills as they oppose two bills by Sen. Kathleen Kauth, LB 574 and LB LB 575. As a result of the filibuster moves, no bills have reached the Governor’s desk yet. Several committees are now putting together “Christmas tree bills” that will include several bills hung on one bill in order to try and move things as time is running out. Remember, that the Unicameral still must adopt a state budget.

There are still several bills out that are important to NRCSA-member schools and ESUs. Some of them likely will end up in a Christmas tree bill. The flip side of that, however, is that there are bills that are opposed by NRCSA that will end up on those same bills.

The major issues still to be finalized are the Governor’s school funding plan, Sen. Linehan’s “Scholarship Opportunity Act”, and several others that we are constantly monitoring. As things start to break we will attempt to keep you updated.

Governor Pillen’s School Funding Plan. The plan comes in three pieces:

1. LB 583 (Sanders) has two parts: (A) it provides \$1,500 in foundation aid for every public school student (this would be inside the TEEOSA formula and would count as a resource, and (B) raises reimbursements for SPED expenditures up to 80% of allowable costs (this would be outside the formula and would not count as a resource). NRCSA testified in support of of the bill.
2. LB681 (Clements) has its hearing on March 15. The bill would provide \$1 billion dollars for the creation of an Education Future Fund. An additional \$250 million would be placed in the fund annually. The fund will be used to do several things, including (A) ensure that foundation aid payments can be made, (B) ensure that SPED reimbursement remains at 80%, (C) provide for one time projects focused on teacher recruitment and retention, CTE programs, or student mentorship programs.
3. LB 589 (Briese), as originally introduced, would provide for a 3% allowable growth rate on property tax requests. A Board of Education would be able

to vote by a 75% majority to exceed the 3% limit. A district with 471 students or under could go up to 7%, a district with 472 to 3,044 students could go up to 6%, 3,045 to 10,000 students could go up to 5%, and over 10,000 students could go up to 4%. The issue could also be put to a vote of the people for an unlimited increase on a 60% majority affirmative vote. NRCSA planned to be in opposition to the bill. Sen. Briese dropped in an amendment just prior to the hearing that he let the Education groups know about ahead of time. The Governor supported the amendment. Included in the amendment, he changed the majority vote of the Board of Education from 75% to 70%. Of course, this has no different impact on a 6-member Board. The biggest impact of the amendment, though, is that the 7%, 6%, 5%, and 4% allowable increases would now be placed on top of the 3% base. As an example, a district with 471 students or less would have the ability to increase its property tax request by up to 10% (3% base plus the 7% allowable increase). NRCSA testified in a neutral manner, citing the late amendment in our position. Some other education groups and individual districts also came in neutral on the bill.

LB 753 (Linehan)--The “Scholarship Opportunities” bill passed onto Select File on Wednesday. This has been a hotly debated bill for several years. NRCSA, along with all of the other education groups, has stood in opposition to the bill.

LB 71(Sanders) and LB 374 (Murman) are two bills that deal with parental involvement and access to instructional materials. Many of the education groups worked with Sen. Sanders’ office on LB 71. NRCSA is supporting LB 71 as compared to LB 374.

[NRCSA Bill Tracking](#)

[Milford Board of Education President and member of NRCSA’s Legislative Committee Dave Welsch has been working on a funding plan that he is calling the “Nebraska Plan” and offers this update on School funding bills.](#)

LB583 (Pillen Plan) had a hearing on February 7 before the Education Committee. The two main parts of the bill are to provide \$1500 per formula student and to increase SPED reimbursement to 80% outside of the formula (it won’t be counted as a resource in calculating equalization aid).

Governor Pillen said that the bill will be amended to not provide \$1500 to any Net Option students. The fiscal note on the bill came in about \$100M higher than projected at \$366M due to NDE using projected SPED costs while the Governor used actual SPED costs in calculating the reimbursement.

LB320 (Nebraska Plan) will have a hearing on February 14 at 1:30 before the Education Committee. The main parts of this bill is to lower ag land valuations within TEEOSA from 72% to 42% and lower other real property (mainly residential and commercial) from 96% to 86%. The reason ag is lowered so much more is due to ag values increasing over 310% since 2007 and residential and commercial going up much less at around 170%. This 170% also includes “new growth” which ag land does not have. LB320 also provides a minimum of 10% basic funding to all schools. These changes will double the number of equalized schools in the state.

Testimony has also been provided to the Education Committee to consider combining both LB583 and LB320. This combined bill would include increasing SPED reimbursement to 80% within the formula, lower ag land to 42% and other real property to 86% and provide a minimum of 10% of basic funding. Once these calculations are done, if a school still doesn't receive a minimum of \$1500 per student then additional aid would be provided to reach this level.

For more information please contact:
Dave Welsch
Farmer and Board President, Milford Public Schools
402-826-9691

dwelsch@westbluefarm.com

[School Funding 3 Plan Comparison](#)

[School Funding 3 Plan Summary](#)

[The \(rescheduled\) 2023 NRCSA Legislative Forum held on March 7, at the Lincoln Cornhusker Marriott and was a big success.](#)

Those in attendance heard from several Senators: Lou Ann Linehan (Revenue Committee Chair), Robert Clements (Appropriations Chair), Steve Erdman (Rules Committee Chair), Tom Briese (Executive Board & Reference Committee Chair), and Tom Brandt (District 32). The day was highlighted by an address after lunch by Gov. Jim Pillen.

Attendance at the event was strong as we had 95 at the Forum. That is the second highest attendance we have had for the NRCSA Legislative Forum. A big thank you to all who joined us!



[NRCSA Executive Committee election ballots were emailed to member leadership on April 3.](#)

Dr. Heather Nebesniak, Superintendent at Ord Public Schools, and Stephanie Kaczor, Superintendent of Riverside Public Schools are candidates for President Elect of NRCSA. In addition Chris Prosocki, Superintendent at Southern, is seeking the position of Secretary on the Executive Committee. These are both statewide offices voted on by all NRCSA member institutions.

Paul Sheffield, Superintendent at Exeter-Milligan is also running for a second term as Southeast District Representative. Only members of the Southeast District vote on this position. One vote per institution is allowed and ballots are due **May 1, 2023**.

[NRCSA is seeking candidates/volunteers for appointed positions for 2023-24.](#)

Interested persons may self nominate or be nominated by another person. If you would like to nominate yourself or nominate someone else please contact Jack Moles. Nominations will close at the end of the General Membership Meeting at the Spring Conference. Open positions are:

[North Central District Representative](#) - Dale Hafer is finishing his first term and is eligible to run for a second term of office. He has indicated that he will run again. District Representatives serve three-year terms and may serve two consecutive terms. District Representatives are voted on only by members in the NRCSA District, in this case the North Central District. Candidates must be from a NRCSA member school district and membership in NRCSA must be maintained throughout the length of service.

[Southwest District Representative](#) – Alan Garey will not be at a school in the Southwest District, so the Executive

Committee will need to appoint someone to fill the final year of his term. This person would then be eligible to run for and serve two three-year terms of office. Nominated for the position are Jane Davis (Hershey), Adam Lambert (Chase County), Jackie Anderson (Dundy County-Stratton), and Mark Bejot (Maywood). This appointment will be made at the Executive Committee's June meeting.

Legislative Committee: These are appointed 3-year positions.

Randy Page is leaving Thyer Central and a new Co-Chair of the Legislative Committee will have to be identified. This appointment will likely come from the current members of the committee.

Bryce Jorgenson, Superintendent at Southern Valley (South Central Dist) is completing his first term on the Legislative Committee and is eligible to be appointed for a second term. He has indicated his desire to be re-appointed.

Larriane Polk, Administrator at ESU 7 (Northeast Dist) is completing her first term on the Legislative Committee and is eligible to be re-appointed for a second term. She also has indicated her desire to be re-appointed.

Northeast District Representative – Aaron Plas is moving to a non-member district. The Executive Committee will appoint someone to fill the final two years of his term. Nominations have been received for Patrick Ningen (North Bend Central) and Daryl Schrunk (Randolph).

Southwest District Representative – Todd Porter (Southwest) is retiring. The Executive Committee will appoint someone to fill the final year of his term. Nominated is Jackie Anderson (Dundy County-Stratton).

West District Representative - Patrick Ningen is moving to a district in the Northeast District. The Executive Committee will appoint someone to fill the final year of his term. Nominated are Blake Dahlberg (Thedford) and Ginger Meyer (Chadron).

Scholarship & Recognition Committee

Drew Harris, Administrator at ESU 9 (South Central Dist); Chris Kuncl, Superintendent at Mullen (North Central Dist); Dr. Heather Nebesniak, Superintendent at Ord (North Central Dist); and Tony Primavera, Superintendent at Hayes Center (Southwest Dist) are all

completing two years of service on the Committee.

Scholarship and Recognition Committee members are appointed by the Executive Committee and serve a term of two years. Four new members to the Scholarship and Recognition Committee will be appointed. If interested please contact Jack Moles.

Closing the Achievement Gap Research Team:

Julie Otero, Superintendent at South Central Unified System 5 (Southeast Dist) is retiring and a new Co-Chair will have to be chosen.

Closing the Achievement Gap Research Team members are appointed by the Executive Committee.

Rural Teacher Committee:

At the current time, there are no expected openings for 2023-24.

[NRCSA announces the release of a new service!](#)

After several months of discussing possibilities, NRC-SA is now offering a Principal Search Service. This service will be patterned after our successful Superintendent Search Service. Two options will be available. Both options will involve NRCSA consultants recruiting candidates for the position. One option will involve the NRCSA consultant making background calls, while the reduced version of the service will place that role with the Superintendent. If you are interested in getting more information about the service now, please contact Jack. Here is a brochure outlining the service.

[NRCSA Principal Search Brochure](#)

[An outstanding opportunity is available for rural districts or ESUs to "grow their own" School Psychologist.](#) I highly encourage someone in your school or ESU to apply for admission to the Prairie Nebraska Project through UNL.

With generous funding from the Behavioral Health and Education Center of Nebraska, the University of Nebraska Lincoln's School Psychology program is recruiting 10 rural Nebraska residents to complete an Educational Specialist degree in School Psychology. The Prairie Nebraska project uses synchronous and asynchronous online instruction to deliver a program of study that is highly accessible for rural Nebraska residents. Students will be able to complete the training

in their own community without having to relocate to Lincoln. Prairie Nebraska funds will pay for the trainees' tuition and fees. Upon successful completion of the program, Prairie Nebraska trainees will qualify for an endorsement towards a Nebraska Department of Education certificate in School Psychology.

Successful applicants to the Prairie Nebraska program will:

- Live and work in any Nebraska county excluding Douglas, Lancaster, Sarpy, Washington, or Cass Counties.
- Have a recommendation from an ESU or school administrator with a commitment by the school/ ESU to provide the experiences and supervision that trainees will need to complete the program.
- Apply to and be accepted into the University of Nebraska Lincoln Educational Specialist program in School Psychology.

Due to restrictions associated with the ARPA funds, all project-funded activities must be completed by December 2025. Consequently, we will be recruiting very quickly – with review of applicants beginning on April 1, 2023 and continuing until the program is filled. Coursework and supervised practica will be tightly scheduled and offered one course at a time. Formal, synchronous courses and meetings will be scheduled outside of typical work hours (e.g., 5 PM or later) and will emphasize projects, assignments, and activities that have practical utility to prepare students for day-to-day practice as School Psychologists.

Interested applicants should email Beth Doll, bdoll2@unl.edu and include their:

- Name, email, and phone number
- Mailing address, including county of residence
- The school district or Educational Service Unit that is likely to provide their recommendation and commitment for supervised experiences

[Dr. Jim Sutfin presented to the NRCSA Executive Committee at its meeting on January 26.](#) His message dealt with work being done in the area of workforce development and how rural schools could benefit. A copy of his presentation is available below.

[Workforce Development Presentation](#)

[The 2022-23 NRCSA membership drive is now complete! Last year we had 216 school districts,](#) ESU's, and State colleges and this year we continued our annual growth. We now have 220 members. Thanks to you for being a member. This growth energizes our representation and advocacy for rural Nebraska, no matter who we are engaged with on educational, legislative, or community issues. Without your support, there is less rural advocacy. Finding success, whether passing, amending, or stopping legislation comes from membership, relationships, and focus. Thanks to your membership in NRCSA, rural is at the table and making a difference on behalf of our rural students, schools, and communities.

We welcome our newest member: ESU #13. **Welcome to the NRCSA family!!** Thanks to all of you for your membership and partnership!

[New Collaboration Seeks to Address Principal Shortage and Strengthen Professional Development](#)

A new collaboration designed to address the shortage of future principals and strengthen professional development of current school leaders is underway. The project, entitled, Growth-Oriented Leadership Development (GOLD) is being coordinated by members of the UNL Department of Educational Administration, in partnership with NRCSA, NCSA, ESUs, and NDE.

“We’re seeking federal funds to develop current and future principals from within—a grow your own model, said Nick Pace, chair of the UNL Educational Administration Department. Over the next several months, Pace says a team led by professors Jianguang Xia and Scott Sturgeon will be inviting districts to join the effort. The team is inviting approximately 60 schools to participate, with half receiving focused training while the other half continues its current efforts without the training. Districts not initially selected for the training group would be first in line for the next round of the program, if funded.

Districts interested in participating should watch for information through NRCSA updates, ESU superintendent meetings, or by contacting Pace, Xia, or Sturgeon.

Nick.Pace@unl.edu, **Jxia@unl.edu**, **ssurgeon2@unl.edu**

[Southern Superintendent Chris Prosocki recently shared a sample Superintendent Checklist that he uses.](#) I thought this was a great instrument, one that I wished I had available to me when I was in the Superintendency. Thanks to Chris for sharing this! You can access the checklist here:

[Superintendent Check List](#)

[The ESUCC and ESU 3 have shared a document which outlines all of the trainings and mandates that are required of districts.](#) The document, “School District Plans, Policies, and Annual Trainings Requirements”, is a handy reminder for districts. Thanks to ESUCC Executive Director Kraig Lofquist and ESU 3 Administrator Dan Schnoes for developing and distributing this handy tool. The document may be accessed here:

[School District Plans, Policies, & Annual Trainings](#)

[Nutrition leaders introduced a comprehensive proposal to address and prevent child hunger.](#)

Below are links to a press release about the Healthy Meals, Healthy Kids Act (HR 8450) and a webform that can be completed to urge support of the act.

[Healthy Meals Healthy Kids Press Release](#)

[Healthy Meals Health Kids Support Webform](#)

[NRCSA developed a corporate sponsorship/partnership program.](#) The program is designed to provide our corporate partners with more opportunities for contact with the decision makers in our member school districts, ESUs, and the colleges through increased exposure. Corporate partners are able to choose among three levels of sponsorship: Purple Ribbon Partners, Blue Ribbon Friends, and Red Ribbon Sponsors. Different forms of contact with our members are made available in each of the three levels.



Purple Ribbon Partners



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CMBA Architects

Troy Keilig
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TECHNOLOGIES**

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[One of the benefits for our Purple Ribbon Partners is the opportunity to submit an article for the monthly Member Update.](#) This month we proudly recognize:

Cornhusker International Trucks



Cornhusker International- By Russ Folts, General Manager

It's certainly a privilege to provide an insert into this month's NRCSA Newsletter. As Nebraska's leading school bus distributor, we're pleased to team up with Nebraska Rural Community Schools Association, and proud to be a Purple-Ribbon Sponsor! Rural schools are pretty special to me, having grown up in a rural Nebraska district myself. Make sure to read here about our exclusive discount for all NRCSA member districts!

Alternative Energy Sources for School Buses.

Electric School Buses

Today's news certainly seems focused on alternative energy, especially electric vehicles, or "EVs" as they're often referred to. In fact, you may own an electric or hybrid/electric car yourself. If so, you've likely experienced both the positive, as well as the negative traits of this technology. To be sure, there's plenty of both!

As a company doing business with a large number of Nebraska rural schools, we offer the latest technology, including EV as it becomes available to the school bus industry. While it may be tempting to want to invest in what's perceived as the latest and greatest technology, as a locally owned dealership, we're inclined to fully understand all of the important details before we recommend it to schools. Certainly, we all enjoy clean air, and clean water, but electric school buses do offer some limitations which may not be very palatable to your student transportation services.

- Acquisition cost of \$385,000 - \$450,000 per bus, depending on optional equipment.
- Driving range of around 120-150 miles, less if operated on gravel roads, less if heaters or air conditioners are in use. This is a severe limit if your EV bus is an activity bus!
- Driving range can be limited if the batteries are out of temperature, either extreme heat or cold.

- Limited infrastructure for charging stations. Not all communities have the electric grid to support EV charging stations.
- Clean and safe disposal of expired battery cells. This seems to be an unknown at this time.

Again, we are optimistic to see where EV technology goes, and we're not "anti-electric", however I think our recommendation and endorsement of electric school buses for rural Nebraska schools will need to wait until the technology progresses considerably. Even with the federal monies being thrown around right now, it may not be in your districts best interest at this time.

Propane

Propane is a clean burning fuel that works well in some applications, particularly for shorter routes. Propane engines often times start up easier and produce heat quicker than diesel engines. Routine maintenance costs can also be lower, as far as oil changes, etc. IC Bus offers an 8.8 liter propane engine which has proven itself to be extremely reliable, and is a top performer developing peak torque at much lower engine speeds than competitive propane engines. Here's a couple things to keep in mind as you consider propane:

- Propane buses typically cost close to \$20,000 more than a comparable diesel-fueled bus.
- Many times your local cooperative or fuel supplier will install a fueling station right on your premises.
- If you use the propane bus for out of town trips, refueling can be tougher logistically, as often times propane isn't available at truck stops or fuel stations.
- Propane costs considerably less than diesel, though this savings can be at least partially offset by the lower fuel economy of a propane bus. Customers report to us that their propane bus typically achieves about 5-6 mpg, compared to a diesel getting 9 mpg. Keep in mind the fuel range of a propane bus, and how this might change the way your activity trips are handled.
- Propane engines do not require the exhaust after-treatment systems found on modern diesel engines. As propane is cleaner burning, there are less emissions components required.

Clean Diesel

By far, the most common fuel source for school buses remains diesel. Diesel engine are well built, and have a long life-cycle. They provide more horsepower and torque than either propane or gasoline, and boast fuel economy simply unmatched by either. The diesel fueled buses we provide at Cornhusker International, feature

a top-quality Cummins engine. This engine has been great for our customers, and rarely do we see one in the shop needing repairs. The Cummins diesel is available in a number of configurations. We spec' our buses with the top-performing 250HP, 660 lb/ft rating. This high performance rating allows us to spec' the buses out with a taller rear axle ratio, providing excellent fuel economy, and the power to hold highway speeds and climb hills very well.

- SCR technology (requires Diesel Exhaust Fluid) has helped clean up the exhaust emissions an incredible amount, especially when compared to previous generations of diesel engines! You will virtually never see black smoke emitted from the tailpipe of a modern diesel engine.
- Today's diesel exhaust after-treatment systems have proven to be more reliable, requiring less maintenance than engines built even just a couple years ago!
- Today's ultra-low sulfur fuel, particularly when blended with bio-fuels, can pose some cold weather gelling issues. Fuel additives make a world of difference in combatting these problems, and we offer several brands of additives that do a great job and keep your fleet up and running in the cold!

Hydrogen

Recently, we've seen some major advances in the development of hydrogen used as a motor vehicle fuel. At this time, the technology is just in the early stages, and it will be some time before hydrogen will offer a real-life solution. That said, it will be exciting to watch, as the preliminary expectations are quite promising. We're optimistic to see what hydrogen has to offer!

NRCSA Discount

Rural schools face many challenges, everything from tight budgets to opportunities of scale. They also help produce some of the finest young men and women in society today. The common sense and work ethic that's instilled in your students today, cannot be minimized or taken for granted. We appreciate what you do, and to show our commitment to Nebraska Rural Schools, we offer an exclusive incentive to NRCSA member districts. We're pleased to provide your school with a \$1,000 discount on any new or used bus purchased from Cornhusker International! This can be taken as a discount off the cost of the bus, or as a parts and service credit, whichever works best for you.

We look forward to working with you! Please reach out to us by calling 1-888-466-8461 ext 206 or email at bus@cornhuskerinternational.com

MEMBER SPOTLIGHT

Elmwood-Murdock Public Schools



Mascot: Knights

Enrollment: 503 PK-12 students

Locations: : Elmwood- Elementary School, Murdock – Junior High/ High School

Interesting Fact: The Elmwood Pirates and Murdock Bulldogs consolidated in 1990 to form the Elmwood-Murdock Knights.



Superintendent: Ryan Knippelmeyer

Principals: Trisha Nichelson – Elementary Principal, Kyle Rohrig – Junior / Senior High Principal

Board of Education: Jeff Backemeyer, Joel Clements, Shannon Coleman, Mark Meyer, Eric Towle, Tyson Vogt

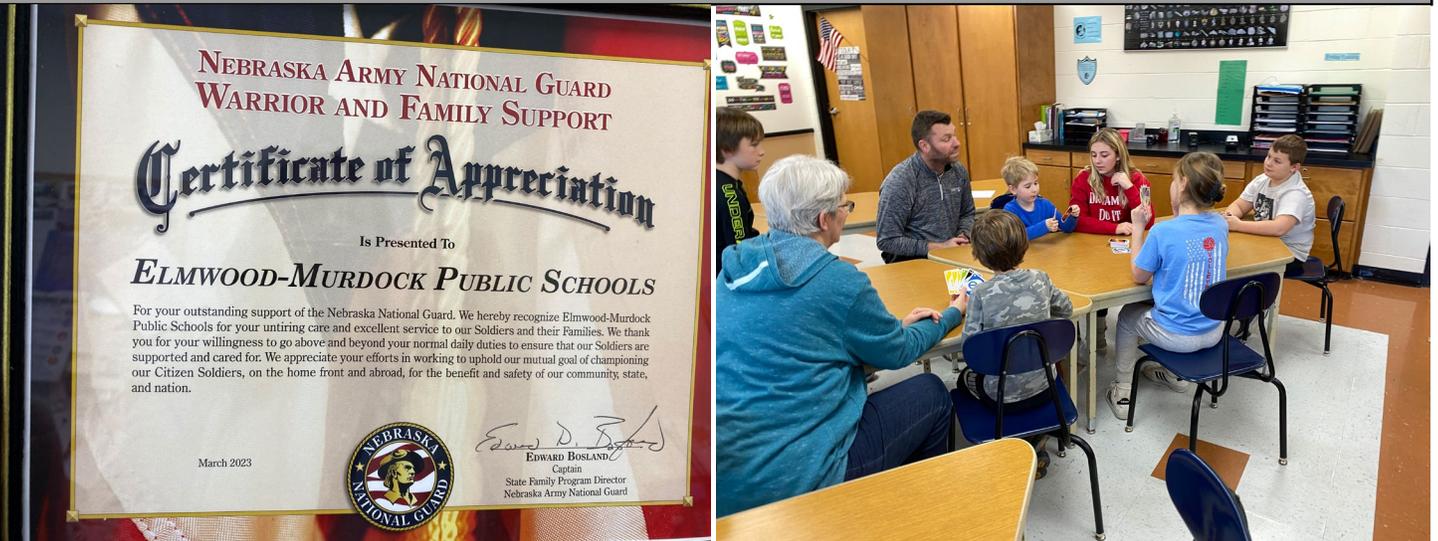


Board Members (l-r): Jeff Backemeyer (board president), Shannon Coleman (secretary), Eric Towle, Joel Clements, Mark Meyer (vice president), not pictured – Tyson Vogt

Programs

Program 1:

Our elementary school has started a “Knights Families” program. Each quarter the entire elementary is split into “families” consisting of kids of all grade levels. Our junior high and high school student council members join each of the families and they play games together and build relationships with students that are not in their regular classroom. Our elementary students really look up to the junior high and high school students and see them as role models throughout the year. One activity that has been completed is writing letters and putting together care packages for soldiers overseas. The picture shown represents the plaque that military members delivered to our elementary school thanking them for the letters and care packages.



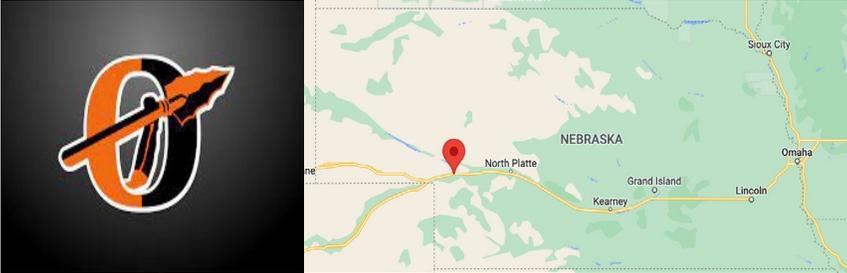
Program 2:

Our One-Act Team and Speech Team has been on a very successful run over the past three years. Our One-Act Team has placed 3rd in the NSAA State Championships each of the past three years. Our Speech Team placed 3rd in the 2022 NSAA State Speech Championships and finished as State Champions in the 2023 Class C-2 NSAA State Speech Championships.



MEMBER SPOTLIGHT

Ogallala Public Schools



Mascot: Indians
Enrollment: 830
Locations: Ogallala, NE

Superintendent: Gene Russel



Principals: BreAhna McConnell, Traci Rezac, Scott Rezac, Jason Cafferty, Jennifer Pohlon, Brandi Lippert

Board of Education: Jim Ayres, Tim Ryan, Amanda Christensen, Tania Perlinger, Jim Korth, Doug Davis



Programs

Program 1 – Jennifer Jones

Ogallala High School Science teacher has been selected as one of the five Nebraska teachers chosen as state finalists for the Presidential Awards for Excellence in Mathematics and Science Teaching.

Program 2 – Thomas Perrin

Ogallala junior, Thomas Perrin was elected as the 2023-2024 NE State FFA President! Thomas has done an excellent job representing Ogallala Public Schools through his tenure at OPSD!

CONGRATULATIONS!
JENNIFER JONES



Ms. Jones, OHS Science Teacher, has been selected as a finalist for the Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST). Ms. Jones is eligible to receive a PAEMST award, the nation's highest honor for the K-12 STEM teachers. State Finalists represent the most outstanding teachers Nebraska has to offer and serve as both a model and an inspiration to students and fellow teachers.



MEMBER SPOTLIGHT

Educational Service Unit 7



Enrollment: ESU 7 area total enrollment 13,460 students

Locations: Columbus, NE

Interesting Fact: The ESU 7 campus has 3 buildings. Two of the buildings house 2 different Level III special education programs; Learning Academy – Mental/Behavioral Health day school, Cen7ter – life skills program emphasizing pre-employability skills

ESU 7 employs 100 staff members, serving 19 public school districts, 1062 teachers, 61 principals, and 19 superintendents.

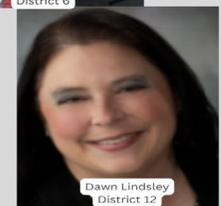
Administrator: Dr. Larianne Polk



Program Directors: Marci Ostmeyer (Director of Professional Development), Tami Clay (Director of Special Education), Dan Ellsworth (Director of Technology)



2023
Board of Education



Programs

Learning Academy

The Learning Academy is a Level III placement school focusing on student's individual needs related to academic, behavioral, and mental health. Our program supports students with social-emotional structures and mental health therapies in order for students to learn skills to become successful with the individual goals that have been set for them by their Individualized Education Plan (IEP) Team. Districts choose to enroll students at the Learning Academy to support the student's needs, with the anticipation of students coming back to the general education setting.

In order to support the student's home school district's needs, we have implemented a new transition process where our Learning Academy staff will start at the home district and support the educators who will be working with the student weeks before the student would start attending the home district. This new model has proven to be successful thus far with two students back to the general education setting, three currently in the transitioning process, with two more students ready to start. We have also seen success in our upperclassmen students with one meeting graduation requirements early in December, and another student on track to graduate in May. The Learning Academy has enrolled eleven new students in the 2022-2023 school year, with two either of whom are back full-time or working towards returning full time to their home district.

With the rate of success that our students show while spending their time at the Learning Academy, our projections of enrollment have increased for the 2023-2024 school year to 25 students. There currently are more applications for students to attend the Learning Academy, which would surpass the initial 25 enrollment projections.

Migrant Department

The Migrant Education Program provides supplemental services to support the academic success of migrant students. This school year, our migrant department staff made it a goal to build relationships with the students we serve, their families, school staff, and community partners. This has allowed us to provide better academic support, resources, advocacy, and customized services for our migrant students. Since September 2022, we have provided 32 activities and events, with 135 parent participation and 471 student participation.

“You relay their needs, both educational needs but more importantly their personal needs whether it's clothing, mental health, living situations, etc. You are able to give us a fuller and a more complete vision of our students and their lives so that we know them better.” (Kathy Cruise, St Edward)

I would encourage districts to consider participating in the Academic Decathlon competition.

Academic Decathlon is an activity that is dependent on students of different ability levels. A team is made up of students who are in the Honors (A average), Scholastic (B average), and Varsity (C average) levels. Students may move up, but they may not move down. The combined scores of the students in all 10 competition events are counted, thus each team member is very important. There is a defined course of study in each subject area each year. Subject areas are commonly Math, Language & Literature, Science, Social Science, Economics, Art, and Music which are covered in the Regional competition each year. At the State Competition, Speech, Interview, and Essay are added. There is a “theme” each year that many of the subject areas cover. The theme for 2022-23 is the American Revolution. Students on successful teams that place in the top three at Regionals and State also receive scholarships. Regional competition takes place in January and State competition takes place in February. The school can decide how to prepare for the competitions. Some schools have teams that have practices in the evenings or after school. Some simply provide the students with materials to study prior to competitions. Other schools offer a class to prepare.

Quiz Bowls are wonderful and fun activities, but they do not have a defined course of study like the Academic Decathlon. I find the Decathlon to be the best academic competition that I have experienced. To me, it is based on true study and learning.

On a personal note, three of my four kids participated in Academic Decathlon through high school and between them they won thousands of dollars in scholarships as they were on teams that had success. I currently serve on the Nebraska Academic Decathlon Board of Directors. I have been very involved with this activity for many years and highly encourage you to consider adding it to your school. A new school can have its enrollment fee waived the first year and may receive free study materials.

If you have any questions or have a staff member who is interested, please feel free to contact me. You could also contact the State Director, Vicki Deniston-Reed at dethln.denistonreed@gmail.com.

WestED is a non-profit educational research and development agency and they are asking for rural participation on a U.S. Department of Education Study

The following is from Maria Salciccioli of WestEd:

My name is Maria, and I'm a researcher at WestEd, a non-profit educational research and development agency. WestEd is partnering with an organization called Citizen Math on a US Department of Education-funded study, and I'm reaching out to see whether you'd like to learn more about it and explore whether it would be of interest to some of the schools in the Nebraska Rural Community Schools Association.

Citizen Math provides rigorous math lessons for 6th, 7th, and 8th graders. The lessons help students explore standards-based concepts through relatable real-world issues, building critical thinking, civic-mindedness, and collaboration skills. (Sample lesson topics include: How dangerous is texting and driving? How do municipal fines affect people with different incomes? How much should you trust online ratings?)

An earlier study showed that these lessons helped students deepen their learning and make more lasting connections to math concepts. The lessons were also shown to significantly improve student achievement on the end-of-year state test.

We're currently enrolling full middle school math teams (6th, 7th, and 8th grade teachers) from rural and urban schools to participate in a two-year, randomized control trial study, beginning August 2023 and lasting for the 2023-24 and 2024-25 school years. More information can be found on the study website: Citizen Math Impact Study, but here are some of the benefits for participating teachers:

- *Stipends for participation*
- *Free training and access to Citizen Math (valued at \$300 per classroom) for two years*
- *Opportunities to network with other teachers enrolled in the study*
- *A chance to build evidence for the field about how enhancing civic and social-emotional learning in math classes impacts student outcomes*

If you think this study might be a good fit, please fill out the form on the [study website](#).

UNL Tuition Discount & GOLD Grant

We have a new tuition discount program aimed at better serving folks from rural districts who are seeking

school leadership degrees (MEd – principalship, EdD – superintendency) or endorsements. The program provides a 15% tuition discount for educators who serve in NRCSA member districts or are in an area classified by NCES as rural or town. We think this is a small but important step toward helping rural schools be intentional about growing their own leaders. If interested, please contact Dr. Nick Pace at nick.pace@unl.edu

[Big Red Leader Website](#)

[Big Red Leadership Flyer](#)

In addition, invite your participation in a federal grant application aimed at helping Nebraska school districts. Led by the UNL Department of Educational Administration, the Growth-Oriented Leadership Development (GOLD) Project is a collaboration across NCSA, NRCSA, ESUCC, and NDE. Goals include:

- Developing current and future leaders in a grow-your-own model
- Strengthening School Leadership
- Improving Principal and Teacher Retention

GOLD Highlights:

- A focus on local, building/district level context, not a top-down, one-size-fits-all approach
- Research-based content aligned with Marzano's Balanced Leadership and other recent work
- Use of existing professional development structures led by credible leaders and coaches
- No additional costs or duties to ESUs or districts

GOLD Includes:

- Regular, large group professional development for the principal and 2-3 teacher leaders per building
- Small group coaching and facilitation provided by grant-funded coaches
- Application of material presented in sessions to local school improvement priorities and integration with the new NDE Nebraska Teacher and Principal Professional Standards (NTPPS)
- A stipend to participating schools to support implementation of GOLD dimensions and materials

To Learn More:

<https://cehs.unl.edu/edad/gold-project/>

[Chadron State College Special Education Para-to-Teacher Program Initiative.](#)

Purpose: This “Grow Your Own” Special Education Teacher program is designed to provide school districts with the opportunity to cultivate and participate in the training of their para-professionals who wish to continue their education to become special education teachers.

Who: Any individual who holds a minimum of an Associate's Degree (or equivalent credit hours) from an accredited higher education institution, and who is employed as a para-professional within a school district.

What: Chadron State will provide required course work and enrichment activities via online, face-to-face (via Zoom), and on the job experiential learning, leading to a Bachelor's in Education Degree, and a Nebraska Teaching Certificate with an endorsement in Special Education (grades PK-12). With administrator input, program course work will be tailored to best fit your district practices and expectations. Each course will be offered in an 8-week format, with 12-13 credit hours to be completed each 16 week semester.

How: Program participants will be advised, monitored, and supported by CSC faculty/staff, and a CSC Education Program liaison is specifically assigned to facilitate their progress. District para-professionals may enter the program at any time in the academic year.

When: once participants reach their senior academic year they will embark on completing their capstone course work, via online and Zoom class sessions. This course work has been pared down considerably with the understanding and assumption that these student teachers will be learning “on-the-job”. For example, one section covers classroom management practices. Clearly, one can argue and attest that these student teacher interns are learning more about managing a classroom from being mentored by veteran teachers within your school, and observing them in action. This is the belief and learning approach embraced during this senior year. However, to ensure and assess concept learning, Chadron State faculty will be meeting with your student teacher cohort twice per week for 1.5 hours, via Zoom conferencing technology.

Graduation: At the completion of this program students/candidates graduate from Chadron State College, and apply for teaching licensure resulting in a valid initial teaching certificate with and endorsement in PK-12 Special Education. Chadron State's education program is nationally and State accredited. As such, interstate certification reciprocity is not a problem.

Things for your consideration:

- 1) To qualify for this program participants must hold at least an Associate's Degree or the equivalent in college credit hours. *(CSC will work with those applicants to provide them with the needed coursework leading up to program entry).*
- 2) Districts must agree to maintain para-professional employment throughout the course of the program—including during the student teaching experience.

Please contact Dr. Adam Fette for more program information, at afette@csc.edu.

[The UNL Department of Educational Psychology has received a grant from the Swanson Foundation which allows them to offer mental health services to rural schools.](#)

From Dr. Michael Scheel, Chair of the UNL Department of Educational Psychology:

The UNL Department of Educational Psychology would like to offer counseling and psychological services, as well as consultation services to the schools and communities of Southeast Nebraska. We run a mental health counseling and therapy clinic and we are offering counseling and consultation services to teachers, administrators, students, and community members of Southeast Nebraska. Services will be provided through remote and confidential means (i.e., Zoom conferencing). We are hoping that schools, families, and individuals contact us to schedule an appointment for a telehealth counseling or consultation session.

We have recently learned that a donor will support our work with individuals living in rural Southeast NE by paying all fees for services. Thus, whoever seeks out our services will simply have to indicate they live in Southeast Nebraska, and any services we provide will be paid for through the UNL Foundation. Individual, couple, and family counseling will be provided without financial expense. Additionally, we can provide teachers, school administrators, school counselors, and school social workers consultation services for students of their schools without charge.

We are very excited to enter a partnership with schools and communities of SE Nebraska to promote mental health and well-being. We are aware of the mental health counseling disparities that exist in Nebraska

rural areas, and our department, our College of Education and Human Sciences, and UNL are highly interested in offering our expertise and resources with the goal of enhancing the well-being of SE Nebraska individuals, schools, and communities. We are a group comprised of licensed psychologists and psychology graduate students who regularly provide services through our clinic to the Lincoln community. We are seeking to reach beyond Lincoln to connect more with surrounding rural areas. We also are acutely aware of the importance of addressing mental health concerns right now as we all are experiencing the stress of going through the COVID-19 pandemic.

The Counseling and School Psychology Clinic is a training clinic in which graduate students in counseling and school psychology work with clients under the supervision of licensed psychologists. Services are available to all on a sliding scale. For clients from SE Nebraska communities, services will be paid for through UNL Foundation funds supplied by a donor who cares deeply about the welfare of schools and communities in SE Nebraska. Counseling services are offered to improve well-being, improve academic and behavioral issues, stabilize mood, manage stress, and improve life-adjustment issues.

For more information, please visit our clinic website:

<https://cehs.unl.edu/edpsych/clinic/>

[Board of Education meeting visits.](#)

Begin eginning in December, 2019, I started attending Board of Education meetings in member school districts. Since then, I have attended 75 such meetings. I am scheduled to attend Board meetings for Diller-Odell and Southern on Monday, March 13 and ESU 9 and Sutton on Monday, March 20. I have really enjoyed this and am willing to attend Board meetings when I can. I take a few minutes to cover NRCSA news and offerings, as well as some legislative news. When I am going to be in a specific area on Board meeting days I may send out a notice to near-by Superintendents to make an offer to visit. I'd like to be able to schedule two or three in the same evening if I can.

If you would be interested in me attending a future Board meeting, please contact me to start the arrangements. I would also be willing to "attend" your Board meetings via Zoom if you preferred. I would still only do one at a time but would be able to do several in the same evening. Let me know and we will try to make the connection.

[A common theme from some of the decision makers on the state level is that “out of control” local spending is to blame for the property tax problem.](#)

NRCSA, along with many other educational entities, maintains that we do not have a school spending issue, but instead have a school funding issue. Attached are two reports, one from NRCSA, the other from Open Sky, that discuss the myth of “out of control” school spending. It is my hope that administrators and Board of Education members will read, then use these reports to counter those claims. When you do please tell your district’s story as that is the most powerful way to get this message across.

[NRCSA Spending Study](#)

[A Look at School Spending in NE from Open Sky](#)

[We urge you to consider making use of the NRCSA Partner OneCard](#) as a tool for you in managing school expenditures, both large and small. Certainly, the card can help reduce/eliminate any issues relative to unverified cash expenditures. You decide who uses it, can get cards for each of those users, keep all cards wherever you wish, determine the amount to load it with, and how long the time frame of use is. It is a terrific management tool and clearly identifies each expenditure/name/date/amount. Whether small purchases or very large purchases, the card is a terrific tool. NRCSA owns the state contract, so liability for misuse falls to NRCSA, not the district user. We have only had three circumstances of fraud and all three have been the theft of the card number information, not any district employee misuse. Great job by all participating districts in protecting the card and program! Don’t forget, the NRCSA rebate from the transaction fee paid by businesses that choose to accept plastic is used for scholarship, awards, and special needs. For 2021-22, the rebate was over \$23,000 to NRCSA, showing that use is increasing, and large purchases are being included. WIN, WIN, WIN!

If you are considering joining the program and need more information, please contact Jack Moles (jmoles@nrcca.net) or Jeff Bundy (jbundy@nrcca.net).

[SUPERINTENDENT SEARCH & PLANNING](#)

NRCSA had a very successful year last year in assisting 14 Boards of Education in choosing their next

Superintendent of Schools. The NRCSA Superintendent Search Service helped Arapahoe, Arthur County, Bayard, Heartland, Leyton, Newman Grove, North Bend Central, O’Neill, Potter-Dix, St. Paul, St. Edward, Tri-County, Wheeler Central, and ESU 11 in identifying their next leader. This year we have been asked to assist Ansley Public Schools, Educational Service Unit #16, Southwest Public Schools, North Bend Central Public Schools, Medicine Valley Public Schools, Randolph Public Schools, Ravenna, Public Schools, South Central Unified #5 (interim), Thayer Central Public Schools and Tekamah-Herman Public Schools in their searches for their next Superintendents. NRCSA was also selected to assist the NSAA Board of Directors in its search for the next Executive Director of the NSAA, We also are assisting Thayer Central on a Principal search.

If your district finds a need to locate your next school leader, please be sure to keep the NRCSA Superintendent Search Service in mind.

If your district finds a need to locate your next school leader, please be sure to keep the NRCSA Superintendent Search Service in mind. For more information you can contact Executive Director Jack Moles at jmoles@nrcca.net or by phone at 402-335-7732.

It is a common practice for many Boards of Education and the Superintendent to conduct short and long-term planning. NRCSA does provide a quality service using experienced consultants. If you are interested in more information, please contact Executive Director Jack Moles.



SYRACUSE-DUNBAR-AVOCA used the NRCSA Planning Service in 2022. NRCSA Consultants Rob Hanger and Fred Helmink assisted the district with its planning.

[NRCSA Search Service Experience](#)

[NRCSA Planning Support Brochure](#)



Applications are due April 30, 2023. You can learn more about the award, view previous winners' projects, and apply now by visiting our website!

[Learn More and Apply](#)

From Dr. Jon Habben; NRCSA Federal Liaison:

The 2023 NREAC Legislative Agenda (available through the link below) is an almost final Draft that will be finalized on an NREAC Zoom call on April 20, shortly before Jack and I will be in DC (April 22-26) for NREAC meetings and hopefully meetings with Senator Fischer and Congressmen Flood and Smith.

The Draft reflects a national rural viewpoint, hopefully reflecting issues and priorities across the 43 state rural affiliates. NRCSA is among the sixteen NREAC leaders that are instrumental in the draft development. Many of the items in the draft are long-standing, while others more recent. We have to be cognizant of working with both sides of the aisle since our efforts are long-term.

If you have any specific thoughts about the draft, please email Jack or I.

Thanks, Jon

[2023 NREA C Legislative Agenda](#)



The National Signature Project Award Application is Now OPEN!

The National Signature Project Award is awarded annually to an outstanding and innovative classroom project that exemplifies the very best in rural, place-based education. It is open to any rural classroom teacher in the United States, and it is jointly funded by the Rural Schools Collaborative (RSC) and the National Rural Education Association (NREA).

One rural teacher will receive \$2,500, and two runner-up teachers will receive \$1,500, toward their individual place-based education projects. In addition to the maximum award of \$2,500, awardees' travel and registration fees will be covered for attendance to The 2023 National Forum to Advance Rural Education.

Contact Information

NRCSA

Jack Moles, Executive Director
(402) 335-7732
jmoles@nrcea.net

Jeff Bundy, Administrative Aide
(402) 202-6028
jbundy@nrcea.net

Legislative Contacts

U.S. Senators

[Deb Fischer](#)

[Pete Ricketts](#)

U.S. House of Representatives

[Don Bacon](#)

[Mike Flood](#)

[Adrian Smith](#)

Nebraska Governor

[Jim Pillen](#)

NE State Senators

[Raymond Aguilar, Dist 35](#)

[Joni Albrecht, Dist 17](#)

[John Arch, Dist 14](#)

[Christy Armendariz, Dist 18](#)

[Beau Ballard, Dist 21](#)

[Carol Blood, Dist 3](#)

Carolyn Bosn, Dist 25

[Eliot Bostar, Dist 29](#)

[Bruce Bostelman, Dist 23](#)

[Tom Brandt, Dist 32](#)

[Tom Brewer, Dist 43](#)

[Tom Briese, Dist 41](#)

[John Cavanaugh, Dist 9](#)

[Machaela Cavanaugh, Dist 6](#)

[Robert Clements, Dist 2](#)

[Danielle Conrad, Dist 46](#)

[Jen Day, Dist 49](#)

[Wendy DeBoer, Dist 10](#)

[Barry DeKay, Dist 40](#)

[Myron Dorn, Dist 30](#)

[Robert Dover, Dist 19](#)

[George Dugan, Dist 26](#)

[Steve Erdman, Dist 47](#)

[John Fredrickson, Dist 20](#)

[Steve Halloran, Dist 33](#)

[Ben Hansen, Dist 16](#)

[Brian Hardin, Dist 48](#)

[Rick Holdercroft, Dist 36](#)

[Jana Hughes, Dist 24](#)

[Megan Hunt, Dist 8](#)

[Teresa Ibach, Dist 44](#)

[Mike Jacobson, Dist 42](#)

[Kathleen Kauth, Dist 31](#)

[Lou Ann Linehan, Dist 39](#)

[Loren Lippincott, Dist 34](#)

[John Lowe Sr., Dist 37](#)

[Mike McDonnell, Dist 5](#)

[Terrell McKinney, Dist 5](#)

[Mike Moser, Dist 22](#)

[Dave Murman, Dist 38](#)

[Jane Raybould, Dist 28](#)

[Merv, Riepe, Dist 12](#)

[Rita Sanders, Dist 45](#)

[Julie Slama, Dist 1](#)

[Tony Vargas, Dist 7](#)

[Brad Von Gillern, Dist 4](#)

[Lynne Walz, Dist 15](#)

[Justin Wayne, Dist 13](#)

[Anna Wishart, Dist 27](#)



NRCSA Programs

[**Global Speech Teletherapy**](#)

[**Planning Support Service**](#)

[**Scholarship and Awards Programs**](#)

[**Superintendent Search Service**](#)

[**USBank OneCard Program**](#)



NRCSA Rural Community Schools Association
455 S 11th ST, Suite B
Lincoln, NE 68508



www.nrcsa.net



www.twitter.com/NRCSA1980



www.facebook.com/nrcsahome/

APS 2023-2024 Proposed Transportation Rates

Bus Route Drivers: \$52.50/route
Van SPED Route Drivers: \$16/hr.
Activity Drivers: \$17 + longevity (9 month rate)

Total Increase: \$5,500 based on projected trip hours and scheduled routes

Special Education Policies

Arlington Public Schools adopts this special education policy with the intent that the policy maintain the District's compliance with all applicable laws affecting special education services and programs. The Superintendent or designees shall develop regulations or procedures to implement these policies. Employees and contractors of the District are expected to comply with these policies and all regulations, guidelines and procedures related to this policy in all respects.

The District will abide by all state and federal laws relating to special education. The District's special education policy and regulations, guidelines and procedures related to this policy are to be interpreted so as to be in compliance with such laws. In the event of changes in law, the school administration shall be authorized to implement modifications of practice to comply with such changes (whether the changes impose more or less stringent procedural or substantive requirements) until such time as amended policies are adopted by the Board of Education. References herein to 92 NAC 51 citations are made to Rule 51 as in effect on the date of the adoption of these policies. In the event of renumbering or other revisions to Rule 51, the policy shall be interpreted and implemented consistent with such renumbering or revisions.

1. Free Appropriate Public Education

A free appropriate public education shall be made available to all children with disabilities residing in the District from date of diagnosis through the school year in which the student reaches 21 years of age, including children with disabilities who have been suspended or expelled.

Legal Reference: 92 NAC 51-004.01 through 004.03A and 007.07C2 through 007.07C6

2. Full Educational Opportunity Goal

The District shall take steps to ensure that its children with verified disabilities have available to them the variety of educational programs and services available to children without disabilities in the areas served by the District, including art, music, industrial arts, family consumer science education, and vocational education.

Legal Reference: 92 NAC 51-004.11A

3. Child Find

All children with disabilities residing in the District, including children with disabilities who are homeless or are wards of the state or attending nonpublic schools, regardless of the severity of their disabilities, who are in need of special education and related services, will be identified, located and evaluated and a practical method shall be developed and implemented by the administration to determine which children with disabilities are currently receiving needed special education and related services.

Legal Reference: 92 NAC 51-006.01 through 006.01A2

4. Individualized Education Program (IEP)

An individualized education program, or an individualized family service plan, is to be developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007.

Legal Reference: 92 NAC 51-007

5. Least Restrictive Environment

To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are to be educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment will occur only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Legal Reference: 92 NAC 51-008.01 through 008.011

6. Procedural Safeguards

Children with disabilities and their parents shall be afforded the required procedural safeguards.

Legal Reference: 92 NAC 51-009.01 through 009.07; 009.10 through 009.12; 009.14, 006.07 and 016.01 through 016.07C

7. Evaluation and Identification Procedures

Children with disabilities shall be evaluated and identified in accordance with 92 NAC 51-006. The District will respond to a request for an Independent Educational Evaluation without unnecessary delay. Locations of any evaluator shall be within a reasonable distance of the District. A reasonable distance means within 100 miles of the school building the child attends and within Nebraska. In the event this geographic area restriction would prevent a parent from obtaining an Independent Educational Evaluation, the location of the evaluator may be outside the specified geographic area but must be within Nebraska. The District will provide the parent(s) with a list of qualified agencies/evaluators within the geographic area. The evaluators are to have their rates approved by the Nebraska Department of Education to be authorized to conduct the evaluation.

Legal Reference: 92 NAC 51-006

8. Confidentiality of Personally Identifiable Information

The confidentiality of student records and information shall be maintained in accordance with law.

Legal Reference: 92 NAC 51-003.16, 003.20, 009.03 through 009.03M3

9. Transition of Children from Part C to Preschool Programs

Children participating in early intervention programs under Part C of the IDEA (early intervention services) and who will participate in preschool programs assisted under Part B of the IDEA (services for school-aged children) shall experience a smooth and effective transition to those preschool programs in a manner consistent with 92 NAC 52-008. The District will participate in transition planning conferences arranged by the designated lead agency.

Legal Reference: 92 NAC 52-008

10. Children in Nonpublic Schools

To the extent consistent with the number and location of children with disabilities in the District who are enrolled by their parents in nonpublic elementary and secondary schools in the District, provision will be made for the participation of those children in the programs assisted or carried out under Part B of the IDEA (services for school-aged children) by providing them with special education and related services.

Legal Reference: 92 NAC 51-012.08 and 015

11. Personnel Standards and Personnel Development

Personnel providing special education or related services to children with disabilities shall be appropriately and adequately prepared and trained in accordance with IDEA requirements and the District will take measurable steps to recruit, hire, train and retain personnel meeting the requirements of IDEA to provide such services.

Legal Reference: 92 NAC 51-010

12. Participation in and Reporting of State and District Wide Assessments

All children with disabilities shall be included in all general state and district wide assessment programs, including assessments described under section 612(a)(16)(A) of the IDEA with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs. The District will make available to the Nebraska Department of Education the information necessary to carry out its duties relating to the reporting of children with disabilities participation in assessments.

Legal Reference: 92 NAC 51-004.05

13. Suspension and Expulsion Rates

The District will examine data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities.

Legal Reference: 92 NAC 51-004.06E

14. Access to Instructional Materials

As part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials, the District will enter into a written contract with the publisher of the print instructional materials to:

1. Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Material Access Center, electronic files containing the contents of the print instructional materials using the National Instructional Materials Accessibility Standard, or
2. Purchase instructional materials from the publisher that are produced in, or may be rendered in specialized formats.

Legal Reference: 92 NAC 51-004.15

15. Over-Identification and Disproportionality

Procedures shall be in place to ensure that testing and evaluation materials and procedures utilized for the evaluation and placement of children with disabilities will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it is clearly not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

Legal Reference: 92 NAC 51-003.10; 006.02C

16. Prohibition on Mandatory Medication

Children shall not be required to obtain a prescription for a controlled substance as a condition of attending school, receiving an evaluation to determine whether a child has a disability or the nature and extent of special education and related services the child needs, or receiving special education services.

Legal Reference: 92 NAC 51-004.11D; 21 U.S.C. §812(c)

17. Transportation

Transportation will be provided for children with disabilities who are eligible for transportation and residents of the school district as required by law.

Legal Reference: 92 NAC 51-014.01 through 014.02

18. Surrogates

A surrogate will be appointed and other action taken to ensure the rights of children with a disability as required by law.

Legal Reference: 92 NAC 51-009.10

19. Early Intervention Services – Consent

When a parent refuses to provide consent under 92 NAC 52, a meeting will be held or offered to explain to the parents how their failure to consent affects the ability of their child to receive services under 92 NAC 52.

Legal Reference: 92 NAC 52

Legal Reference: 34 CFR Parts 300, 303 and 304
Neb. Rev. Stat. § 79-1110 to 79-1167
92 NAC 51

Date of Adoption: August 10, 2015

Reviewed: March 13, 2017; March 9, 2020

Free Appropriate Public Education**PROCEDURES****004** Responsibility for Special Education Programs

004.01 All providers of special education services shall be under the general supervision of the Nebraska Department of Education for the purpose of meeting the standards of this Chapter. School districts and approved cooperatives shall ensure that all children with verified disabilities, from birth through the school year in which the student reaches age twenty-one, including children who have been suspended or expelled from school, have available to them a free appropriate public education (FAPE) which includes special education and related services to meet their unique needs. School districts and approved cooperatives' responsibility to ensure the availability of FAPE includes ensuring the availability of FAPE for resident students in detention facilities, correctional facilities, jails and prisons.

004.02 The school district shall ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade and is advancing from grade to grade.

004.02A The determination that a child described in 92 NAC 51-004.02 is eligible under this Chapter must be made on an individual basis by the multidisciplinary evaluation team.

004.03 Exceptions to the Requirement to Provide a Free Appropriate Public Education

004.03A Children with disabilities who have graduated from high school with a regular high school diploma are not eligible to receive a FAPE.

004.03A1 The exception in 92 NAC 51-004.03A does not apply to students who have graduated but have not been awarded a regular high school diploma.

004.03A2 Graduation from high school with a regular diploma constitutes a change in placement, requiring written prior notice in accordance with 92 NAC 51-009.05.

004.04 Participation in or attendance at programs by children with verified disabilities from date of diagnosis to age five shall be voluntary as specified by the parent.

Person(s) Responsible: Board of Education, Superintendent, Special Education Director, Principal, Teachers.

Timeline: Ongoing.

Materials: District policies and procedures, special education forms, Parent Rights Pamphlets, Parent training information.

Methods: Through the implementation of the District's special education policies and procedures, the District provides a free appropriate public education to all children with disabilities including children who have been suspended or expelled from school. It is anticipated that all students with disabilities will receive a regular high school diploma upon completion of their educational program. In those limited cases where it is determined that a student will receive other than a regular diploma the IEP Team, including the parents, will meet to discuss the student's educational programming until age 21.

Full Educational Opportunity Goal**PROCEDURES**

004.01 All providers of special education services shall be under the general supervision of the Department of Education for the purpose of meeting the standards of this Chapter. School districts shall ensure that all children with verified disabilities, from birth through the school year in which the student reaches age twenty-one, including children who have been suspended or expelled from school, have available to them a free appropriate public education (FAPE) which includes special education and related services to meet their unique needs. School districts' responsibility to ensure the availability of FAPE includes ensuring the availability of FAPE for resident students in detention facilities, correctional facilities, jails and prisons.

Person(s) Responsible: Board of Education, Superintendent, Principal, Director of Special Education, Teachers.

Timeline: Ongoing.

Materials: Special education procedures and forms. Training and staff development for certified and noncertified staff in the methods of implementation and "best practices" for working with students with disabilities.

Methods: Procedures and forms are implemented on an individual child basis. Staff development activities will be determined by staff needs, and provided on a yearly schedule.

Childfind**PROCEDURES**

006	<u>Identification of Children with Disabilities, Multidisciplinary Teams and Reporting of Diagnostic Data</u>
	<u>006.01</u> Child Find
	<u>006.01A</u> All children with disabilities residing in the state of Nebraska, including children with disabilities who are homeless children or wards of the State and children with disabilities attending nonpublic schools, regardless of the severity of their disabilities, and who are in need of special education and related services, shall be identified, located, and evaluated and a practical method shall be developed and implemented to determine which children with disabilities are currently receiving needed special education and related services. For infants and toddlers, districts shall demonstrate targeted efforts to meet the needs of children from historically underserved populations, particularly minority, low-income, inner-city and rural populations, and children with disabilities who are wards of the state.
	<u>006.01A1</u> The child find requirements apply to highly mobile children including migrant children and to children under the age of 3 who are involved in a substantiated case of child abuse or neglect; who are identified as affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure.
	<u>006.01A2</u> The child find requirements also apply to a child who is suspected of being a child with a disability under 92 NAC 51-003.10 and in need of special education, even though the child is advancing from grade to grade.

Person(s) Responsible: Superintendent, Director of Special Education, School District Administrators.

Timeline: Print publications will occur annually, in or about August of each year, with ongoing activities occurring throughout the school year.

Materials: Print publications will occur in local newspaper and student handbook. Ongoing activities will occur, such as distribution of pamphlets to doctors' offices, articles in school newspapers, information on school district TV channel (if such exists) and school website, etc.

Methods: Efforts to locate and evaluate resident children and students with disabilities who will benefit from special education and related services will be conducted on an ongoing basis in the following ways:

1. Health and general education screening will be conducted by the District as required by Nebraska state statutes and Nebraska Departments of Education and Health and Human Services regulations.
2. Child find plans will be developed and records maintained to document all such activities of the District and to evaluate their effectiveness. Such records will include a copy of all public announcements. Persons making referrals will be asked where they acquired the information that led them to the School District.
3. The District will accept referrals for evaluation directly from parents, other agencies or school personnel for children below age five who may benefit from the provision of special education services. The District will conduct periodic screening activities to locate children with disabilities.
4. The District will accept referrals for children under the age of 3 who are involved in a substantiated case of child abuse or neglect, who are identified as affected by illegal substance, or withdrawal symptoms resulting from prenatal drug exposure.

Identification, Evaluation and Verification**PROCEDURES****006.01C Student Assistance Team (SAT) or Comparable Problem Solving Team**

006.01C1 For a school age student, a general education student assistance team or a comparable problem solving team shall be used prior to referral for multidisciplinary team evaluation.

006.01C2 The SAT or comparable problem solving team shall utilize and document problem solving and intervention strategies to assist the teacher in the provision of general education.

006.01C3 If the student assistance team or comparable problem solving team feels that all viable alternatives have been explored, a referral for multidisciplinary evaluation shall be completed. A referral shall include information from the SAT or comparable problem solving team, meeting the requirements of 92 NAC 51-006.01C and a listing of the members of the SAT or comparable problem solving team.

Student Assistance Team

Person(s) Responsible: Director of Special Education, Principals, SAT Chairperson, SAT members.

Timeline: Strategies designed, implemented, and evaluated for the equivalent of approximately one school quarter. The period of time individual students are in the SAT process will vary depending on individual student needs, availability of data, number of strategies implemented and the success of the strategies.

Materials: Student Assistance Team Referral, Student Assistance Team Report, Referral for Initial Evaluation, Notice and Consent for Initial Evaluation.

Methods:

1. The SAT shall coordinate and review the information from all staff members working with the referred student and the student's parent(s) and guardian(s);
2. A building level SAT chairperson will be designated and shall be responsible for all communication with parents and school personnel regarding the operation of the team and information generated. The SAT chairperson shall ensure that all information is properly documented.
3. When appropriate, the SAT will plan, implement and assess the effectiveness of alternative intervention strategies developed to assist the teacher in the provision of general education including:
 - a. Reviewing relevant background information;
 - b. Observing/presenting educational problems/behavior;
 - c. Conferring with teacher(s), parent(s), guardian(s);
 - d. Planning alternative intervention strategies;
 - e. Assisting teachers in implementing interventions;
 - f. Monitoring and evaluating the effectiveness of the intervention;
 - g. Providing written documentation of the above activities; and
 - h. Making recommendations regarding referral distribution which may include referral for a MDT assessment, continuation of classroom interventions and/or utilization of school or community resources.
4. If the SAT determines that appropriate options available in general education have been exhausted and there is a possible need of special education services, the student shall be referred to the multidisciplinary team for evaluation;
5. The SAT report shall be completed within a reasonable time of accepting the referral;
6. Referral information and written documentation of all SAT activities shall be incorporated into the student's records; and

7. All referrals for a MDT evaluation shall be submitted on the appropriate District referral forms and must include information from the SAT including strategies/interventions attempted and a listing of team members.

006.02 General Evaluation Requirements

- 006.02A The screening of a child by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services.
- 006.02B Consistent with the consent requirements in 92 NAC 51-009.08A a parent of a child, the Nebraska Department of Education, another State agency or a local school district or approved cooperative or a nonpublic school may initiate a request for an initial evaluation to determine if the child is a child with a disability.
- 006.02B1 Except for infants and toddlers, the resident school district or approved cooperative shall conduct a full and individual initial evaluation for each child being considered for special education and related services before the initial provision of special education and related services to a child with a disability. The initial evaluation shall determine whether a child is a child with a disability, and the educational needs of the child. For infants and toddlers, early intervention services in accordance with 92 NAC 51-007.13, may begin prior to completion of a full and individual initial evaluation.
- 006.02B1a In implementing the requirements of 92 NAC 51-006.02A the school district or approved cooperative shall ensure that:
- 006.02B1a(i) The evaluation is conducted in accordance with the procedures described in Section 006 of this Chapter.
- 006.02B1a(ii) The results of the evaluation are used by the child's IEP team in meeting the requirements of Section 007 of this Chapter.
- 006.02C Verification criteria and procedures:
- 006.02C1 School districts and approved cooperatives must ensure assessments and other evaluation materials used to assess a child under this Chapter:
- 006.02C1a Are selected and administered so as not to be discriminatory on a racial or cultural basis; and
- 006.02C1b Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to so provide or administer;
- 006.02C1c For infants and toddlers, tests and other evaluation materials and procedures are administered in the native language of the parent or other mode of communication, unless it is clearly not feasible to do so.
- 006.02C2 Are used for purposes for which the assessments or measures are valid and reliable.
- 006.02C3 School districts and approved cooperatives must ensure assessments of children with disabilities who transfer from one school or approved cooperative to another school or approved cooperative in the same academic year are coordinated with such children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of full evaluations.
- 006.02C4 School districts and approved cooperatives must ensure materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.
- 006.02C5 School districts and approved cooperatives must ensure a variety of assessment tools and strategies are used to gather relevant functional, developmental and academic information about the child, including information provided by the parent, and information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities), that may assist in determining:
- 006.02C5a Whether the child is a child with a disability under 92 NAC 51-003.10; and
- 006.02C5b The content of the child's IEP.
- 006.02C6 School districts and approved cooperatives must ensure any standardized tests that are given to a child:

006.02C6a Have been validated for the specific purpose for which they are used; and
006.02C6b Are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the assessments.

006.02C6b9(i) If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of the test administration) must be included in the evaluation report.

006.02C7 School districts and approved cooperatives must ensure tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

006.02C8 School districts and approved cooperatives must ensure tests are selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

006.02C9 School districts and approved cooperatives must ensure no single measure or assessment is used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.

006.02C10 School districts and approved cooperatives must ensure the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

006.02C11 School districts and approved cooperatives must ensure in evaluating each child with a disability under Section 006, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

006.02C12 The school district or approved cooperative must use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

006.02C13 The school district or approved cooperative must use assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child.

006.02C14 In interpreting evaluation data for the purpose of determining if a child is a child with a disability and the educational needs of the child, each school district or approved cooperative shall:

006.02C14a Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and

006.02C14b Ensure that information obtained from all of these sources is documented and carefully considered.

006.02C15 School districts and approved cooperatives must ensure evaluation and assessment for infants and toddlers are:

006.02C15a Conducted in accordance with Section 006 of this Chapter to determine eligibility for services including determining the status of the child in each of the developmental domains; and

006.02C16 After a child has been verified the district must conduct an assessment of the unique needs of the child in terms of each of the developmental areas to identify services appropriate to meet the needs of the child.

006.03 Multidisciplinary Evaluation Team (MDT) Requirements

006.03A The multidisciplinary evaluation team (including the child's parents) shall be responsible for the analysis, assessment and documentation of educational and developmental abilities and needs of each child referred for the purpose of individual evaluation. Using the documentation collected and the verification criteria found in Section 006 of this Chapter and the definition found in 92 NAC 51-006.04, the MDT shall make all verification decisions. Documented information shall be collected to facilitate the development of a statement of present level of development and educational performance on the IFSP or IEP.

006.03B For students attending nonpublic schools, an administrator of the nonpublic school or a designated representative of the nonpublic school shall be a member of the MDT.

006.03E4 A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent at no cost.

006.03F Multidisciplinary Evaluation Team Written Report for a Child with a Suspected Specific Learning Disability

006.03F1 The MDT shall prepare a written report of the results of the evaluation.

006.03F2 The report shall include a statement of:

006.03F2a Whether the child has a specific learning disability based on the criteria and definition contained in 92 NAC 51-006.04K.

006.03F2b The child's educational needs;

006.03F2c The basis for making the determination including an assurance that the determination was made in accordance with 92 NAC 51-006.02D 006.02C14;

006.03F2d The relevant behavior if any, noted during the observation of the child; and the relationship of that behavior to the child's academic functioning;

006.03F2e The educationally relevant medical findings, if any;

006.03F2f Whether the child does not achieve adequately for the child's age or to meet state-approved grade level standards consistent with 92 NAC 51-006.04K3a and the child does not make sufficient progress to meet age or state approved grade level standards consistent with 92 NAC 51-006.04K3b; or whether the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state approved grade level standards or intellectual development consistent with 92 NAC 51-006.04K3b(i);

006.03F2g The determination of the team concerning the effects of a visual, hearing, or motor disability; mental handicap, behavior disorder; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level; and

006.03F2h If the child has participated in a process that assesses the child's response to scientific, research-based intervention, then the instructional strategies used and the student-centered data collected; and the documentation that the child's parents were notified about:

006.03F2h(1) The school district's or approved cooperative's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;

006.03F2h(2) Strategies for increasing the child's rate of learning; and

006.03F2h(3) The parent's right to request an evaluation.

006.03F2i A listing of the team members.

006.03F3 Each team member shall certify in writing whether the report reflects his or her conclusion. If the report does not reflect his or her conclusions, the team member shall submit a separate statement presenting his or her conclusion.

006.03F4 A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent at no cost.

006.03G For a school age child who after initial MDT evaluation does not qualify for special education services or for a child with a verified disability who upon reevaluation no longer qualifies for special education services, a problem solving team shall document a plan to assist the teacher(s) in the provision of regular education.

006.04 Eligibility for Special Education

006.04A School districts or approved cooperatives shall provide special education services only to children with verified disabilities. Verifications to be considered are:

006.04B Autism

006.04C Behavioral Disorder (referred to in the 2004 Amendments to the IDEA as "Emotional Disturbance")

006.04D Deaf-Blindness

006.04E Developmental Delay

006.04F Hearing Impairment

006.04G Mental Handicap

<u>006.04H</u>	Multiple Impairments
<u>006.04I</u>	Orthopedic Impairments
<u>006.04J</u>	Other Health Impairment
<u>006.04K</u>	Specific Learning Disability
<u>006.04L</u>	Speech-Language Impairment
<u>006.04M</u>	Traumatic Brain Injury
<u>006.04N</u>	Visual Impairment including Blindness

Evaluation

Person(s) Responsible: Director of Special Education, MDT Coordinator, MDT members.

Timeline:

1. Notice and Consent for Evaluation will be completed in a reasonable period of time from the date of referral;
2. MDT Initial Evaluation will be completed within 45 school days of receiving Parental Consent;
3. The MDT Report will be completed within thirty calendar days (legal holidays excluded) of completion of the evaluation; and
4. Consent for Reevaluation will be obtained a sufficient time period prior to the MDT three year expiration date to permit the three year reevaluation to be completed prior to the deadline.
5. The District may utilize the September 2008 "Verification Guidelines for Children with Disabilities", a Technical Assistance Document provided by the Nebraska Department of Education to provide assistance to the MDT as they assess each child who is referred for an evaluation to determine if the child is a child with a disability and in need of special education services.

Materials: Notice and Consent for Initial Evaluation or Reevaluation, Parent Rights Pamphlets, Complaint Procedures and Rule 55 (for Initial Evaluation), MDT Written Report Form, Verification Guidelines.

Methods: The District will identify children in the following disability categories per 92 NAC 51.

- Autism
- Behavioral Disorder
- Deaf-Blindness
- Developmental Delay
- Hearing Impairment
- Mental Handicap
- Multiple Impairments
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech/Language Impairment
- Traumatic Brain Injury
- Visual Impairment including Blindness

006.05 Reevaluations

006.05A A school district or approved cooperative shall ensure that a reevaluation of each child with a disability is conducted in accordance with the verification procedures in Section 006 of this Chapter:

006.05A1 if the school district or approved cooperative determines that the educational or related services needs, including improved academic achievement and functional performance, or the child warrant a reevaluation; or

006.05A2 if the child's parents or teacher requests a reevaluation.

006.05B A reevaluation conducted under subsection 006.05 of this Chapter:

006.05B1 may occur not more than once a year, unless the parent and the school district agree otherwise; and

006.05B2 must occur at least once every three years, unless the parent and the school district agree that a reevaluation is unnecessary.

006.06 Review of Existing Evaluation Data

006.06A As part of an initial evaluation (if appropriate) and as part of any reevaluation, the IEP team and other qualified professionals as appropriate, shall:

006.06A1 review existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based local or State assessments and classroom-based observations, and observations by teachers and related services providers; and

006.06A2 on the basis of that review, and input from the child's parents, identify what additional data, if any, are needed to determine:

006.06A2a whether the child is a child with a disability, as described in 92 NAC 51-003.10, and the educational needs of the child, or, in case of a reevaluation of a child, whether the child continues to have such a disability and such educational needs;

006.06A2b the present levels of academic achievement and related developmental needs of the child;

006.06A2c whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services; and

006.06A2d whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the individualized education program of the child and to participate, as appropriate, in the general education curriculum.

006.06B The school district or approved cooperative shall administer such assessments and other evaluation measures as may be needed to produce the data identified by the IEP team under 92 NAC 51-006.06A2.

006.06C The IEP team and other qualified professionals may conduct its review without a meeting.

006.06D If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs the school district or approved cooperative:

006.06D1 shall notify the child's parents of:

006.06D1a that determination and the reasons for the determination; and

006.06D1b the right of the parents to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs.

006.06D2 The school district or approved cooperative shall not be required to conduct such an assessment unless requested to by the child's parents.

006.06E A school district or approved cooperative shall evaluate a child with a disability in accordance with this section before determining that the child is no longer a child with a disability.

006.06E1 The evaluation described in 92 NAC 51-006.06E is not required before the termination of a student's eligibility under this Chapter due to graduation from secondary school with a regular high school diploma, or to exceeding the age eligibility for a free appropriate public education under Neb. Rev. Stat. 79-1126. For a child whose eligibility terminates under these circumstances, a school district or approved cooperative shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

Re-evaluation

Person(s) Responsible: IEP members and other qualified professionals.

Timeline: This process should begin well before the three year re-evaluation date and be timed so that the review of existing evaluation data can be accomplished during the IEP meeting.

Materials: Parent Notice and Consent for Re-evaluation form, Parent Rights pamphlet, existing evaluation data, "Notice That No Additional Information Is Needed to Determine Continued Eligibility for Special Education" form.

Methods:

1. IEP Team meets to review information available and decides on the nature of the re-evaluation. Parents are a part of the IEP Team, and therefore are part of the meeting.
2. If the IEP Team determines that no additional information is required to determine continued eligibility for special education, the IEP Team documents the decision on the "Notice That No Additional Information is Needed to Determine Continued Eligibility for Special Education Services Form". Parents should receive a copy of the form at the meeting or within thirty calendar days following the meeting. Parents may request that a comprehensive reevaluation be conducted even if the members of the IEP Team disagree.
3. If the IEP Team decides that additional information is needed to determine continued eligibility in special education, a Referral for Individual Evaluation Form is completed at the IEP meeting. The parents will receive a Parents Rights Pamphlet and a request for Consent to Re-evaluate a sufficient time prior to the MDT three year expiration date to permit the three year reevaluation to be completed prior to the deadline. In most circumstances, the Consent to Re-evaluate shall be obtained at least forty five calendar days prior to the reevaluation date. After the reevaluation is conducted, parents will be contacted to attend the MDT meeting to determine continued eligibility for special education and related services. After the reevaluation the MDT report is written by participating team members. Parents will receive a copy of the written report within thirty calendar days of the MDT meeting (legal holidays excluded).
4. If reevaluation results in removing a disability verification, a MDT report is completed indicating that the child no longer qualifies. When the removal of a disability verification results in a dismissal from a special education program, the MDT report shall indicate the same. A copy of the report shall be placed in the student's record and parents shall be afforded all rights under Rule 51 to assist the student in transitioning back to general education.
5. Student Assistant Team (SAT) references should be completed to assist the student in transitioning back to general education.

006.07 Independent Educational Evaluation

- 006.07A A parent of a child with a disability has the right to obtain an independent educational evaluation of the child at public expense if the parent disagrees with the evaluation obtained by the school district or approved cooperative, subject to the provisions of 92 NAC 51- 006.07.
- 006.07B Each school district or approved cooperative shall provide to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the school district's criteria applicable for independent educational evaluations.
- 006.07C A parent is entitled to only one independent educational evaluation at public expense each time the school district or approved cooperative conducts an evaluation with which the parent disagrees.
- 006.07C1 Public expense means that the school district or approved cooperative either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent.
- 006.07D If a parent requests an independent educational evaluation at public expense, the school district or approved cooperative must, without unnecessary delay, either:
- 006.07D1 Initiate a hearing under 92 NAC 55 to show that its evaluation is appropriate; or
- 006.07D2 Ensure that an independent educational evaluation is provided at public expense, unless the school district or approved cooperative demonstrates at a hearing under 92 NAC 55 that the evaluation obtained by the parent did not meet school district or approved cooperative criteria.
- 006.07E If the school district or approved cooperative initiates a hearing and the final decision is that the school districts or approved cooperative's evaluation is appropriate the parent still has the right to an independent educational evaluation, but not at public expense.
- 006.07F If a parent requests an independent educational evaluation, the school district or approved cooperative may ask for the parent's reason why he or she objects to the public evaluation. However, the school district or approved agency may not require the parent to provide an explanation and may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation.

<u>006.07G</u>	If the parent obtains an independent educational evaluation at public expense or shares with the school district or approved cooperative an evaluation obtained at private expense, the results of the evaluation:
<u>006.07G1</u>	Must be considered by the school district or approved cooperative, if it meets school district or approved cooperative criteria, in any decision made with respect to the provision of a free appropriate public education to the child; and
<u>006.07G2</u>	May be presented by any party as evidence at a hearing under 92 NAC 55 regarding that child.
<u>006.07H</u>	If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.
<u>006.07I</u>	If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the school district or approved cooperative uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation.
<u>006.07J</u>	Except for the criteria described in 92 NAC 51-006.07I, a school district or approved cooperative may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.

Independent Education Evaluation

Person(s) Responsible: Special Education Director, Special Education Teachers, Superintendent, Principal.

Timeline: The District will respond to a request for an Independent Educational Evaluation without unnecessary delay. In most circumstances, the response will be made within ten business days (legal holidays excluded). Where the District approves a request for an Independent Educational Evaluation, the District will provide parents with the list of the District's criteria for selecting an evaluator and a list of independent evaluators (or website or other source where such information can be found) within ten business days (legal holidays excluded) of the response.

Materials: District criteria for selecting evaluator, list of independent evaluators, notice of approving request for an Independent Educational Evaluation or notice that district is not approving and filing for a hearing under 92 NAC 55.

Methods: The parent will be requested to document the request through a written statement to the Director of Special Education.

The written request should contain:

1. Parental objections to the results of the District's educational evaluation;
2. Reference to the specific type(s) of evaluation requested; and
3. Consent of the parent(s)/guardian to release the personally identifiable confidential results of the evaluation to the School District.

If the decision is that an independent educational evaluation is appropriate, the parent(s)/guardian will receive written authorization from the Director of Special Education or designee within 10 business days (legal holidays excluded) of the written request. The parent's failure to provide a written request does not eliminate their right to an Independent Educational Evaluation.

If the District refuses to provide an Independent Educational Evaluation, the District will provide the parents with a notice of their decision. The District must file a hearing under 92 NAC 55 to prove the appropriateness of their evaluation.

The qualifications of examiners will be in accordance with 92 NAC 51. Locations of any evaluator shall be within a reasonable distance of the school district. The District will provide the parent(s) with a list of qualified agencies/evaluators within the geographic area. The evaluators will be encouraged to have their rates approved by the Nebraska Department of Education to be authorized to conduct the evaluation(s).

The District will establish maximum allowable charges for each educational assessment. Maximum allowable charges for the assessment allows the parent(s) to select from among qualified and approved professionals which will eliminate unreasonable and/or excessive fees for services. The District will provide for the parent(s) the opportunity to demonstrate that unusual circumstances justify the need for an independent evaluation which is not designated by this procedure.

If the parent(s) obtains an independent evaluation without notifying the District, the District will not assume the financial responsibility for the evaluation if the District's evaluation is determined to be appropriate by the hearing officer appointed under 92 NAC 55.

Individualized Education Program

PROCEDURES

007 Individual Education Program (IEP) and Individualized Family Service Plan (IFSP)

007.01 An IEP shall be developed, reviewed, revised, and implemented for each child who receives special education and related services. In order to fulfill the requirements of 92 NAC 51-007.01 for infants and toddlers, school districts or approved cooperatives shall meet the requirements of 92 NAC 51-007.13. FAPE is provided to infants and toddlers with a disability in accordance with an IFSP, rather than an IEP. The requirements for contents of the IFSP apply rather than the requirements for the contents of an IEP. All other substantive rights and protections established under special education laws apply to infants and toddlers with disabilities receiving FAPE in accordance with an IFSP.

007.02 School districts or approved cooperatives must provide special education and related services to a child with a disability in accordance with the child's IEP and make a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.

007.02A At the beginning of each school year, each school district shall have an IEP in effect for each child with a verified disability within its jurisdiction.

007.02A1 In the case of a child with a disability age three through five, the IEP team must consider an IFSP that contains the IFSP content (including the natural environments statement) described in 92 NAC 51-007.13B4b (including an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with an IFSP who are at least three years of age), and that is developed in accordance with the IEP procedures. The IFSP may serve as the IEP of the child, if using the IFSP, as the IEP is agreed to by the school district or approved cooperative and the child's parents.

007.02A2 In implementing the requirements of this section, the school district or approved cooperative must provide to the child's parents a detailed explanation of the differences between an IFSP and IEP and if the parents choose an IFSP, obtain written informed consent from the parents.

007.02B Each school district or approved cooperative shall ensure that an IEP is in effect before special education and related services are provided to a child with a verified disability under this Chapter and is implemented as soon as possible following the IEP meetings.

007.02C The child's IEP is accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for its implementation; and

007.02D Each teacher and provider described in 92 NAC 51-007.02C must be informed of his or her

specific responsibilities related to implementing the child's IEP; and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.

007.03 IEP Team Participants

007.03A The school district or approved cooperative shall ensure and document that each IEP team includes the following:

007.03A1 The parents of a child with a disability or documentation of 92 NAC 51-007.06D;

007.03A2 Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);

007.03A2a The regular education teacher of the child, as a member of the IEP team, shall, to the extent appropriate, participate in the development, review and revision of the IEP of the child, including assisting in the determination of appropriate positive behavioral interventions and supports, and other strategies, and the determination of supplementary aids and services, program modifications, and support for school personnel consistent with 92 NAC 51-007.07A5.

007.03A3 Not less than one special education teacher, or where appropriate, not less than one special education provider of the child;

007.03A4 A representative of the school district or approved cooperative who:

007.03A4a Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;

007.03A4b Is knowledgeable about the general education curriculum; and

007.03A4c Is knowledgeable about the availability of resources of the school district or approved cooperative;

007.03A4c(i) A school district or approved cooperative may designate another member of the IEP team to also serve as the school district or approved cooperative representative, if the criteria in 92 NAC 51-007.03A4 are satisfied.

007.03A5 An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in 92 NAC 51-007.03A2 through 007.03A6;

007.03A6 At the discretion of the parent or the school district or approved cooperative, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;

007.03A6a The determination of the knowledge or special expertise of any individual described in 92 NAC 51-007.03A6 shall be made by the party (parents or school district or approved cooperative) who invited the individual to be a member of the IEP.

007.03A7 Whenever appropriate, the child with a disability;

007.03A8 For a child attending a nonpublic school, a representative of the nonpublic schools the child attends. If the representative cannot attend, other Methods shall be used to ensure participation by the nonpublic school, including individual or conference telephone calls;

007.03A9 For children receiving services from an approved service agency, a representative of the service agency. If the representative is not in attendance, other Methods shall be used to ensure participation by the approved service agency, including written communication, or individual or conference telephone calls;

007.03A10 If the purpose of the meeting is to consider postsecondary goals for the child and the transition services needed to assist the child in reaching those goals:

007.03A10a The school district must invite the child;

007.03A10a(i) If the child does not attend the IEP meeting, the school district or approved cooperative shall take other steps to ensure that the child's preferences and interests are considered.

007.03A10b To the extent appropriate, with the consent of the parents or a child who has reached the age of majority, the school district or approved cooperative must invite a representative of any participating agency that is likely to be responsible for providing or paying for the transition services.

007.03A11 For a child verified in the category of hearing impaired, an educator endorsed to teach a

- child with hearing impairments.
- 007.03A12 For a child verified in the category of visual impairment, an educator endorsed to teach a child with visual impairments.
- 007.04 IEP Team Attendance
- 007.04A A member of the IEP Team described in 92 NAC 51-007.03A2 through 007.03A5 shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the school district agree, in writing, that the attendance of such member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.
- 007.04B A member of the IEP Team in 92 NAC 51-007.04A may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if:
- 007.04B1 the parent, in writing, and the school district or approved cooperative consent to the excusal; and
- 007.04B2 the member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting.
- 007.05 In the case of a child who was previously served as an infant or toddler under Part C of the Individuals with Disabilities Education Act, an invitation to the initial IEP meeting shall, at the request of the parent, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services.
- 007.06 Parent Participation
- 007.06A The school district or approved cooperative shall take steps to ensure that one or both of the parents of the child with a disability are present at the IEP conference or are afforded the opportunity to participate, including:
- 007.06A1 Notifying parents of the IEP conference early enough to ensure that they will have an opportunity to attend; and
- 007.06A2 Scheduling the meeting at a mutually agreed on time and place.
- 007.06B The notification under 92 NAC 51-007.06A1 must indicate the purpose, time and location of the meeting and who will be in attendance and inform the parents of the provisions of 92 NAC 51-007.03A6, 007.03A6a and 007.05.
- 007.06B1 For a child with a disability beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, the notice also must:
- 007.06B1a Indicate that a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the child in accordance with 92 NAC 51-007.07A9; and
- 007.06B1b Indicate that the school district will invite the child to the meeting; and
- 007.06B1c Identify any other agency that will be invited to send a representative.
- 007.06C If neither parent can attend the IEP meeting, the school district or approved cooperative shall use other Methods to ensure parent participation, including individual or conference telephone calls consistent with 92 NAC 51-007.09H (related to alternate means of meeting participation).
- 007.06D A meeting may be conducted without a parent in attendance if the school district or approved cooperative is unable to convince the parents they should attend. In this case, the district must keep a record of its attempts to arrange a mutually agreed on time and place such as:
- 007.06D1 Detailed records of telephone calls made or attempted and the results of the calls;
- 007.06D2 Copies of correspondence sent to the parents and any responses received; and
- 007.06D3 Detailed records of visits made to the parent's home or place of employment and the results of those visits.
- 007.06E The school district or approved cooperative shall take whatever action is necessary to ensure that the parent understands the proceedings of an IEP conference, including arranging for an interpreter for parents who are deaf or whose native language is other than English.

IEP Meeting

Person(s) Responsible: Director of Special Education, IEP Case Manager, Special Education Staff.

Timeline: A reasonable time prior to the IEP meeting, the District will provide notice of the IEP meeting. The notification of IEP meeting should be made early enough to assure attendance by all participants.

Materials: "IEP Meeting Notification" form, documentation of phone contacts or e-mails.

Methods: Parents will be notified of IEP meeting by one of the following methods:

1. Written notification will be sent by U.S. mail.
2. Notification will be made by telephone contact, documented on the phone log.
3. Notification provided via e-mail with a copy placed in the student file.

School District IEP Team members will be notified by the IEP Case Manager. Other IEP Team members will be sent a written notification by U.S. mail, e-mail, or by phone, documented on the phone log a reasonable time prior to the IEP meeting.

007.07 IEP Development

007.07A The IEP shall include:

007.07A1 A statement of the child's present levels of academic achievement and functional performance, including:

007.07A1a How the child's disability affects the child's involvement in and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or

007.07A1b For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.

007.07A2 A statement of measurable annual goals, including academic and functional goals, designed to:

007.07A2a Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; or for preschool children, as appropriate, to participate in appropriate activities, and

007.07A2b Meet each of the child's other educational needs that result from the child's disability;

007.07A3 For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;

007.07A4 A description of how the child's progress toward meeting the annual goals described in 92 NAC 51-007.07A2 will be measured and when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;

007.07A5 A statement of the special education and related services and supplementary aids and services based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child:

007.07A5a To advance appropriately toward attaining the annual goals;

007.07A5b To be involved in and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; and

007.07A5c To be educated and participate with other children with disabilities and nondisabled children in the activities described in 92 NAC 51-007.07A5;

007.07A6 An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in 92 NAC 51-007.07A5;

007.07A7 A statement of any individual appropriate accommodations that are necessary to measure

the academic achievement and functional performance of the child on state and district-wide assessments; and if the IEP team determines that the child must take an alternate assessment instead of a particular regular state or district-wide assessment of student achievement, a statement of why:

007.07A7a The child cannot participate in the regular assessment; and

007.07A7b The particular alternate assessment selected is appropriate for the child; and

007.07A8 The projected date for the beginning of the services and modifications described in 92 NAC 51-007.07A5 and the anticipated frequency, location, and duration of those services and modifications;

007.07A9 Beginning not later than the first IEP to be in effect when the child turns 16, or younger if deemed appropriate by the IEP team, and updated annually thereafter:

007.07A9a Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and

007.07A9b The transition services (including courses of study) needed to assist the child in reaching those goals; and

007.07A9c If a participating agency, other than the school district or approved cooperative fails to provide the transition services described in the IEP, the school district or approved cooperative shall reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.

007.07A9c(i) Nothing in this Chapter relieves any participating agency, including the State Division of Vocational Rehabilitation, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to children with disabilities who meet the eligibility of that agency.

007.07A10 Nothing in this section shall be construed to require that additional information be included in a child's IEP beyond what is explicitly required in subsection 007.07A, or to require the IEP team to include information under one component of a child's IEP that is already contained in another component of such IEP.

007.07B In developing, reviewing or revising each child's IEP:

007.07B1 The IEP team shall consider the strengths of the child and the concerns of the parents for enhancing the education of their child.

007.07B2 The IEP team shall consider the results of the initial evaluation or most recent evaluation of the child, and the academic, developmental, and functional needs of the child.

007.07B3 In the case of a child whose behavior impedes his or her learning or that of others, the IEP team shall consider the use of positive behavioral interventions, and supports and other strategies to address that behavior.

007.07B4 In the case of a child with limited English proficiency, the IEP team shall consider the language needs of the child as those needs relate to the child's IEP.

007.07B5 In the case of a child who is blind or visually impaired, the IEP team shall provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child.

007.07B6 The IEP team shall consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, shall consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.

007.07B7 The IEP team shall consider whether the child needs assistive technology devices and services.

007.07C Services

007.07C1 Routine checking of hearing aids and external components of surgically implanted medical devices.

007.07C1a Each school district and approved cooperative must ensure that hearing aids worn

in school by children with hearing impairments, including deafness, are functioning properly.

- 007.07C1b Subject to 92 NAC 51-007.07C1b(i) each school district and approved cooperative must ensure that the external components of surgically implanted medical devices are functioning properly.
- 007.07C1b(i) For a child with a surgically implanted medical device who is receiving special education and related services under this chapter, a school district and approved cooperative is not responsible for the post-surgical maintenance, programming, or replacement of the medical device that has been surgically implanted (or of an external component of the surgically implanted medical device.)
- 007.07C2 Physical education services, specially designed if necessary, must be made available to every child with a verified disability receiving a free, appropriate public education, unless the school district or approved cooperative enrolls children without disabilities and does not provide physical education to children without disabilities in the same grades.
- 007.07C2a Each child with a verified disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled children unless:
- 007.07C2a(i) The child is enrolled full time in a separate facility; or
- 007.07C2a(ii) The child needs specially designed physical education as prescribed in the child's individualized education program.
- 007.07C2b If specially designed physical education is prescribed in a child's individualized education program, the school district or approved cooperative responsible for the education of that child shall provide the services directly, or make arrangements for it to be provided through other public or nonpublic programs.
- 007.07C2c The school district responsible for the education of a child with a verified disability who is enrolled in a separate facility shall ensure that the child receives appropriate physical education services.
- 007.07C3 Each school district shall ensure assistive technology devices or assistive technology services, or both, as defined in 92 NAC 51-003.04 and 003.05 are made available to any child with a disability if required, as part of the child's:
- 007.07C3a Special education under 92 NAC 51-003.66;
- 007.07C3b Related services under 92 NAC 51-003.54; or
- 007.07C3c Supplementary aids and services under 92 NAC 51-003.65 and 008.01A.
- 007.07C3d On a case by case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP team determines that the child needs access to those devices in order to receive a free appropriate public education.
- 007.07C4 The school district or approved cooperative shall take steps including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP Team to provide nonacademic and extracurricular services and activities in the manner necessary to afford each school age child with a verified disability an equal opportunity for participation in those services and activities.
- 007.07C4a Nonacademic and extra-curricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school district, referrals to agencies that provide assistance to individuals with disabilities and employment to students, including both employment by the school district or approved cooperative and assistance in making outside employment available.
- 007.07C5 Extended School Year Services (ESYS)
- 007.07C5a Each school district or approved cooperative shall ensure that extended school year services are available as necessary to provide a free appropriate public education consistent with 92 NAC 51-007.07C5b.
- 007.07C5b Extended School Year (ESY) services must be provided only if a child's IEP team determines, on an individual basis, in accordance with Section 007, that the services are necessary for the provision of a free appropriate public education.
- 007.07C5c In implementing the requirements of this section, a school district or approved

cooperative may not: limit extended school year services to particular categories of disability; or unilaterally limit the type, amount, or duration of those services.

007.07C6 The need for related services of an instructional nature shall be documented on the IEP or IFSP present level of performance, goals, and objectives, and shall be based on documented diagnostic evidence. Determination of the need for a related service for a child with a verified disability does not require the additional verification of a secondary disability.

007.08 Programs for Children who Transfer School Districts or Approved Cooperatives

007.08A Transfer within the same state – If a child with a disability (who had an IEP that was in effect in a previous school district or approved cooperative in Nebraska) transfers to a new school district or approved cooperative in Nebraska, and enrolls in a new school within the same school year, the new school district or approved cooperative (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child’s IEP from the previous school district or approved cooperative), until the new school district or approved cooperative either:

007.08A1 Adopts the child’s IEP from the previous school district or approved cooperative; or

007.08A2 Develops, adopts, and implements a new IEP that meets the applicable requirements of 92 NAC 51-007.

007.08B Transfer from outside the state – If a child with a disability (who had an IEP that was in effect in a previous public agency in another State) transfers to a school district or approved cooperative in Nebraska, and enrolls in a new school within the same school year, the new school district or approved cooperative (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child’s IEP from the previous school district), until the new school district:

007.08B1 Conducts an evaluation pursuant to Section 006 of this Chapter (determined to be necessary by the new school district or approved cooperative); and

007.08B2 Develops, adopts, and implements a new IEP, if appropriate that meets the requirements of 92 NAC 51-007.

007.08C Transmittal of records –

007.08C1 To facilitate the transition for a child who transfers schools the new school in which the child enrolls shall take reasonable steps to promptly obtain the child’s records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous school in which the child was enrolled, pursuant to Section 99.31(a)(2) of Title 34, Code of Federal Regulations.

007.08C2 The previous school in which the child was enrolled shall take reasonable steps to promptly respond to such request from the new school.

007.08C3 Neb. Rev. Stat. 79-2,105 requires that a copy of a public or private school’s files or records concerning a student shall be provided at no charge, upon request, to any public or private school to which the student transfers.

007.09 IEP Meeting

007.09A A meeting to develop an IEP for a child must be held within thirty (30) calendar days of a determination that the child needs special education and related services.

007.09B After the initial IEP meeting, IEPs must be in effect at the beginning of each school year.

007.09C The IEP team shall review the child’s IEP periodically, but not less frequently than annually, to determine whether the annual goals for the child are being achieved.

007.09D The school district or approved cooperative shall provide a copy of the IEP to parents at no cost.

007.09E In making changes to a child’s IEP after the annual IEP meeting for a school year, the parent of a child with a disability and the school district or approved cooperative may agree not to convene an IEP meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child’s current IEP.

007.09E1 If changes are made to the child’s IEP in accordance with 92 NAC 51-007.09E, the school district or approved cooperative must ensure that the child’s IEP Team is informed of those changes.

007.09F Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting,

	or as provided in 92 NAC 92-007.09E of this section, by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated.
<u>007.09G</u>	To the extent possible, the school district or approved cooperative shall encourage the consolidation of re-evaluation meetings <u>for</u> the child and other IEP Team meetings for the child.
<u>007.09H</u>	When conducting IEP team meetings and placement meetings and carrying out administrative matters (such as scheduling, exchange of witness lists, and status conferences), the parent of a child with a disability and a school district or approved cooperative may agree to use alternative means of meeting participation, such as video conferences and conference calls.
<u>007.10</u>	The IEP team shall revise the IEP as appropriate to address:
<u>007.10A</u>	Any lack of expected progress toward the annual goals described in 92 NAC 51-007.07 and in the general education curriculum, if appropriate;
<u>007.10B</u>	The results of any reevaluation conducted under 92 NAC 51-006.05A;
<u>007.10C</u>	The information about the child provided to, or by, the parents, as described in 92 NAC 51-006.06A1;
<u>007.10D</u>	The child's anticipated needs; or
<u>007.10E</u>	Other matters.
<u>007.11</u>	Children with Disabilities in Adult Prisons
<u>007.11A</u>	The following requirements do not apply to children with disabilities who are convicted as adults under State law and incarcerated in adult prisons:
<u>007.11A1</u>	The requirements of 92 NAC 51-007.07A7 (relating to participation of children with disabilities in general assessments); and
<u>007.11A2</u>	The requirements of 92 NAC 51-007.07A9 (relating to transition and planning and transition services) do not apply with respect to such children who will reach age 21 before they will be eligible to be released from prison, based on consideration of their sentence and eligibility of early release.
<u>007.11B</u>	Subject to 92 NAC 51-007.11B1, the IEP team of a child with a disability, who is convicted as an adult under State law and incarcerated in an adult prison, may modify the child's IEP or placement if the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated.
<u>007.11B1</u>	The requirements of 92 NAC 51-003.34 and 007.07 (relating to IEPs), and 92 NAC 51-008.01A (relating to LRE), do not apply with respect to the modifications described in 92 NAC 51-007.11B.

IEP Development

Person(s) Responsible:

1. Director of Special Education is responsible for all IEP procedures and forms.
2. IEP Case Manager is responsible for facilitating the IEP meeting, recording decisions made by the IEP Team on the IEP form and maintaining notes of the IEP meeting.
3. IEP Team is responsible for the development of IEP.

Timeline: The IEP must be in effect at the beginning of each school year. The IEP meeting will be conducted within 30 calendar days of the MDT verification decision. A copy of the IEP will be provided to parents within thirty calendar days of the IEP meeting (legal holidays excluded).

Materials: IEP Form.

Methods: The District will follow the procedures described in 92 NAC 51-007 for the development of the IEPs and conducting of the IEP meetings.

Individualized Family Services Plan (IFSP)**PROCEDURES**007.12 Responsibility for Development of IFSP

007.12A In collaboration with the agency contracting for services coordination, an IFSP shall be developed and implemented for each infant or toddler who is determined to be eligible for early intervention services in accordance with Section 006. The plan must be developed in accordance with Section 007 and based on the multidisciplinary evaluation described in 92 NAC 51-006.04 and any other relevant information. The services coordinator, with the family, is responsible for arranging the team meeting, developing the IFSP team and facilitating the development of the IFSP consistent with Department of Health and Human Services' Early Intervention regulations.

007.12A1 In the event the family declines services coordination, the school district or approved cooperative, with the family, is responsible for the development of the IFSP consistent with the Department of Health and Human Services' Early Intervention regulations and 92 NAC 51-007.13.

007.12A2 If there is a dispute as to who has responsibility for developing or implementing an IFSP, the Departments of Education and Health and Human Services shall resolve the dispute or assign responsibility.

007.12B If a determination is made that an infant or toddler needs early intervention services, an Individualized Family Service Plan (IFSP) shall be developed for the child and the family. The IFSP shall be in writing and shall include:

007.12B1 A statement of the infant or toddler's present levels of physical development (including vision, hearing, and health status), cognitive development, communication development, social or emotional development, and adaptive development which is based on professionally acceptable objective criteria;

007.12B2 With the concurrence of the family, a statement of the family's resources, priorities, and concerns relating to enhancing the development of the infant or toddler with a disability;

007.12B3 A statement of the measurable results or outcomes expected to be achieved for the infant or toddler and the family, including pre-literacy and language skills, as developmentally appropriate for the child, and the criteria, procedures and timelines used to determine the degree to which progress toward achieving the results or outcomes is being made and whether modifications or revisions of the results or outcomes or services are unnecessary;

007.12B3a The degree to which progress toward achieving the outcomes is being made; and

007.12B3b Whether modifications or revisions of the outcomes or services are necessary.

007.12B4 A statement of the specific early intervention services based on peer-reviewed research, to the extent practicable, necessary to meet the unique needs of the child and the family including:

007.12B4a The frequency, intensity, and method of delivering the services;

007.12B4a(i) Frequency and intensity mean the number of days or sessions that a service will be provided, the length of time the service is provided during each session, and whether the service is provided on an individual or group basis; and

007.12B4a(ii) Method means how a service is provided.

007.12B4b The natural environments in which early intervention services will be provided, including a justification of the extent, if any, to which the services will not be provided in a natural environment;

007.12B4c The location of the services; and

007.12B4c(i) Location means the actual place or places where a service will be provided.

007.12B4d The payment arrangements, if any.

007.12B5 To the extent appropriate, medical and other services the child needs, but that are not

required by this Chapter, and the funding sources to be used in paying for those services or the steps that will be taken to secure those services through public or private sources.

007.12B5a This requirement does not apply to routine medical services (e.g. immunizations and “well-baby” care), unless a child needs those services and the services are not otherwise available or being provided.

007.12B6 The projected date(s) for initiation of the service(s) which must begin as soon as possible after the IFSP meeting.

007.12B7 The anticipated duration of those services.

007.12B8 The name of the service coordinator from the profession must immediately relevant to the child’s or family’s needs (or who is otherwise qualified to carry out all applicable responsibilities under this part), who will be responsible for the implementation of the IFSP and coordination with other agencies and persons, including transition services.

007.12B8a The agency contracting for services coordination may assign the same service coordinator who was appointed at the time that the child was initially referred for evaluation to be responsible for implementing a child’s and family’s IFSP, or appointment a new service coordinator.

007.12B9 The steps to be taken to support the transition of the child to preschool services to the extent that those services are considered appropriate, or other services that may be available, if appropriate.

007.12B9a The steps include:

007.12B9a(i) Discussions with, and training of, parents regarding future placements and other matters related to the child’s transition;

007.12B9a(ii) Procedures to prepare the child for changes in the service delivery, including steps to help the child adjust to, and function in, a new setting; and

007.12B9a(iii) With parental consent, the transmission of information about the child to ensure continuity of services, including evaluation and copies of IFSPs that have been developed and implemented.

007.12B10 A statement of the necessary assistive technology devices and services needed by the infant or toddler.

007.13 IFSP Initial and Annual Conferences

007.13A For an infant or toddler who has been evaluated for the first time and determined to be eligible, a meeting to develop the initial IFSP must be conducted within 45 calendar days of the referral.

007.13B A meeting must be conducted on at least an annual basis to evaluate the IFSP for a child and the child’s family, and, as appropriate, to revise its provisions. The results of any current evaluations and other information available from the ongoing assessment of the child and family, must be used in determining what services are needed and will be provided. Parents shall receive a copy of the IFSP within seven calendar days of the IFSP meeting.

007.13C IFSP meeting must be conducted:

007.13C1 In settings and at times that are convenient to families; and

007.13C2 In the native language of the family or other mode of communication used by the family, unless it is clearly not feasible to do so.

007.13D Meeting arrangements must be made with, and written notice provided to, the family and other participants early enough before the meeting date to ensure that they will be able to attend.

007.13E The contents of the IFSP must be fully explained to the parents and informed written consent from the parents must be obtained prior to the provision of early intervention services described in the plan.

007.13E1 If the parents do not provide consent with respect to a particular early intervention service or withdraw consent after first providing it, that service may not be provided.

007.13E2 The early intervention services to which parental consent is obtained must be provided.

007.14 IFSP Periodic Reviews

<p><u>007.14A</u> A review of the IFSP for a child and the child's family must be conducted every six months, or more frequently if conditions warrant, or if the family requests such a review. The purpose of the periodic review is to determine:</p> <p style="padding-left: 20px;"><u>007.14A1</u> The degree to which progress toward achieving the outcomes is being made; and</p> <p style="padding-left: 20px;"><u>007.14A2</u> Whether modifications or revision of the outcomes or services is necessary.</p> <p><u>007.14B</u> The review may be carried out by a meeting or by another means that is acceptable to the parents and other participants.</p> <p><u>007.14C</u> The periodic review of the IFSP must provide for the participation of the persons required by 92 NAC 51-007.16A1, 007.16A2, 007.16A3 and 007.16A4. If conditions warrant, provisions must be made for the participation of other representatives identified in 92 NAC 51-007.16A5, 007.16A6 and 007.16A7.</p> <p><u>007.15</u> IFSP Team Participants</p> <p><u>007.15A</u> The school district or approved cooperative shall document that each IFSP conference includes at least the following participants:</p> <p style="padding-left: 20px;"><u>007.15A1</u> The parent or parents of the child;</p> <p style="padding-left: 20px;"><u>007.15A2</u> Other family members, as requested by the parent, if feasible to do so;</p> <p style="padding-left: 20px;"><u>007.15A3</u> An advocate or person outside of the family, if the parent requests that the person participate;</p> <p style="padding-left: 20px;"><u>007.15A4</u> The service coordinator who has been working with the family since the initial referral of the child for evaluation, or who has been designated to be responsible for implementation of the IFSP;</p> <p style="padding-left: 20px;"><u>007.15A5</u> A representative of the school district or approved cooperation who has the authority to commit district resources;</p> <p style="padding-left: 20px;"><u>007.15A6</u> As appropriate, persons who will be providing services to the child; and</p> <p style="padding-left: 20px;"><u>007.15A7</u> A person or persons directly involved in conducting the evaluations.</p> <p style="padding-left: 40px;"><u>007.15A7a</u> If this person or persons is unable to attend a meeting, arrangements must be made for the person's involvement through other means, including:</p> <p style="padding-left: 60px;"><u>007.15A7a(i)</u> Participating in a telephone conference call;</p> <p style="padding-left: 60px;"><u>007.15A7a(ii)</u> Having a knowledgeable authorized representative attend the meeting; or</p> <p style="padding-left: 60px;"><u>007.15A7a(iii)</u> Making pertinent records available at the meeting.</p> <p><u>007.17</u> Provision of Early Intervention Services Before the Evaluation and Assessment is Complete</p> <p><u>007.17A</u> Early intervention services for the purpose of completion of the evaluation and assessment for a child and the child's family may commence before the completion of the evaluation if the following conditions are met:</p> <p style="padding-left: 20px;"><u>007.17A1</u> Parental consent is obtained;</p> <p style="padding-left: 20px;"><u>007.17A2</u> An interim IFSP is developed that includes:</p> <p style="padding-left: 40px;"><u>007.17A2a</u> The name of the service coordinator who will be responsible for implementation of the interim IFSP and coordination with other agencies and persons; and</p> <p style="padding-left: 40px;"><u>007.17A2b</u> The early intervention services that have been determined to be needed immediately by the child and the child's family.</p> <p style="padding-left: 20px;"><u>007.17A3</u> The evaluation and assessment are completed within the 45 day time period.</p> <p><u>007.18</u> Year Round Continuous Services</p> <p style="padding-left: 20px;"><u>007.18A</u> Early Intervention Services may not be interrupted or modified or otherwise changed for reasons unrelated to the child's needs such as service provider availability or scheduling.</p>

IFSP Meeting and Development

Person(s) Responsible:

1. Services Coordinator, Director of Special Education, family and those they invite.
2. Services Coordinator, with the family, arranges the team meeting, develops IFSP team and facilitates the development of the IFSP.
3. If family declines services coordination, District, with the family, is responsible for development of IFSP consistent with Department of Health and Human Services Early Intervention Regulations 480 NAC 10-100 and 92 NAC 51-007.13.

Timeline:

1. Initial IFSP must be conducted within 45 calendar days of referral to the Early Development Network.
2. Annual IFSPs.
3. Periodic reviews - must be conducted every six months, or more frequently if conditions warrant, or if family requests a review.

Materials: IFSP Statewide Form: The District may utilize the technical assistance documents found at www.nde.state.ne.us/edn/ in developing functional, participation-based IFSP/IEP outcomes and goals. The documents are:

- Preamble: Functional Participation-Based IFSP/IEP Outcomes/Goals
- Assessments: Functional Participation-Based IEP/IEP Outcomes/Goals
- Characteristics of Functional Participation-Based IFSP/IEP Outcomes/Goals
- Meetings: Functional Participation-Based IFSP/IEP Meetings

Methods: District will follow the procedures in 92 NAC 51-007.

Early Intervention Transition**PROCEDURES**007.16 Early Intervention Transition

007.16A The agency contracting for services coordination is responsible for convening, with the approval of the child's family, a conference including the family, school district or approved cooperative and other agencies as needed at least 90 days (and at the discretion of all such parties, up to nine months) before the child's third birthday or at least 90 days before completion of the early intervention program. The purpose of the meeting is to:

007.16A1 Ensure a smooth and effective transition to preschool programs assisted under Part B of the IDEA to the extent those services are appropriate, or other services that may be available, if appropriate;

007.16A2 Review the child's program options for the period from the child's third birthday through the remainder of the school year;

007.16A3 Describe how the family will be included in the transition plans; and

007.16A4 Establish a transition plan.

007.16B In the case of a child who has reached his or her third birthday, an IFSP that contains the material described in 92 NAC 51-007.13 and that is developed in accordance with 92 NAC 51-007.02, 007.03, 007.06, 007.07B, 007.09, 007.10 and 007.11 may serve as the IEP of the child if using that plan is agreed to by the school district or approved cooperative and the child's parents.

007.16B1 In implementing the requirements of 92 NAC 51-007.16B the school district or approved cooperative shall;

007.16B1a Provide the child's parents a detailed explanation of the differences between an IFSP and an IEP; and

007.16B1b If the parents choose an IFSP, obtain written informed consent from the parents.

Person(s) Responsible: The Services Coordinator in conjunction with the Early Childhood Teacher.

Timeline: The District will convene a meeting, including the family and District, at least 90 days and at the discretion of all parties, up to six months before the child's third birthday or at least 90 days before completion of the early intervention program.

Materials: IFSP Form and the IEP form.

Methods: The District will follow the procedures described in 92 NAC 51-007.16 when transitioning children from early intervention to preschool programs.

Participation in Assessments

PROCEDURES

004.05 Participation in Assessments

004.05A School districts shall include all public school students with disabilities in all general state and district-wide assessment programs, including assessments described under section 612(a)(16)(A) of the Individuals with Disabilities Education Act of 2004 (See Appendix A), with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs.

004.05B In the case of a district-wide assessment, the school district shall develop guidelines for the provision of appropriate accommodations.

004.05C In the case of a district-wide assessment, the school district shall develop and implement guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in regular assessments under 92 NAC 51-004.05A with accommodations as indicated in their respective individualized education programs. The guidelines shall provide for accommodations and alternate assessments that:

004.05C1 Are aligned with the Nebraska Department of Education's challenging academic content standards and challenging student academic achievement standards; and

004.05C2 If the Nebraska Department of Education has adopted alternate academic achievement standards permitted under Section 612(a)(16)(C)(ii)(II) of the Individuals with Disabilities Education Act of 2004 (See Appendix A), measure the achievement of children with disabilities against those standards.

004.05D School districts shall make available to the public, and report to the public with the same frequency and in the same detail as they report on the assessment of nondisabled children, the following:

004.05D1 The number of children with disabilities participating in regular assessments, and the number of those children who were provided accommodations in order to participate in these assessments.

004.05D2 The number of children with disabilities participating in alternate assessments described in 92 NAC 51-004.05C1.

004.05D3 The number of children with disabilities participating in alternate assessments described in 92 NAC 51-004.05C2.

004.05D4 The performance results of children with disabilities on regular assessments and on alternate assessments (if the number of children with disabilities participating is sufficient to yield statistically reliable information and reporting that information will not reveal personally identifiable information about an individual student), compared with the achievement of all children, including children with disabilities, on those assessments.

Person(s) Responsible: Superintendent, Special Education Director, Principal and IEP Team.

Timeline: Administration of student assessments will follow the timeline used for the assessment of all students in the District.

Materials: Student’s IEP, District-wide Assessment forms.

Methods: All students will have the opportunity to attempt any or all portions of the District-wide assessments. Students with disabilities will participate in one of the following ways:

1. District-wide and state assessment with no accommodations; or
2. District-wide and state assessment with accommodations.
3. Use of an alternate assessment.

Alternate assessment will be determined by the IEP Team. Alternate assessments will be conducted to correspond with the timeline of state and district-wide assessment for each grade level.

The individual student’s IEP Team will determine how the student will participate in district-wide assessment. If necessary, the IEP Team will list the appropriate accommodations necessary for the student to participate.

Reporting Procedures

Person(s) Responsible: Superintendent, Principal, Special Education Director.

Timeline: Reports will be completed and submitted to NDE on a timeline determined by NDE. Reports to the public will be made available on the same timeline as for reporting general education results.

Materials: Reporting format developed by NDE made annually. Reports to newspapers and school publications sent to parents.

Methods: Assessment information for all students will be reported in two ways. First, data on the student with disabilities will be aggregated with all other student data. Second, data for students with disabilities and students without disabilities will be reported separately.

Least Restrictive Environment

PROCEDURES

008	<u>Placement of Children With Disabilities</u>
008.01	Least Restrictive Environment (LRE) Requirements
008.01A	The school district or approved cooperative shall establish policies and procedures to assure that, to the maximum extent appropriate, children with disabilities including children in public or nonpublic schools and approved service agencies are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
008.01B	Before any action is taken with respect to the initial placement of a child with disabilities, the school district or approved cooperative shall be responsible for the provision of a comprehensive individual multidisciplinary evaluation of the child's development and educational needs. For infants and toddlers, early intervention services may begin prior to completion of a full and individual initial evaluation in accordance with 92 NAC 51-

	007.17.
<u>008.01C</u>	In determining the educational placement of a child with a disability, including a preschool child with a disability, school districts and approved cooperatives must ensure that:
<u>008.01C1</u>	The placement decision is made by a group of persons, including the parents and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
<u>008.01C2</u>	The placement decision is made in conformity with the least restrictive environment requirements in 92 NAC 51- 008.01 and based on the child's unique needs and not on the child's disability.
<u>008.01D</u>	Each school district or approved cooperative must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.
<u>008.01D1</u>	The continuum must;
<u>008.01D1a</u>	Include instruction in regular classes, special classes, special schools, home instruction and instruction in hospitals and institutions; and
<u>008.01D1b</u>	Make provision for supplementary services (such as resource or itinerant instruction) to be provided in conjunction with regular class placement.
<u>008.01E</u>	The school district or approved cooperative shall ensure that the educational placement of a child with a verified disability:
<u>008.01E1</u>	Is determined at least annually;
<u>008.01E2</u>	Is based on his or her individualized education program (IEP); and
<u>008.01E3</u>	Is as close as possible to the child's home.
<u>008.01F</u>	The various array of placement options included under 92 NAC 51-008.01D must be available to the extent necessary to implement the individualized education program for each child with a verified disability.
<u>008.01G</u>	Unless a child's IEP or IFSP requires some other arrangement, the child must be educated in the school which he or she would attend if not disabled.
<u>008.01H</u>	In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the child or on the quality of services which he or she needs.
<u>008.01I</u>	A child with a disability must not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.
<u>008.02</u>	Natural Environments
<u>008.02A</u>	To the maximum extent appropriate to the needs of the child, early intervention services must be provided in natural environments including home and community settings in which children without disabilities participate.
<u>008.02B</u>	The provision of early intervention services for any infant or toddler may occur in a setting other than a natural environment only if early intervention cannot be achieved satisfactorily for the infant or toddler in a natural environment.

Person(s) Responsible: Director of Special Education and IEP/IFSP Team.

Timeline: Students will begin receiving special education and related services as soon as possible following receipt of Parental Consent for Placement based upon the IEP/IFSP. Ordinarily, services will begin within five school days of such receipt. Where it is not reasonably possible to begin services within five schools days due to the circumstances (for example, the need to employ or contract for a provider of the service), the services will be provided as soon as possible under the circumstances.

Materials: IEP/IFSP Form, Parental Notice and Consent for Initial Placement form.

Methods: The IEP/IFSP Team will consider all placement options prior to the placement of a student.

The placements may range from regular classroom instruction for the entire school day with modifications to the regular instructional program to other settings dictated by student needs. The District may also develop additional placement alternatives within the overall school program that are tailored to

the needs of the individual student with disabilities. This placement may be developed by adapting or modifying existing placement alternatives based on the needs of the individual student with disabilities.

For infants and toddlers, service must be provided in natural environments except for those limited situations in which the child's needs dictate a different environment.

When making the placement decision the team shall:

1. Review and discuss past educational experiences;
2. Review current levels of educational performance;
3. Review current education needs as documented on the IEP/IFSP; and
4. Review and formulate a preliminary configuration of special education and related service options.
5. Review and compare the options identified in (4) above with the need for LRE. To achieve this, the IEP/IFSP Team will select the special education placement that allows for the implementation of the IEP/IFSP while educating the student to the maximum extent appropriate with non-disabled peers. The team shall prepare written justification for the appropriate placement selected and document in writing why other options were not selected.
6. When an infant or toddler is placed in an environment other than the child's natural environment, a plan and timeline for returning to the child's natural environment will be in place.

The District will provide written notice to parents and obtain written consent from parents prior to initial placement. If the District has made available an appropriate special education program in accordance with Rule 51 for a student with a disability, and the student's parents choose to unilaterally place the child in a different setting, the District is not required to pay for the child's education in the alternative setting.

Children in Nonpublic Schools

PROCEDURES

013 Contracted Programs

013.01 Special education programs and support services may be provided by contracting with another school district, approved cooperative, or with a Department of Education provisionally approved service provider. Responsibility for compliance with state and federal regulations for programs for children with disabilities remains with the school district.

013.02 The school district of residence or approved cooperative shall be responsible for the development and maintenance of the IEP, and the participation in all IEP meetings and shall assure that IEP meetings are arranged with the contracted program and the parents. Such arrangements may include meetings with the contracted program, the school district, the approved cooperative, and the parent. Meetings may occur within the district, at the contracted program site or another site if more appropriate. For infants and toddlers the school district of residence or approved cooperative shall be responsible for meeting the requirements of 92 NAC 51-007.12 through 92 NAC 51-007.18.

Contracted Programs

Person(s) Responsible: Director of Special Education, IEP Case Manager, Special Education Teacher.

Timeline: Ongoing.

Materials: Contract with the nonpublic school, District forms.

Methods: The District has adopted the state standards and will provide the contracted agency all current information. Once a contract has been arranged, a case manager from the District is designated who will arrange meetings with parents, District representative and the contracting agency. All necessary paperwork and proper procedures are completed through the direction of the case manager, the IEP Team, and the contracted school representative.

015 Children with Disabilities Attending Nonpublic Schools

015.01 Children Placed In or Referred To a Nonpublic School or Facility by the School District As a Means of Providing Special Education and Related Services

015.01A School districts or approved cooperatives shall ensure that a child with a disability who is placed in or referred to a nonpublic school or facility by a school district:

015.01A1 Is provided special education and related services in conformance with an IEP that meets the requirements of Section 007 at no cost to the parents;

015.01A2 Is provided an education that meets the standards that apply to education provided by the school district or approved cooperative including the requirements of this Chapter except 92 NAC 51-003.69; and

015.01A3 Has all of the rights of a child with a disability who is served by a school district or approved cooperative.

015.01B The school district or approved cooperative is responsible for initiating and conducting meetings for the purpose of developing, reviewing and revising an IEP for a child with a verified disability.

015.02 Children Placed In a Nonpublic School by Parents As a Means of Obtaining Special Education and Related Services; FAPE is At Issue

015.02A This Chapter does not require a school district or approved cooperative to pay for the cost of education, including special education and related services, of a child with a disability at a nonpublic school or facility if that school district or approved cooperative made FAPE available to the child and the parents elected to place the child in a nonpublic school or facility as a means of obtaining special education and related services. However, the school district or approved cooperative shall include that child in the population whose needs are addressed consistent with 92 NAC 51-015.03.

015.02B Disagreements between a parent and a school district or approved cooperative regarding the availability of a program appropriate for the child, and the question of financial reimbursement, are subject to the due process procedures of 92 NAC 55.

015.02B1 If the parents of a child with a disability, who previously received special education and related services under the authority of the school district or approved cooperative, enroll the child in a nonpublic preschool, elementary or secondary school as a means of obtaining special education and related services without the consent of or referral by the school district or approved cooperative, a court or a hearing officer may require the school district or approved cooperative to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that the school district or approved cooperative had not made a free appropriate public education available to the child in a timely manner prior to that enrollment and that the private placement is appropriate

015.02B1a A parental placement may be found to be appropriate by a hearing officer or a court even if it does not meet the State standards that apply to education provided by the school district or approved cooperative.

015.02C The cost of reimbursement described in 92 NAC 51-015.02B1 may be reduced or denied if:

015.02C1 At the most recent IEP team meeting that the parents attended prior to removal of the child from the public school, the parents did not inform the IEP team that they were rejecting the placement proposed by the school district or approved cooperative to provide a free appropriate public education to their child, including stating their concerns and their intent to enroll their child in a nonpublic school at public expense; or

015.02C2 At least 10 business days (including any holidays that occur on a business day), prior to the removal of the child from the public school or approved cooperative, the parents

	did not give written notice to the school district of the information described in 92 NAC 51-015.02C1; or
<u>015.02C3</u>	If prior to the parents removal of the child from the public school, the school district or approved cooperative informed the parents, through the notice requirements described in 92 NAC 51-009.05, of its intent to evaluate the child (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parents did not make the child available for such evaluation; or
<u>015.02C4</u>	Upon a judicial finding of unreasonableness with respect to actions taken by the parents.
<u>015.02D</u>	Notwithstanding the notice requirement in 92 NAC 51-015.02C1 and 015.02C2, the cost of reimbursement:
<u>015.02D1</u>	Must not be reduced or denied for failure to provide the notice if:
<u>015.02D1a</u>	The school district or approved cooperative prevented the parents from providing the notice;
<u>015.02D1b</u>	The parents had not received notice, pursuant to 92 NAC 51-009.06 of the notice requirement in 92 NAC 51-015.02C1 and 015.02C2; or
<u>015.02D1c</u>	Compliance with paragraph 92 NAC 51-015.02C1 and 015.02C2 would likely result in physical harm to the child; and
<u>015.02D2</u>	May, in the discretion of the court or a hearing officer, not be reduced or denied for failure to provide this notice if:
<u>015.02D2a</u>	The parents are not literate or cannot write in English; or
<u>015.02D2b</u>	Compliance with paragraph 92 NAC 51-015.02C1 and 015.02C2 of this section would likely result in serious emotional harm to the child.

Children Attending Non-public (as Means of Providing FAPE)

Person(s) Responsible: Director of Special Education, IEP Case Manager, Special Education Teacher.

Timeline: Ongoing.

Materials: Appropriate District forms.

Methods: Disagreement between parents and the School District whether or not the School District has a program available, or regarding the question of responsibility, are subject to the appeal procedures established in Rule 55.

<u>015.03</u>	Children Enrolled In a Nonpublic School by Parents If FAPE Is Not At Issue
<u>015.03A</u>	Parentally-placed nonpublic school children with disabilities means children with disabilities enrolled by their parents in nonpublic, including religious schools or facilities that meet the definition of elementary or secondary school, other than children with disabilities covered in 92 NAC 51-015.01 and 015.02.
<u>015.03A1</u>	For purposes of providing equitable services utilizing IDEA funds described in 92 NAC 51-012.08:
<u>015.03A1a</u>	Elementary school shall mean a school system accredited pursuant to 92 NAC 10, a nonpublic school approved pursuant to 92 NAC 14, or an interim-program school approved pursuant to 92 NAC 18 that offers instruction in any or all grades Kindergarten through eighth grade designated by the school as an elementary grades.
<u>015.03A1b</u>	Secondary school shall mean a school system accredited pursuant to 92 NAC 10, a nonpublic school approved pursuant to 92 NAC 14 or an interim-program school approved pursuant to 92 NAC 18 that offers instruction in any or all grades seventh through twelfth designated by the school as a secondary grades.
<u>015.03A2</u>	For purposes of providing a Free Appropriate Public Education:
<u>015.03A2a</u>	Elementary school shall mean a school system accredited pursuant to 92 NAC

10, a nonpublic school approved pursuant to 92 NAC 14 or an interim-program school approved pursuant to 92 NAC 18 that offers instruction in any or all grades Kindergarten through eighth grade designated by the school as an elementary grades and also includes children attending nonpublic schools that are exempt from approval or accreditation pursuant to 92 NAC 12 and 92 NAC 13.

015.03A2b Secondary school shall mean a school system accredited pursuant to 92 NAC 10, a nonpublic school approved pursuant to 92 NAC 14 or an interim-program school approved pursuant to 92 NAC 18 that offers instruction in any or all grades seventh through twelfth designated by the school as a secondary grade and also includes children attending nonpublic schools that are exempt from approval or accreditation pursuant to 92 NAC 12 and 92 NAC 13.

015.03B Childfind for Parentally-placed Nonpublic School Children with Disabilities

015.03B1 Each school district must locate, identify, and evaluate all children with disabilities who are enrolled by their parents in nonpublic, including religious, elementary schools and secondary schools located in the school district or approved cooperative, in accordance with 92 NAC 51-015.03B2 through 015.03B5.

015.03B2 The childfind process must be designed to ensure:

015.03B2a The equitable participation of parentally-placed nonpublic school children; and

015.03B2b An accurate count of those children.

015.03B3 In carrying out the childfind requirements, the school district must undertake activities similar to the activities undertaken for public school children.

015.03B4 The cost of carrying out the childfind requirements in this subsection, including individual evaluations, may not be considered in determining if a school district or approved cooperative has met its obligations under 92 NAC 51-012.08.

015.03B5 The childfind process must be completed in a time period comparable to that for students attending public schools in the school district or approved cooperative consistent with 92 NAC 51-006.02.

015.03B6 Each school district, in which one or more nonpublic, including religious, elementary schools and secondary schools are located must, in carrying out the childfind requirements in this subsection, include parentally-placed nonpublic school children who reside in a State other than Nebraska.

015.03C Provision of Services for Parentally-placed Nonpublic School Children

015.03C1 To the extent consistent with the number and location of children with disabilities who are enrolled by their parents in nonpublic including religious elementary schools and secondary schools located in the school district or approved cooperative, provision must be made for the participation of those children in the program assisted or carried out under Part B of the IDEA as amended in 2004 by providing them will special education and related services.

015.03C1a Parentally-placed nonpublic school children with disabilities are eligible for the provision of a free appropriate public education from the school district in which they reside. Services available under such circumstances are referred to as a Free Appropriate Public Education (FAPE).

015.03C1a(i) An IEP shall be developed and implemented in accordance with 92 NAC 51-007 for each resident nonpublic school child receiving FAPE.

015.03C1b Parentally-placed nonpublic school children with disabilities who are attending a nonpublic school located outside of their district of residence may receive special education and related services (referred to as equitable services) from the district in which the nonpublic school is located or a free appropriate public education (FAPE) from the district in which they reside, but not both. The decision on whether to receive equitable services or FAPE is at the discretion of the child's parent.

015.03C1b(i) In accordance with 92 NAC 51-015.03C1 and 92 NAC 51-015.03G through 015.03I, an equitable services plan must be developed and implemented for each nonresident nonpublic school child with a disability who has been designated by the school district or approved cooperative in which the nonpublic school or approved cooperative is

located to receive equitable services.

015.03C2 Each school district or approved cooperative must maintain in its records, and provide to the Nebraska Department of Education the following information related to parentally-placed nonpublic school children attending nonpublic schools located in the school district or approved cooperative:

015.03C2a The number of children evaluated;

015.03C2b The number of children determined to be children with disabilities; and

015.03C2c The number of children served.

015.03C3 Special education and related services (FAPE or equitable services) provided to parentally-placed nonpublic school children with disabilities, including materials and equipment, must be secular, neutral, and nonideological.

015.03D Consultation

015.03D1 To ensure timely and meaningful consultation, a school district or approved cooperative must consult with representatives of nonpublic schools located in the school district or approved cooperative and representatives of parents of parentally-placed nonpublic school children with disabilities attending such schools during the design and development of special education and related services (FAPE and equitable services) for the children regarding the following:

015.03D1a The childfind process, including:

015.03D1a(i) How parentally-placed nonpublic school children suspected of having a disability can participate equitably; and

015.03D1a(ii) How parents, teachers, and nonpublic school officials will be informed of the process.

015.03D1b The determination of the proportionate share of Federal funds available to serve parentally-placed nonpublic school children with disabilities available under 34 CFR 300.133(C), including the determination of how the proportionate share of those funds was calculated.

015.03D1c The consultation process among the school district or approved cooperative, nonpublic school officials, and representatives of parents of parentally-placed nonpublic school children with disabilities, including how the process will operate throughout the school year to ensure that parentally-placed children with disabilities identified through the childfind process can meaningfully participate in special education and related services (FAPE or equitable services).

015.03D1d How, where, and by whom special education and related services (FAPE or equitable services) will be provided for parentally-placed nonpublic school children with disabilities, including a discussion of:

015.03D1d(i) The types of services, including direct services and alternate service delivery mechanisms; and

015.03D1d(ii) How special education and related services funded by the proportionate amount of federal funds will be apportioned if such funds are insufficient to serve all parentally-placed nonpublic school; and

015.03D1d(iii) How and when those decisions will be made.

015.03D1e How, if the school district or approved cooperative disagrees with the views of the nonpublic school officials on the provision of services or the types of services (whether provided directly or through a contract), the school district or approved cooperative will provide to the nonpublic school officials a written explanation of the reasons why the school district or approved cooperative chose not to provide services directly or through a contract.

015.03E Written Affirmation

015.03E1 When timely and meaningful consultation, as required by 92 NAC 51-015.03D has occurred, the school district or approved cooperative must obtain a written affirmation signed by the representatives of participating nonpublic schools.

015.03E2 If the representatives do not provide the affirmation within a reasonable period of time, the school district or approved cooperative must forward the documentation of the consultation process to the Nebraska Department of Education.

015.03F Compliance

015.03F1 A nonpublic school official has the right to submit a complaint to the Nebraska

Department of Education that the school district or approved cooperative:

- 015.03F1a Did not engage in consultation that was meaningful and timely; or
- 015.03F1b Did not give due consideration to the views of the nonpublic school official.
- 015.03F2 If the nonpublic school official wishes to submit a complaint, the official must provide to the Nebraska Department of Education the basis of the noncompliance by the school district or approved cooperative with the applicable school provisions in this Chapter; and
 - 015.03F2a The school district or approved cooperative must forward the appropriate documentation to the Nebraska Department of Education. If the nonpublic school official is dissatisfied with the decision of the Nebraska Department of Education, the official may submit a complaint to the United States Secretary of Education by providing the information on noncompliance described in 92 NAC 51-015.03F2. The Nebraska Department of Education must forward the appropriate documentation to the United States Secretary of Education.
- 015.03G Equitable Services for Nonresident Nonpublic School Children Determined
 - 015.03G1 No parentally-placed nonresident nonpublic school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.
 - 015.03G2 Decisions about the equitable services that will be provided to parentally-placed nonresident nonpublic school children with disabilities must be made in accordance with 92 NAC 015.03G3 and 015.03D1c.
 - 015.03G2a The school district or approved cooperative must make the final decisions with respect to the equitable services to be provided to eligible parentally-placed nonresident nonpublic school children with disabilities.
 - 015.03G3 If a nonresident nonpublic school child with a disability is enrolled in a religious or other nonpublic school by the child's parents and will receive equitable services from a school district or approved cooperative, the school district or approved cooperative must:
 - 015.03G3a Initiate and conduct meetings to develop, review and revise an equitable services plan for the child, in accordance with 92 NAC 51-015.03H; and
 - 015.03G3b Ensure that a representative of the religious or other nonpublic school attends each meeting. If the representative cannot attend, the school district or approved cooperative shall use other Methods to ensure participation by the religious or other nonpublic school, including individual or conference telephone calls.
- 015.03H Equitable Services Provided to Nonresident Nonpublic School Children with Disabilities
 - 015.03H1 The equitable services provided to parentally-placed nonresident nonpublic school children with disabilities must be provided by personnel meeting the same standards as personnel providing services in the public schools, except that nonpublic elementary school and secondary school teachers who are providing equitable services to parentally-placed nonresident nonpublic school children with disabilities do not have to meet the special education teacher requirements of Section 003.69.
 - 015.03H2 Parentally-placed nonresident nonpublic school children with disabilities may receive a different amount of services than resident public and nonpublic school children with disabilities.
 - 015.03H3 Each parentally-placed nonresident nonpublic school child with a disability who has been designated to receive equitable services under 902 NAC 51-015.03C1b must have an equitable services plan that describes the specific special education and related services that the school district or approved cooperative will provide to the child in light of the services that the school district or approved cooperative has determined, through the process described in 92 NAC 51-015.03C and 015.03G, it will make available to parentally-placed nonresident nonpublic school children with disabilities.
 - 015.03H4 The equitable services plan must, to the extent appropriate:
 - 015.03H4a Meet the requirements of 92 NAC 51-007.07A or for a child ages three through five, meet the requirements of 92 NAC 51-007.02A1 with respect to the services provided;

<u>015.03H4b</u>	By developed, reviewed, and revised consistent with 92 NAC 51-007.
<u>015.03H5</u>	Equitable services must be provided:
<u>015.03H5a</u>	By employees of a public school or approved cooperative; or
<u>015.03H5b</u>	Through contract by the school district or approved cooperative with an individual, association, agency, organization, or other entity.
<u>015.03I</u>	<u>Location of Services and Transportation</u>
<u>015.03I1</u>	Services (equitable or FAPE) to parentally-placed nonpublic school children with disabilities may be provided on the premises of nonpublic, including religious, schools, to the extent consistent with law.
<u>015.03I1a</u>	A school district or approved cooperative may lease a classroom in a nonpublic school building. If properly drafted, the lease transforms the classroom into a public school classroom during the times covered by the lease. The board of education of a public school district may offer the special education programs enumerated in Neb. Rev. Stat. 79-1127 in a leased classroom in a nonpublic school building. It does not however, have an unqualified legal duty to do so.
<u>015.03J</u>	<u>Due Process and State Compliance</u>
<u>015.03J1</u>	Except as provided in 92 NAC 51-015.03J2, the procedures in 92 NAC 51-009.06, 009.07, 009.10, 009.12, 009.13, 009.14 and 92 NAC 55 do not apply to complaints that a school district or approved cooperative has failed to meet the requirements of 92 NAC 51-015.03C1 through 015.03I and 92 NAC 51-014.01D and 012.08 including the provision of services indicated on the child's equitable services plan.
<u>015.03J2</u>	The procedures in 92 NAC 51-009.06, 009.07, 009.10, 009.12 through 009.14 and 92 NAC 55 apply to complaints that a school district or approved cooperative has failed to meet the childfind requirements in 92 NAC 015.03B1, including the requirements in 92 NAC 51-009.08 and 006.
<u>015.03J3</u>	Any due process complaint regarding the childfind requirements (as described in 92 NAC 51-015.03J2) must be served on the school district or approved cooperative in which the nonpublic school is located and filed with the Nebraska Department of Education.
<u>015.03J4</u>	Any complaint that the Nebraska Department of Education or school district or approved cooperative has failed to meet the requirements in 92 NAC 51.015.03C through 015.03E and 012.08 and 92 NAC 51-015.03G through 015.07 must be filed in accordance with the procedures described in 92 NAC 51-009.11.
<u>015.03J5</u>	A complaint filed by a nonpublic school district official under 92 NAC 51-015.03F1 must be filed within the Nebraska Department of Education in accordance with the procedures in 92 NAC 51-015.03F2.

Children Placed in Nonpublic School by Parents (FAPE is not an Issue)

Person(s) Responsible: Director of Special Education, IEP Case Manager, Special Education Teacher, Nonpublic School Representative.

Timeline: Ongoing.

Materials: Appropriate District forms.

Methods: A nonpublic school student may participate in the public school's special education programs provided the student has been verified by a MDT and the parent is a resident of the District. The IEP for nonpublic school students shall be developed according to the policies and procedures adopted by the District. Services (equitable or FAPE) to nonpublic school students with disabilities may be provided at the public school, the nonpublic school, or a neutral site.

Students who attend nonpublic schools, but receive special education at the public school or a neutral site other than the public school, will be transported by district vehicles. If District vehicle service is not

available, the School District will contract with a licensed common carrier for transportation services. If the parents select to transport eligible students, the District will reimburse parents at the rate approved by the Nebraska Department of Education for actual miles traveled from the nonpublic school to the school District site or a neutral site, following the most direct route. The District will not provide transportation to a nonpublic school enrolled child from child's home to the nonpublic school. Transportation eligibility will be determined by the student's IEP Team. The plan for transportation for the student shall be part of the IEP.

Childfind activities for all children with disabilities who are enrolled by their parents in nonpublic, including religious, elementary schools and secondary schools located in the School District. The process used by the District will include requirements of 015.03D1a through 015.03D1e of Rule 51.

District will consult with nonpublic schools located in the School District during the design and development of special education and related services (FAPE and equitable services).

Written affirmation of timely and meaningful consultation provided to nonpublic schools will be maintained according to 015.03E of Rule 51.

Special Education and related services (FAPE or equitable services) including materials and equipment, must be secular, neutral and nonideological.

Decisions about equitable services for Nonresident Nonpublic parentally-placed students will be made in accordance with 015.03G through 015.03H5b.

Disagreements between parents and the School District whether or not the School District has a program available, or regarding the question of responsibility, are subject to the appeal procedures established in Rule 55.

015.04 A school district or approved cooperative may not use special education funds for classes that are organized separately on the basis of school enrollment or religion of the children if:

015.04A The classes are at the same site; and

015.04B The classes include children enrolled in public schools and children enrolled in nonpublic schools

015.05 A school district or approved cooperative may not use special education funds to finance the existing level of instruction in a nonpublic school or to otherwise benefit the nonpublic school.

015.05A A school district or approved cooperative shall use the special education funds provided to meet the special education and related services (FAPE or equitable services) needs of parentally-placed nonpublic school children with disabilities but not for meeting:

015.05A1 The needs of a nonpublic school; or

015.05A2 The general needs of the children enrolled in a nonpublic school.

015.06 A school district or approved cooperative may use special education funds to make public school personnel available in other than public facilities.

015.06A To the extent necessary to provide services designed for parentally-placed nonpublic school to provide special education and related services (FAPE or equitable services) if:

015.06B If those services are not normally provided by the nonpublic school.

015.07 A school district or approved cooperative may use special education funds to pay for the services of an employee of a nonpublic school to provide special education and related services (FAPE or equitable services) if:

015.07A The employee performs the services outside of his or her regular hours of duty; and

015.07B The employee performs the services under public supervision and control.

015.08 A school district or approved cooperative may place equipment and supplies in a nonpublic school for the period of time needed for the provision of special education and related services.

<p><u>015.08A</u> The school district or approved cooperative shall ensure that the equipment and supplies placed in a nonpublic school:</p> <p style="margin-left: 20px;"><u>015.08A1</u> Are used only for the purpose of providing special education and related services; and</p> <p style="margin-left: 20px;"><u>015.08A2</u> Can be removed from the nonpublic school without remodeling the nonpublic school facilities.</p> <p><u>015.08B</u> The school district or approved cooperative shall remove equipment or supplies from a nonpublic school if:</p> <p style="margin-left: 20px;"><u>015.08B1</u> The equipment and supplies are no longer needed for the purpose of providing special education and related services; or</p> <p style="margin-left: 20px;"><u>015.08B2</u> Removal is necessary to avoid unauthorized use of the equipment and supplies for other than special education purposes</p> <p><u>015.08C</u> No special education funds may be used for repairs, minor remodeling or the construction of nonpublic school facilities.</p> <p><u>015.09</u> A school district or approved cooperative must control and administer the funds used to provide special education and related services under 92 NAC 51-015.03G through 92 NAC 51-015.03I, and hold title to and administer materials, equipment, and property purchased with those funds for those uses and purposes provided in this Chapter.</p>

Use of Special Education Funds

Person(s) Responsible: Superintendent, Director of Special Education.

Timeline: Ongoing.

Materials: Lease form, list of equipment and supplies provided to nonpublic school.

Methods: The District will follow the procedure described in 92 NAC 51-015 when providing services to and using special education funds children attending nonpublic school.

Procedural Safeguards

PROCEDURES

<p><u>009</u> <u>Procedural Safeguards</u></p> <p><u>009.01</u> <u>Parent Participation in Meetings</u></p> <p style="margin-left: 20px;"><u>009.01A</u> The parents of a child with a disability must be afforded an opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child.</p> <p style="margin-left: 20px;"><u>009.01B</u> Each school district or approved cooperative must provide notice consistent with 92 NAC 51.007.06A1 and 007.06B to ensure that parents of children with disabilities have the opportunity to participate in meetings described in 92 NAC 51-009.01A.</p> <p style="margin-left: 20px;"><u>009.01C</u> A meeting does not include informal or unscheduled conversations involving school district or approved cooperative personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that school district's personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.</p> <p><u>009.02</u> <u>Parent Involvement in Placement Decisions</u></p> <p style="margin-left: 20px;"><u>009.02A</u> The school district or approved cooperative shall ensure that a parent of each child with a disability is a member of any group that makes decisions on the educational placement of their child.</p> <p style="margin-left: 20px;"><u>009.02B</u> In implementing the requirements of 92 NAC 51-009.02A, the school district or approved cooperative shall use procedures consistent with the procedures described in 92 NAC 51-</p>
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007.06A, 007.06B and 009.01A.

009.02C If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the school district or approved cooperative shall use other Methods to ensure their participation, including individual or conference telephone calls, or video conferencing.

009.02D A placement decision may be made by a team without the involvement of the parents if the school district or approved cooperative is unable to obtain the parents' participation in the decision. In this case, the school district or approved cooperative must have a record of its attempt to ensure their involvement including information that is consistent with the requirements of 92 NAC 007.06D.

009.03 Opportunity to Examine Records

009.03A The parents of a child with a disability must be afforded, in accordance with the procedures of 92 NAC 51-009.03, an opportunity to inspect and review all education records with respect to: the identification, evaluation, and educational placement of the child; and the provision of FAPE to the child.

009.03B Each participating agency shall permit parents to inspect and review any education records relating to their children which are collected, maintained or used by the participating agency. The participating agency shall comply with such a request without unnecessary delay and before any meeting regarding an individualized education program or hearing pursuant to 92 NAC 55 or resolution session and in no case more than 45 days after the request has been made.

009.03B1 As used in 92 NAC 51-009.03B, participating agency means any agency or institution that collects, maintains or uses personally identifiable information or from which, information is obtained under this Chapter.

009.03B2 The right to inspect and review education records includes:

009.03B2a The right to a response from the participating agency to reasonable requests for explanations and interpretations of the records; and

009.03B2b The right to request that the participating agency provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and

009.03B2c The right to have a representative of the parent inspect and review the records.

009.03B3 A participating agency may presume that the parent has authority to inspect and review records relating to his or her child unless the service agency has been advised that the parent does not have the authority under applicable Nebraska law governing such matters as guardianship, separation and divorce.

009.03C Record of Access

009.03C1 Each participating agency shall keep a record of parties obtaining access to education records collected, maintained, or used (except access by parents and authorized employees of the participating service agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

009.03D Records On More Than One Child

009.03D1 If any education record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

009.03E List of Types and Locations of Information

009.03E1 Each participating agency shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the participating agency.

009.03F Fees

009.03F1 A participating agency may charge a fee for copies of records which are made for parents if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.

009.03F2 A participating agency may not charge a fee to search for or to retrieve information.

009.03G Amendment of Records at Parent's Request

009.03G1 A parent who believes that information in education records collected, maintained, or used is inaccurate, or misleading, or violates the privacy or other rights of the child, may request the participating agency which maintains the information to amend the information.

009.03G2 The participating agency shall decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.

009.03G3 If the participating agency decides to refuse to amend the information in accordance with the request, it shall inform the parents of the refusal, and advise the parent of the right to a local administrative review to be conducted in accordance with 34 CFR 99.22.

009.03H Opportunity for a Local Administrative Review

009.03H1 The participating agency shall, on request, provide an opportunity for a local administrative review to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

009.03I Result of Local Administrative Review

009.03I1 If, as a result of the local administrative review, the participating agency decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so inform the parent in writing.

009.03I2 If, as a result of the local administrative review, the participating agency decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the participating agency shall inform the parent of the right to place in the records the participating agency maintains on the child, a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the participating agency.

009.03I3 Any explanation placed in the records of the child must:

009.03I3a Be maintained by the participating agency as part of the records of the child as long as the record or contested portion is maintained by the participating agency; and

009.03I3b If the records of the child or the contested portion is disclosed by the participating agency to any party, the explanation must also be disclosed to the party.

009.03J Consent for Release of Records

009.03J1 Parental consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies in accordance with 92 NAC 51-009.03H1 unless the information is contained in education records and the disclosure is authorized without parental consent under 34 CFR Part 99.

009.03J2 Except as provided in 92 NAC 51-009.03J3 and 009.03J4, parental consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of this chapter.

009.03J3 Parental consent, or the consent of an eligible child who has reached the age of majority, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services in accordance with 92 NAC 51-007.03A10b.

009.03J4 If a child is enrolled, or is going to enroll in a nonpublic school that is not located in the school district of the parent's residence, parental consent must be obtained before any personally identifiable information about the child is released between officials in the school district where the nonpublic school is located and officials in the school district of the parent's residence.

009.03K Safeguards

009.03K1 Each participating agency shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

009.03K2 One official at each participating agency shall assume responsibility for ensuring the confidentiality of any personally identifiable information.

009.03K3 All persons collecting or using personally identifiable information must receive training or instruction regarding the state's policies and procedures.

009.03K4 Each participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the participating agency who may have access to personally identifiable information.

009.03L Records Regarding Migratory Children with Disabilities

009.03L1 The school district or approved cooperative shall cooperate in the Federal Secretary of Education's efforts under section 613(a)(9) of the Individuals with Disabilities Education Act of 2004 (See Appendix A) to ensure the linkage of records pertaining to migratory children with a disability for the purpose of electronically exchanging among the States, health and education information regarding such children.

009.03M Retention and Destruction of Information and Records

009.03M1 The school district or approved cooperative shall retain special education records for five (5) years after the completion of the activities for which special education funds were used.

009.03M2 The school district or approved cooperative shall inform parents when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child.

009.03M3 The information which is no longer necessary to provide educational services to the child, must be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

Parent Participation/Student Records/Confidentiality

Person(s) Responsible: Director of Special Education, Teaching Staff, Principal.

Timeline: Ongoing.

Materials: Individuals with Disabilities Education Act (IDEA), Family Educational Rights and Privacy Act (FERPA), School Handbook, List of staff with access to personally identifiable student information.

Methods: The District will maintain all personally identifiable student information in conformance with FERPA and 92 NAC 51. If a parent requests a hearing to challenge the content of a student record, the Superintendent will identify a hearing officer and arrange for a hearing. All staff will receive annual training regarding the confidentiality requirements contained in FERPA, 92 NAC 51 and the District's policies and procedures.

009.04 Procedural Timelines

009.04A For all children except for infants and toddlers, each of the procedural steps necessary to provide a free appropriate public education shall be carried out within the specified time periods.

009.04A1 Referral, notice to parents (See 92 NAC 51-009.05), and parental consent, shall be completed within a reasonable period of time. The initial multidisciplinary team evaluation shall be completed within 45 school days of receiving parental consent for the evaluation.

009.04A1a The 45 school day timeline shall not apply to a school district or approved cooperative if:

009.04A1a(i) A child enrolls in a school served by the school district or approved cooperative after the relevant timeline in 92 NAC 51-009.04A1 has begun and prior to a determination by the child's previous school district or approved cooperative as to whether the child is a child with a disability, but only if the subsequent school district or approved cooperative is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent school district or

	approved cooperative agree to a specific time when the evaluation will be completed; or
<u>009.04A1a(ii)</u>	The parent of a child repeatedly fails or refuses to produce the child for the evaluation.
<u>009.04A2</u>	Upon completion of a multidisciplinary team verification decision, school districts or approved cooperatives shall provide a reasonable notification and conduct an individualized education program conference within 30 calendar days
<u>009.04A3</u>	As soon as possible following development of the IEP, special education and related services must be made available to the child in accordance with the child's IEP.
<u>009.04B</u>	For infants and toddlers each of the procedural steps necessary to provide early intervention services shall be carried out within the specific time periods.
<u>009.04B1</u>	A referral must be made by the school district or approved cooperative to the agency responsible for providing services coordination in the Planning Region within two working days of the district becoming aware of an infant or toddler who may be eligible for services.
<u>009.04B2</u>	Notice to parents (See 92 NAC 51-009.05) and parental consent shall be completed within a reasonable period of time.
<u>009.04B3</u>	A multidisciplinary team evaluation must be completed within 45 calendar days from the date of referral. In the event of exceptional circumstances of the family that make it impossible to complete the evaluation within the 45 days, the school district or approved cooperative will document those circumstances, inform the parent of the time estimated by the district to complete the evaluation, and develop and implement an interim IFSP as necessary.
<u>009.04B4</u>	Upon completion of a multidisciplinary team verification decision, and within 45 days of the referral, school districts and approved cooperatives shall participate in an individualized family service plan (IFSP) conference.
<u>009.04B5</u>	Special education placement shall be completed within five school days of receipt of parental consent.

Timelines

Person(s) Responsible: Director of Special Education, Principal, IEP Case Manager, Special Education Teacher, for infants and toddlers, if the family chooses Services Coordination, the family's services coordinator.

Timeline: As specified in 92 NAC 51-009.

Materials: District forms.

Methods: The District will follow the procedures specified in 92 NAC 51-009.02 when determining appropriate timelines.

<u>009.05</u>	Prior Written Notice
<u>009.05A</u>	Prior written notice shall be given to the parents of a child with a disability a reasonable time before a school district or approved cooperative:
<u>009.05A1</u>	Proposes to initiate or change the identification, evaluation, or educational placement of a child or the provision of a free appropriate public education; or
<u>009.05A2</u>	Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child.
<u>009.05B</u>	Such prior written notice shall include:
<u>009.05B1</u>	A description of the action proposed or refused by the school district or approved cooperative;
<u>009.05B2</u>	An explanation of why the district or approved cooperative proposes or refuses to take

	the action;
<u>009.05B3</u>	A description of a other options the IEP Team considered and the reasons why those options were rejected;
<u>009.05B4</u>	A description of each evaluation procedure, assessment, record, or report the school district or approved cooperative uses as a basis for the proposal or refusal;
<u>009.05B5</u>	A description of any other factors which are relevant to the school district's or approved cooperative's proposal or refusal;
<u>009.05B6</u>	A statement that the parents of a child with a disability have protection under the procedural safeguards of this Chapter and, if this notice is not an initial referral for evaluation, the means by which a copy or description of the procedural safeguards can be obtained; and
<u>009.05B7</u>	Sources for parents to contact to obtain assistance in understanding the provisions of this part.
<u>009.05C</u>	The notice must be written in language understandable to the general public, and provided in the native language of the parents or other mode of communication used by the parents unless it is clearly not feasible to do so.
<u>009.05D</u>	If the native language or other mode of communication of the parents is not a written language, the school district or approved cooperative shall take steps to ensure:
<u>009.05D1</u>	That the notice is translated orally or by other means to the parents in his or her native language or other mode of communication;
<u>009.05D2</u>	That the parents understand the content of the notice; and
<u>009.05D3</u>	That there is written evidence that the requirements of this section have been met.

Prior Written Notice

Person(s) Responsible: Director of Special Education, Principal, IEP/IFSP Case Manager, Special Education Teacher, Early Development Network Services Coordinator.

Timeline: Notice will be provided a reasonable time before taking or refusing to take the proposed action. The length of the advance notice will vary depending on the circumstances; but will ordinarily be ten school days (or fourteen business days if outside the school year).

Materials: Written Notice Forms for Evaluation, Placement, Reevaluation, Termination.

Methods: The IEP/IFSP Case Manager is responsible for collecting information and drafting the Prior Written Notice to be sent to parents. Prior Written Notice will be sent prior to proposing or refusing any action with regard to special education.

<u>009.06</u>	Procedural Safeguards Notice
<u>009.06A</u>	A copy of the procedural safeguards available to the parents of a child with a disability shall be given by the school district or approved cooperative to the parents only one time a school year, except that a copy shall also be given to the parents:
<u>009.06A1</u>	Upon initial referral or parental request for evaluation;
<u>009.06A2</u>	Upon request by parent;
<u>009.06A3</u>	Upon receipt by the school district or approved cooperative of the first occurrence of the filing of a complaint under 92 NAC 51-009.11 and the first occurrence of filing a special education due process case under 92 NAC 55; and
<u>009.06A4</u>	In accordance with the discipline procedures in 92 NAC 51-016.
<u>009.06B</u>	The procedural safeguards notice shall include a full explanation of all of the procedural safeguards, relating to:
<u>009.06B1</u>	Independent educational evaluation;
<u>009.06B2</u>	Prior written notice;
<u>009.06B3</u>	Parental consent;

<u>009.06B4</u>	Access to educational records;
<u>009.06B5</u>	Opportunity to present and resolve disputes through the due process hearings and the state complaint procedures including;
<u>009.06B5a</u>	The time period in which to file a state complaint or petition for a due process hearing;
<u>009.06B5b</u>	The opportunity for the school district to resolve the dispute; and
<u>009.06B5c</u>	The difference between the due process system and the state complaint procedures; including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures.
<u>009.06B6</u>	The child's placement during pendency of due process proceedings;
<u>009.06B7</u>	Procedures for students subject to placement in an interim alternative educational setting;
<u>009.06B8</u>	Requirements for unilateral placement by parents of children in nonpublic schools at public expense;
<u>009.06B9</u>	The availability of mediation;
<u>009.06B10</u>	Due process hearings, including requirements for disclosure of evaluation results and recommendations;
<u>009.06B11</u>	Civil actions, including the time period in which to file such actions; and
<u>009.06B12</u>	Attorney's fees.
<u>009.06C</u>	The notice of the procedural safeguards provided to the parent must be written in language understandable to the general public and provided in the native language of the parent as required by 92 NAC 51-009.05C and 009.05D.
<u>009.06D</u>	The school district or approved cooperative may place a current copy of the procedural safeguards notice on its Internet website if such website exists.
<u>009.07</u>	A parent of a child with a disability may elect to receive notices required under this section by an electronic mail (e-mail) communication, if the school district makes such option available.

Procedural Safeguards

Person(s) Responsible: Special Education Director, IEP Case Manager, Early Development Network Services Coordinator.

Timeline: A copy of the procedural safeguards will be provided prior to initial referral for evaluation, upon parental request, or upon filing a due process appeal.

Materials: Parent Rights Pamphlet, which may be downloaded at <http://www.nde.state.ne.us/SPED/parent/parenthp.html>

Methods: A copy of the Parent Rights Pamphlet will be provided; or a copy of the procedural safeguards is on the District's website.

<u>009.08</u>	<u>Parental Consent</u>
<u>009.08A</u>	<u>Parental Consent for Initial Evaluations</u>
<u>009.08A1</u>	The school district or approved cooperative proposing to conduct an initial evaluation to determine if a child qualifies as a child with a disability under 92 NAC 51-003.10 must obtain informed consent, consistent with 92 NAC 51-003.11, from the parent of the child before conducting the evaluation.
<u>009.08A2</u>	Parental consent for initial evaluation must not be construed as consent for initial provision of special education and related services.
<u>009.08A3</u>	The school district or approved cooperative must make reasonable efforts to obtain the informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability.
<u>009.08A4</u>	For initial evaluations only, if the child is a ward of the State and is not residing with the child's parent, the school district or approved cooperative is not required to obtain

informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if:

009.08A4a Despite reasonable efforts to do so, the school district or approved cooperative cannot discover the whereabouts of the parent of the child;

009.08A4b The rights of the parents of the child have been terminated in accordance with the State law; or

009.08A4c The rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

009.08A5 If the parent of a child enrolled in public school or seeking to be enrolled in public school does not provide consent for initial evaluation under 92 NAC 51-009.08A1 or the parent fails to respond to a request to provide consent, the school district or approved cooperative may, but is not required to, pursue the initial evaluation of the child by utilizing the procedural safeguards in 92 NAC 51-009 (including the mediation procedures or the due process procedures), if appropriate.

009.08A5a The school district or approved cooperative does not violate its obligation under 92 NAC 51-006 to locate and identify the child as a child with a disability if it declines to pursue the evaluation.

009.08B Consent for Services

009.08B1 A school district or approved cooperative that is responsible for making FAPE available to a child with a disability must obtain informed consent from the parent of the child before the initial provision of special education and related services to the child.

009.08B2 The school district or approved cooperative must make reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to the child.

009.08B3 If the parent of a child fails to respond or refuses to consent to services under 92 NAC 51-009.08B1, the school district or approved cooperative may not use the procedures in 92 NAC 51-009 (including the mediation procedures or the due process procedure) in order to obtain agreement or a ruling that the services may be provided to the child.

009.08B4 If the parent of the child refuses to consent to the initial provision of special education and related services, or the parent fails to respond to a request to provide consent for the initial provision of special education and related services, the school district or approved cooperative:

009.08B4a Will not be considered to be in violation of the requirement to make available FAPE to the child for the failure to provide the child with special education and related services for which the school district or approved cooperative requests consent; and

009.08B4b Is not required to convene an IEP Team meeting or develop an IEP under 92 NAC 51-007 for the child for the special education and related services for which the school district or approved cooperative request such consent.

009.08C Consent for Reevaluations

009.08C1 Subject to 92 NAC 51-009.08C2, each school district or approved cooperative must obtain informed parental consent, in accordance with 92 NAC 51-009.08A1, prior to conducting any reevaluation of a child with a disability.

009.08C1a If the parent refuses to consent to the reevaluation, the school district or approved cooperative may, but is not required to, pursue the reevaluation by using the consent override procedures described in 92 NAC 51-009.08A5. The school district or approved cooperative does not violate its obligation to locate and identify the child as a child with a disability if it declines to pursue the evaluation or reevaluation.

009.08C2 The informed parental consent described in 92 NAC 51-009.08C1 need not be obtained if the school district can demonstrate that:

009.08C2a It made reasonable efforts to obtain such consent; and

009.08C2b The child's parent has failed to respond.

009.08D Other Consent Requirements

<u>009.08D1</u>	Parental consent is not required before:
<u>009.08D1a</u>	Reviewing existing data as part of an evaluation or a reevaluation; or
<u>009.08D1b</u>	Administering a test or other evaluation that is administered to all children unless, before administration of that test or evaluation, consent is required of parents of all children.
<u>009.08D2</u>	A school district or approved cooperative may not use a parent's refusal to consent to one service or activity under 92 NAC 51-009.08A to deny the parent or child any other service, benefit, or activity of the school district or approved cooperative, except as required by the Rule.
<u>009.08D3</u>	If a parent of a child who is home schooled or placed in a nonpublic school by the parents at their own expense does not provide consent for the initial evaluation or the reevaluation, or the parent fails to respond to a request to provide consent, the school district or approved cooperative may not use the consent override procedures (described in 92 NAC 51-009.08A5 and 009.08C1); and
<u>009.08D3a</u>	The school district or approved cooperative is not required to consider the child as eligible for services under 92 NAC 51-015.
<u>009.08D4</u>	To meet the reasonable efforts requirement in 92 NAC 51-009.08A3, 009.08A4a, 009.08B2, and 009.08C2a, the school district or approved cooperative must document its attempts to obtain parental consent using the procedures in 92 NAC 51-007.06.
<u>009.08D5</u>	For infants and toddlers, if consent is not given, the school district or approved cooperative shall make reasonable efforts to ensure that the parents:
<u>009.08D5a</u>	Are fully aware of the nature of the evaluation or the services that will be available; and
<u>009.08D5b</u>	Understand that the child will not be able to receive the evaluation or services unless consent is given.
<u>009.09</u>	The parents of an infant or toddler may determine that they, their child, or other family members will accept or decline any early intervention service, and may decline such a service after first accepting it, without jeopardizing other early intervention services.

Consent/Parent Revocation of Consent

Person(s) Responsible: IEP Case Manager, Special Education Director; for infants and toddlers Early Development Network Services Coordinator.

Timeline: Written parental consent will be obtained prior to conducting an evaluation, reevaluation, or placement of a child in special education.

Written revocation of consent for special education and related services will be obtained from parent if parent requests their child no longer receive services.

Materials: Parent Consent forms.

Methods: The School District will provide parents with a notice explaining the action to be taken and a request for written parent consent. If the parent does not give consent, the District may pursue mediation and for an initial evaluation, or file for a due process hearing.

If the parent does not consent to services, the School District will not use complaint, mediation, or due process to obtain agreement or a ruling that services be provide to the child.

If the parent does not consent to provision of services, the District is not required to convene an IEP Team meeting or develop an IEP.

If the parent revokes consent for special education and related services, the District will provide parents with written notice regarding the changes in educational placement and services. The notice will include information on sources for the parents to contact that can assist the parents in understanding the requirements of Part B of IDEA. Services will be provided to the child until the School District receives written notice from the parent stating that the parent revokes consent for services.

009.10 Appointment of Surrogates

009.10A Each school district or approved cooperative shall ensure that the rights of a child with a disability are protected if:

009.10A1 No parent can be identified;

009.10A2 The school district or approved cooperative, after reasonable efforts, cannot locate a parent;

009.10A3 The child is an unaccompanied homeless youth; or

009.10A4 The child is a ward of the State or court.

009.10A4a In the case of a child who is a ward of the State, such surrogate may alternatively be appointed by the judge overseeing the child's care provided that the surrogate meets the requirements in 92 NAC 51-009.10D3.

009.10B The duty of the school district or approved cooperative under 92 NAC 51-009.10A includes the assignment of an individual to act as a surrogate for the parents. This must include a method;

009.10B1 For determining whether a child needs a surrogate parent and,

009.10B2 For assigning a surrogate parent to the child.

009.10C The school district or approved cooperative may select a surrogate parent in any way permitted under State law and the district or approved cooperative shall make reasonable efforts to ensure the assignment of a surrogate not more than 30 calendar days after there is a determination that the child needs a surrogate.

009.10D In order to qualify, a surrogate must be a person who:

009.10D1 Has no personal or professional interest that conflicts with the interest of the child he or she represents;

009.10D2 Has knowledge and skills that ensure adequate representation of the child; and

009.10D3 Is not an employee of any public agency which is involved in the education or care of the child. A person who otherwise qualifies to be a surrogate parent is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent.

009.10D3a For infants and toddlers, a person assigned as a surrogate parent may not be an employee of any State agency; or a person, or an employee of a person, providing early intervention services to the child or to a family member of the child. A person who otherwise qualifies to be a surrogate parent under this Subsection is not an employee solely because he or she is paid by a public agency to serve as a surrogate parent.

009.10D3b In the case of a child who is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents without regard to 92 NAC 51-009.10D3, until a surrogate parent can be appointed that meets all the requirements of 92 NAC 51-009.10D.

009.10E The surrogate may represent the child in all matters relating to:

009.10E1 The identification, evaluation, and educational placement of a child; and

009.10E2 The provision of a free appropriate public education to the child.

009.10E3 For infants and toddlers, a surrogate parent may represent a child in all matters related to:

009.10E3a The evaluation and assessment of the child;

009.10E3b Development and implementation of the child's IFSP including annual evaluations and periodic review;

009.10E3c The ongoing provision of early intervention services to the child; and

009.10E3d Any other rights established under this Chapter.

009.10F The services of the surrogate parent shall be terminated when:

<u>009.10F1</u>	The child is no longer eligible for a surrogate parent under 92 NAC 51-009.08A;
<u>009.10F2</u>	A conflict of interest develops between the interest of the child and the interest of the surrogate parent; or
<u>009.10F3</u>	The surrogate parent fails to fulfill his or her duties as a surrogate parent.
<u>009.10G</u>	Issues arising from the selection, appointment, or removal of a surrogate parent shall be resolved through hearings established under 92 NAC 55.
<u>009.10H</u>	The surrogate parent and the school district or approved cooperative which appointed the surrogate parent shall not be liable in civil actions for damages for acts of the surrogate parent unless such acts constitute willful and wanton misconduct.

Surrogate Parents

Person(s) Responsible: Director of Special Education, Principal, IEP Case Manager, Surrogate Parent(s) (NOTE: Personnel from the Department of Health and Human Services may not serve as a surrogate parent(s) under the Special Education Act.) In the case of a State ward, the judge overseeing the child's case may appoint the surrogate parent.

Timeline: Within 30 days of identification of need to appoint a surrogate/surrogate parent. Appointments shall last one (1) year. The appointment may be renewed.

Materials: Request to Director of Special Education for the appointment of a Surrogate, Surrogate Training, Agreements and Training Materials, Rule 51 and 55, Policies and Procedures, other materials as required.

Methods: If the District identifies students who may be in need of a surrogate parent, the District will:

1. Attempt to identify and locate the parent;
2. Investigate the legal status of those student(s); and
3. If after a reasonable effort, the parents cannot be located, the School District shall ensure that the rights of students with disabilities are protected by appointing a surrogate.
4. Surrogates will be provided sufficient training to assure they are knowledgeable as to the legal rights and educational needs of the student they are to represent. Training will be conducted as needed.
5. Surrogates will be appointed by the director of special education following documentation that no conflict of interest exists and completion of appropriate training or assurance that the surrogate is knowledgeable in order to represent the student.
6. Surrogates will be monitored on a regular basis to ensure effective performance. Should a surrogate be unable or unwilling to discharge his or her duties, a new surrogate will be appointed by the director.
7. The surrogate parent shall continue to represent the student until one of the following occurs:
 - a. The student is determined to no longer be eligible for, or in need of, special education or related services except when termination from such programs is being contested;
 - b. The parent, who was previously unknown, or whose whereabouts were previously unknown or a guardian or person acting as the student's parents becomes known; and/or,
 - c. It is determined that the appointed surrogate parent no longer adequately represents the student.
 - d. The surrogate parent's term has expired.

<u>009.11</u>	State Complaint Procedures
<u>009.11A</u>	An organization or individual may file a signed written complaint under the procedures described in 92 NAC 51-009.11B
<u>009.11B</u>	The complaint must include:

- 009.11B1 A statement that the school district or approved cooperative has violated a requirement of 92 NAC 51;
- 009.11B2 The facts on which the statement is based;
- 009.11B3 The signature and contact information for the complainant; and
- 009.11B4 If alleging violations with respect to a specific child –
- 009.11B4a The name and address of the residence of the child;
- 009.11B4b The name of the school the child is attending;
- 009.11B4c In the case of a homeless child or youth within the meaning of section 725(2C) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 1143a(2)), available contact information for the child, and the name of the school the child is attending;
- 009.11B4d A description of the nature of the problem of the child, including facts relating to the problem; and
- 009.11B4e A proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.
- 009.11B5 The complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received in accordance with 92 NAC 51-009.11.
- 009.11B6 The party filing the complaint must forward a copy of the complaint to the school district or approved cooperative serving the child at the same time the party files the complaint with Nebraska Department of Education, Special Populations Office.
- 009.11C If a complaint meeting the requirements of 92 NAC 51-009.11B is received, the following procedures will be carried out:
- 009.11C1 Within fourteen (14) calendar days of receipt of the written, signed complaint, an assigned Special Education Office official shall notify in writing each complainant and the school district or approved cooperative against which the violation has been alleged, that the complaint has been received. This written notification shall include a copy of the complaint and the substance of the alleged violation. The school district or approved cooperative shall have fourteen (14) calendar days to submit a written response.
- 009.11C2 Special Education Office officials will provide the school district or approved cooperative with the opportunity to respond to the complaint, including, at a minimum:
- 009.11C2a At the discretion of the school district or approved cooperative, a proposal to resolve the complaint; and
- 009.11C2b An opportunity for a parent who has filed a complaint and the school district or approved cooperative to voluntarily engage in mediation consistent with 92 NAC 51-009.12.
- 009.11C3 Special Education Office officials will investigate each complaint received from an individual or organization (including an individual or organization from another state) to determine whether there has been a failure to comply with these rules and may require further written or oral submission of information by all parties and may conduct an independent on-site investigation if necessary. The complainant will have the opportunity to submit additional information either orally or in writing, about the allegation.
- 009.11C4 Within sixty (60) calendar days of receipt of a signed written complaint, the Department of Education Special Education Office will review all relevant information and provide written notification of findings of facts and conclusions and the basis for such findings to all parties involved.
- 009.11C5 An extension of the time limit in 92 NAC 51-009.11C4 will be permitted only if:
- 009.11C5a Exceptional circumstances exist with respect to a particular complaint; or
- 009.11C5b The parent and the school district or approved cooperative involved agree to extend the time to engage in mediation or to engage in other alternative means of dispute resolution.
- 009.11C6 If it is determined there has been a failure to comply, there will be included in the

notification of findings the specific steps which must be taken by the school district or approved cooperative to bring the school district or approved cooperative into compliance, including technical assistance, negotiations and corrective actions necessary to achieve compliance. The notification shall also set forth a reasonable period of time to voluntarily comply.

009.11C7 If the school district or approved cooperative does not demonstrate compliance within the period of time set forth in the notice of findings, the matter will be subject to the procedures outlined in 92 NAC 51-004.09.

009.11C8 If a written complaint is received that is also the subject of a due process hearing under 92 NAC 55, or contains multiple issues of which one or more are part of that hearing, the Special Education Office officials shall set aside any part of the state complaint that is being addressed in the due process hearing, until the conclusion of the hearing. However, any issue in the state complaint that is not a part of the due process action must be resolved using the time limit and procedures described in 92 NAC 51-009.11.

009.11C9 If an issue is raised in a complaint filed under this 92 NAC 51-009.11 that has previously been decided in a due process hearing involving the same parties:

009.11C9(a) The hearing decision is binding; and

009.11C9(b) The Nebraska Department of Education must inform the complainant to that effect.

009.11C10 A complaint alleging a school district's or approved cooperative's failure to implement a due process decision must be resolved by the Nebraska Department of Education.

Complaint Procedures

Person(s) Responsible: Director of Special Education, Superintendent.

Timeline: The District will observe all timelines in 92 NAC 51-009.11.

Materials: Copy of letter of complaint, support documentation, district policies and procedures and letter of response to NDE.

Methods: The Director of Special Education or designee will serve as the liaison between the School District and the NDE complaint investigator throughout the complaint process. The Special Education Director will facilitate site and file reviews. The Special Education Director will be responsible for the implementation of any corrective action plan designed to bring the District into compliance.

009.12 Mediation

009.12A School districts or approved cooperative shall implement the procedures established in Section 009 to allow parties to resolve disputes involving any matter described in 92 NAC 51-009.05A1 and 009.05A2 including matters arising prior to the filing of a due process hearing petition through a mediation process which, at a minimum, shall be available whenever a hearing is requested under 92 NAC 55.

009.12A1 The procedures for seeking mediation initiated by either the parent(s) or school district or approved cooperative include:

009.12A1a Contacting the Nebraska Office of Dispute Resolution who will

009.12A1b Arrange a meeting, invite both parties and conduct the mediation in an attempt to resolve the dispute.

009.12B The procedures shall ensure that the mediation process:

009.12B1 Is voluntary on the part of the parties;

009.12B2 Is not used to deny or delay a parent's right to a due process hearing under 92 NAC 55, or to deny any other rights afforded under this Chapter; and

009.12B3 Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

009.12C The school district or approved cooperative may implement the procedures in Section 009 to offer parents and schools or approved cooperatives that choose not to use the mediation process an opportunity to meet, at a time and location convenient to the parents, with a disinterested party who is under contract with:

009.12C1 A parent training and information center or community parent resource center in this State established under Section 671 or 672 of the IDEA, or

009.12C2 An appropriate alternative dispute resolution entity to encourage the use, and explain the benefits of the mediation process to the parents.

009.12D The Nebraska Department of Education shall maintain a list of individuals who are qualified mediators and knowledgeable in laws and regulations relating to the provision of special education and related services for use by school districts, and approved cooperatives and parents.

009.12E The Nebraska Department of Education shall bear the cost of the mediation process, including the costs of meetings described 92 NAC 51-009.12C.

009.12F Each session in a mediation process shall be scheduled in a timely manner and shall be held in a location that is convenient to the parties to the dispute.

009.12G In the case that a resolution is reached to resolve the complaint through the mediation process, the parties shall execute a legally binding agreement that sets forth such resolution and that:

009.12G1 States that all discussions that occurred during the mediation process shall be confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding;

009.12G2 Is signed by both the parent and a representative of the agency who has the authority to bind such agency; and

009.12G3 Is enforceable in any State court of competent jurisdiction or in a district court of the United States.

009.12H Discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings of any federal court or state court of a state receiving assistance under Part B of the IDEA as amended in 2004.

009.12I An individual who serves as a mediator under this Chapter:

009.12I1 May not be an employee of:

009.12I1a The Nebraska Department of Education or of the school district or approved cooperative that is involved in the education or care of the child; or

009.12I1b An agency that is providing direct services to a child who is the subject of the mediation process; and

009.12I1c Must not have a personal or professional interest that conflicts with the person's objectivity.

009.12I2 A person who otherwise qualifies as a mediator is not an employee of a school district or approved cooperative or the Nebraska Department of Education solely because he or she is paid by the agency to serve as a mediator.

Mediation

Person(s) Responsible: Special Education Director, Superintendent, Staff.

Timeline: Ongoing.

Materials: Parent Rights Pamphlet, Mediation Brochure Information. These materials are available at: <http://www.nde.state.ne.us/SPED/mediation/index.html>.

Methods: Either the parent or the School District may initiate mediation to resolve special education disputes by making contact with the Nebraska Office of Dispute Resolution (402) 471-2766. The Office

of Dispute Resolution will arrange for all meetings related to the mediation process. Mediation is voluntary on the parts of the parent and the School District.

009.13 Resolution Process

009.13A Resolution Meeting

009.13A1 Within 15 days of receiving notice of the parent's due process complaint, and prior to the initiation of a due process hearing under 92 NAC 55, the school district or approved cooperative must convene a meeting with the parent and the relevant member or members of the IEP Team who have specific knowledge of the facts identified in the due process complaint that:

009.13A1a Includes a representative of the school district or approved cooperative who has decision-making authority on behalf of that school district or approved cooperative; and

009.13A1b May not include an attorney to the school district or approved cooperative unless the parent is accompanied by an attorney.

009.13A2 The purpose of the meeting is for the parent of the child to discuss the due process complaint, and the facts that form the basis of the due process complaint, so that the school district or approved cooperative has the opportunity to resolve the dispute that is the basis for the due process complaint.

009.13A3 The meeting described in 92 NAC 51-009.13A1 and 009.13A2 need not be held if:

009.13A3a The parent and the school district or approved cooperative agree in writing to waive the meeting; or

009.13A3b The parent and the school district or approved cooperative agree to use the mediation process described in 92 NAC 51.009.12.

009.13A4 The parent and the school district or approved cooperative determine the relevant members of the IEP Team to attend the meetings.

009.13B Resolution Period

009.13B1 If the school district approved cooperative has not resolved the due process complaint to the satisfaction of the parent within 30 days of the receipt of the due process complaint, the due process hearing may occur.

009.13B2 Except as provided in this section, the timeline for issuing a final decision begins at the expiration of this 30-day period.

009.13B3 Except where the parties have jointly agreed to waive the resolution process or to use mediation, notwithstanding 92 NAC 51.009.13B1 and 009.13B2, the failure of the parent filing a due process complaint to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until the meeting is held.

009.13B4 If the school district or approved cooperative is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been made (and documented using the procedures in 92 NAC 51-007.06D), the school district or approved cooperative may, at the conclusion of the 30-day period, request that a hearing officer dismiss the parent's due process complaint.

009.13B5 If the school district or approved cooperative fails to hold the resolution meeting specified in 92 NAC 51.009.13A within 15 days of receiving notice of a parent's due process complaint or fails to participate in the resolution meeting, the parent may seek the intervention of a hearing officer to begin the due process hearing timeline.

009.13C Adjustments to the 30-day Resolution Period

009.13C1 The 45-day timeline for the due process hearing starts the day after one of the following events:

009.13C1a Both parties agree in writing to waive the resolution meeting;

009.13C1b After either the mediation or resolution meeting starts but before the end of the 30-day period, the parties agree in writing that no agreement is possible.

009.13C1c If both parties agree in writing to continue the mediation at the end of the 30-day resolution period, but later, the parent or the school district or approved cooperative withdraws from the mediation process.

009.13D Written Settlement Agreement

009.13D1 If a resolution to the dispute is reached at the meeting described in 92 NAC 51-

	009.13A1 and 009.13A2, the parties must execute a legally binding agreement that is:
<u>009.13D1a</u>	Signed by both the parent and a representative of the school district or approved cooperative who has the authority to bind the school district or approved cooperative; and
<u>009.13D1b</u>	Enforceable in any State court of competent jurisdiction or in a district court of the United States.
<u>009.13E</u>	<u>Agreement Review Period</u>
<u>009.13E1</u>	If the parties execute an agreement pursuant to 92 NAC 51-009.13D, a party may void the agreement within 3 business days of the agreement's execution.
<u>009.14</u>	Special Education Due Process Hearings
<u>009.14A</u>	Whenever a due process complaint has been received under 92 NAC 55 or Section 016 of this Chapter, the parents or the school district or approved cooperative shall have an opportunity for an impartial due process hearing consistent with the procedures in 92 NAC 55 and Section 009.13 of this Chapter.
<u>009.14B</u>	A parent or a school district or approved cooperative may initiate a hearing on any of the matters described in 92 NAC 51.009.05A relating to the identification, evaluation or educational placement of the child with a disability, or the provision of FAPE to the child by filing a petition pursuant to 92 NAC 55.
<u>009.14C</u>	When a hearing is initiated under 92 NAC 55, the school district or approved cooperative shall inform the parents of the availability of mediation described in 92 NAC 51-009.12.
<u>009.14D</u>	The school district or approved cooperative shall inform the parent of any free or low-cost legal and other relevant services available in the area if the parent requests the information or if the parent or the school district or approved cooperative initiates a hearing under 92 NAC 55.
<u>009.14E</u>	Any party to a due process hearing has the right to be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities.

Resolution Process and Due Process Hearings

Person(s) Responsible: Director of Special Education, Superintendent, School District Attorney; Resolution Process: Special Education and Superintendent.

Timeline: Follow timelines specified in 92 NAC 55 for due process; Resolution Process Timelines in Rule 51.

Materials: 92 NAC 55, all documentation regarding dispute and District's action.

Methods: A due process hearing is initiated by filing a petition with the Nebraska Department of Education. The content of the petition and the procedures to be followed are specified in 92 NAC 55.

Before a due process hearing, the District must convene a meeting with the parents and relevant IEP/IFSP team members pursuant to 92 NAC 51-009.14.

A resolution meeting will not be held if the parent and school district agree in writing to waive the meeting, or if they agree to use the mediation process.

Transportation**PROCEDURES**

014	<p><u>Special Education Transportation</u></p> <p><u>014.01</u> The board of education shall furnish one of the following types of services to children with disabilities who are residents of the school district:</p> <p><u>014.01A</u> Provide transportation for any child with a disability who is forced to leave the school district temporarily because of lack of educational services; and</p> <p><u>014.01B</u> Provide transportation within the school district for any child with a disability who is enrolled in a special education program of the district when either:</p> <p><u>014.01B1</u> The child is required to attend a facility other than what would be the normal school of attendance of the child to receive appropriate special education services; or</p> <p><u>014.01B2</u> The nature of the child's disability is such that special education transportation is required.</p> <p><u>014.01C</u> The board of education shall provide transportation for all children with disabilities birth to age five including children birth to age five who are wards of the court.</p> <p><u>014.01D</u> Transportation for Parentally-Placed Non-Public School Children</p> <p><u>014.01D1</u> If necessary for the child to benefit from or participate in the services provided under this Chapter, a parentally-placed nonpublic school child with a disability must be provided transportation:</p> <p><u>014.01D1a</u> from the child's school or the child's home to a site other than the nonpublic school; and</p> <p><u>014.01D1b</u> from the service site to the nonpublic school, or to the child's home, depending on the timing of the services.</p> <p><u>014.01D2</u> School districts or approved cooperatives are not required to provide transportation from the child's home to the nonpublic school.</p> <p><u>014.01D3</u> The cost of transportation may be included in calculating whether the school district or approved cooperative has met the requirement of 92 NAC 51-012.08.</p> <p><u>014.02</u> Responsibility for Transportation</p> <p><u>014.02A</u> The board of education shall be responsible to provide for the transportation expenses of children with disabilities who are residents of the school district under Neb. Rev. Stat. 79-1129 by:</p> <p><u>014.02A1</u> Paying a parent for transporting his or her child for actual miles traveled and claimed; or</p> <p><u>014.02A2</u> Operating vehicles for the purpose of transporting children with disabilities; or</p> <p><u>014.02A3</u> Contracting for transportation services for children with disabilities; or</p> <p><u>014.02A4</u> Purchasing services from a common carrier; or</p> <p><u>014.02A5</u> Arranging for such other transportation as is proper and necessary to transport children with disabilities.</p> <p><u>014.02B</u> The board of education shall select an efficient and effective means of transportation for the child with a disability at a reasonable cost.</p> <p><u>014.02C</u> The board of education shall not provide for the transportation expenses of children with a disability who are residents of the school districts under Neb. Rev. Stat. 79-1129 if such children are able to use regular transportation services provided by the district unless:</p> <p><u>014.02C1</u> Alteration of the routes of such regular transportation is required to transport children with a disability; or</p> <p><u>014.02C2</u> Alteration is required of the equipment or vehicles used in such regular transportation in order to accommodate children with a disability.</p> <p><u>014.02D</u> The board of education shall provide for expenses equal to the statutory amount for each mile or fraction thereof traveled between the place of residence and the program of attendance when a parent transports his or her child(ren) with a disability. (Refer to Neb. Rev. Stat. 79-1129 and 81-1176.)</p> <p><u>014.02E</u> Except when a parent is transporting only his or her child, the board of education shall require that the driver and vehicle meet the standards required by 92 NAC 91 and 92.</p>
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<u>014.02F</u>	For students with disabilities participating in the Option Enrollment Program under Neb. Rev. Stat. 79-232 to 79-246, the transportation services included on the student's IEP shall be provided by the District from which the student optioned. The Department shall reimburse the District from which the student optioned for the cost of transportation in accordance with Section 014.
<u>014.03</u>	Allowable Expenses
<u>014.03A</u>	The school district or approved cooperative shall provide for the transportation expenses of children with a disability transported by the parents of such children, upon receipt of claims submitted to the board of education by such parents. Such claims shall be documented and subject to audit. The claims shall:
<u>014.03A1</u>	State the names of the children transported, the dates they were transported, the mileage incurred in such transportation; and
<u>014.03A2</u>	Contain a statement that the claim is a true and correct report of mileage; and
<u>014.03A3</u>	Include the signature of the parent.
<u>014.03B</u>	The school district or approved cooperative shall not be relieved of the obligation to provide transportation for an eligible child with a disability because of the inability or unwillingness of the child's parents to provide transportation. No eligible child with a disability may be denied or have limitations placed on the child's receipt of special education services required by an IEP or IFSP as a result of the inability or unwillingness of parents to provide transportation.
<u>014.03C</u>	The school district or approved cooperative shall provide for the expenses or the equivalent costs for transportation from the child's legal residence (the residence of the parent(s)) or Department of Education approved residential placement, to the child's program.
<u>014.03D</u>	A school district or approved cooperative may apply to the Department of Health and Human Services for reimbursement of transportation costs for the school age student who was made a ward of the state or court prior to his or her arrival in that school district.
<u>014.03D</u>	When the school district or approved cooperative provides for transportation expenses under Neb. Rev. Stat. 79-1129 for children with a disability who are residents of the school district by utilizing vehicles operated by the school district, it shall include those transportation expenses below which are directly related to the vehicles used to transport special education children:
<u>014.03E1</u>	Salaries and fixed charges of drives and necessary aides;
<u>014.03E2</u>	Vehicle operational supplies;
<u>014.03E3</u>	Vehicle repairs and maintenance;
<u>014.03E4</u>	Vehicle least costs;
<u>014.03E5</u>	Vehicle insurance related to the transportation of children with a disability;
<u>014.03E6</u>	Documented administrative expenses of those engaged or employed for the purpose of supervising the transportation of children with a disability, their assistants, and clerical personnel but not including expenses for those engaged in general school or special education administration;
<u>014.03E7</u>	Such depreciation as is allowed in 92 NAC 51-014.04 of these rules;
<u>014.03E8</u>	Those expenses attributable to an alteration of routes;
<u>014.03E9</u>	Those expenses attributable to alterations in equipment of vehicles, which must be depreciated; and
<u>014.03E10</u>	Facility expenses relating to the maintenance of vehicles used for transporting children with a disability. Transportation facility expense for purposes other than maintenance are not allowable reimbursable items. Maintenance includes such activities as repair, cleaning, greasing, fueling and inspecting vehicles for safety. If a facility is used for purposes other than maintenance of vehicles used to transport children with a disability, expenses must be listed separately so that only those costs attributed to the maintenance of special education vehicles are included.
<u>014.03F</u>	If income is derived from transportation services provided under Neb. Rev. Stat. 79-1129 such income shall be used to offset expenses listed above to the extent of such income.
<u>014.03G</u>	The Department of Education shall allow a per mile cost for operating vehicles by using the categories of allowable expenses in 92 NAC 51-014.03 divided by the actual mileage the vehicle was driven for each fiscal year or the mileage rate provided in Neb. Rev. Stat. 81-

1176. This procedure may be used in lieu of 92 NAC 51-014.03E.

- 014.03H The costs used must be adequately documented by the school district for review by the Department of Education.
- 014.03I Detailed mileage logs must be maintained by the school district or approved cooperative and be available for review by the Department of Education.
- 014.03J Undocumented expenses or mileage will not be allowed.

Transportation

Person(s) Responsible: Director of Special Education, IEP Case Manager, Transportation Supervisor.

Timeline: Ongoing.

Materials: IEP/IFSP Form, route schedules, Parent Procedures-Reimbursement Claim Forms, Rules for Safe Transportation of Students.

Methods: The student will be transported by District vehicle, or if District vehicle service is not available, the School District will contract with a licensed common carrier for transportation services. If the parent provides transportation as included on the student's IEP/IFSP, the District will reimburse parents at the rate approved by the Nebraska Department of Education for actual miles traveled from place of residence to school of attendance and return by the most direct route. Transportation eligibility will be determined by the student's IEP Team. The plan for transportation for the student shall be part of the IEP/IFSP.

Personnel Standards

PROCEDURES

- 010 Qualifications of Special Education Personnel for Program Approval and Reimbursement
- 010.01 School districts and approved cooperatives shall ensure that all personnel necessary to carry out this Chapter are appropriately and adequately prepared and trained including that those personnel have the content knowledge and skills to serve children with disabilities, subject to the requirements of Section 2122 of the Elementary and Secondary Education Act of 1965.
- 010.01A Instructional personnel shall hold valid Nebraska Department of Education certification, be endorsed in the assigned area. Instructional personnel may serve children with visual impairments and children with hearing impairments in a multicategorical program if the instructional personnel have attended training approved by the Department of Education or have received consultation from an individual endorsed in the area of visual hearing impairments. This section does not apply to individuals providing inservice.
- 010.01B Each person employed as a special education teacher who teaches elementary school, middle school, or secondary school shall be a teacher meeting IDEA 2004 criteria as defined in 92 NAC 51-003.69.
- 010.01C School districts or approved cooperatives shall take measurable steps to recruit, hire, train and retain teachers meeting IDEA 2004 criteria to provide special education and related services.
- 010.01D Approvable endorsements for program approval and reimbursement shall include those in 92 NAC 51.010D1 through 51.010D20.
- 010.02 For purposes of 92 NAC 51-010.01D5, 010.01D14 and 010.01D20 "special education endorsement" shall include any approvable endorsement under 92 NAC 51-010.01D except 010.01D8, 010.01D16 and excluding the specific endorsements of guidance and counseling, educational audiologist, vocational special needs, cooperative education diversified occupations and special services certificate for school transition specialist.

010.03 Related Services Personnel and Paraprofessionals

010.03A Related services personnel and paraprofessionals shall hold any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services.

010.03B Related services personnel who deliver services in their discipline or profession shall not have had certification or licensure requirements waived on an emergency, temporary, or provisional basis.

010.03C Paraprofessionals shall be appropriately trained and supervised by qualified special education personnel to be used to assist in the provision of special education and related services under this Chapter.

010.03D A paraprofessional shall not teach, as defined in Neb. Rev. Stat. 79-101.12.

010.04 Personnel providing special education services who do not hold Department of Education certification and endorsement, shall be licensed by the appropriate State of Nebraska Board of Examiners.

010.05 Personnel employed by approved service agencies shall be certified by the Department of Education or shall hold the credential or training required by the licensing standard under which the service providers operate.

010.06 Educational Interpreters

010.06A In order to be a qualified educational sign language interpreter for the purpose of 92 NAC 51-010.06, an individual must attain and maintain one or more of the following competency levels as measured by the following assessments:

010.06A1 Educational Interpreter Performance Assessment (EIPA), Competency level 3.5 or above

010.06A2 Registry of Interpreters of the Deaf Certifications (RID)

010.06A3 National Association of the Deaf (NAD) Competency level 4.0 or above

010.06A4 National Interpreter Certification (NIC)

010.06A5 American Consortium of Certified Interpreters (ACCI) exam Competency level 4.0

010.06A6 Quality Assurance Screening Test (QAST) Competency level 4.0

010.06B Subject to the exceptions in 92 NAC 51-010.06C, 010.06D and 010.06F, school districts and approved cooperatives shall ensure that all sign language interpreters employed by such districts or approved cooperatives to provide special education services are qualified educational sign language interpreters who meet the competency requirements in 92 NAC 51-010.06A.

010.06C If the school district or approved cooperative is unable to find a qualified educational sign language interpreter who meets the requirements of 92 NAC 51-010.06A, the school district or approved cooperative may employ for up to one year an interpreter who has received a "Skills at or above the required level" or a "Hire with Caution" on the EIPA pre-hire screening.

010.06D If a school district or approved cooperative is unable to find a qualified educational sign language interpreter who meets the requirements of 92 NAC 51-010.06A, the school district or approved cooperative may employ for up to two school years, an interpreter who demonstrates the minimum competency level of 2.5 on the EIPA, NAD or QAST. The school district or approved cooperative must require that the interpreter participate in a professional development plan designed to improve his or her skills and enable him or her to become a qualified educational sign language interpreter within two school years. The plan shall be approved by the school district or approved cooperative. The school district or approved cooperative must require that the interpreter attain one more of the competency levels in 92 NAC 51-010.06A within two school years of employment.

010.06E If an interpreter does not achieve the required competency levels within the time periods as specified in 92 NAC 51-010.06D, the district or approved cooperative must reopen the position and seek a qualified educational sign language interpreter.

010.06F A school district or approved cooperative may re-employ an interpreter previously employed pursuant to the provisions of 92 NAC 51-010.06D for additional two year periods only if the district or approved cooperative requests and receives from the Commissioner or his or her designee a waiver of the employment-period in those Subsections. The request

for a waiver of employment-period limits shall contain documentation of efforts to find a qualified educational sign language interpreter, documentation of the interpreter's progress on the professional development plan and an assurance that the previously employed interpreter is the best applicant for the position. Following receipt of the request for waiver, documentation and assurance, the Commissioner or his or her designee shall grant or deny the waiver based on the adequacy of the documentation and assurances. If the waiver is granted, the school district or approved cooperative may re-employ the interpreter for an additional one year period subject to the applicable requirements for gaining competency in 92 NAC 51-0106D. Waivers must be requested annually.

010.06G School districts or approved cooperatives shall require that all sign language interpreters employed by the districts or approved cooperatives to deliver special education services submit evidence to the district or approved cooperative of having obtained 20 clock hours of educationally related professional development every two years.

010.06H If a sign language interpreter cannot provide the evidence required in 92 NAC 51-010.06G of the continuing education and work experience, the school district or approved cooperative shall require that the sign language interpreter be retested and achieve the applicable competency level specified in 92 NAC 51-010.06A, 010.06C or 010.06D.

010.07 Notwithstanding any other individual right of action that a parent or student may maintain under nothing in this part, this section or part shall be construed to create a right of action on behalf of an individual student or class of students for the failure of a school district or approved cooperative employee to meet IDEA 2004 criteria or to prevent a parent from filing a complaint about staff qualification pursuant to Section 009 of this Rule.

Personnel Standards/Highly Qualified (IDEA 2004)

Person(s) Responsible: The Superintendent, Principal, or Designee will advertise, interview, hire and retain appropriate professional staff.

Timeline: As soon as a position requiring special education and/or related services endorsement is approved by the Board of Education, advertisements in local and regional papers, college publications and other avenues will be completed and documented.

Materials: Ads listing the positions and requirements, applicant files requiring completed application form, transcripts, credentials, required state background checks.

Methods: After a position is posted and advertised, candidates for interviews are selected by the Superintendent, Principal or Designee. Candidates are selected on the basis of having a completed applicant file, appropriate qualifications and credentials for the position.

Excerpts from the Individuals with Disabilities Act of 2004 (IDEA 2004)

602(10)HIGHLY QUALIFIED. –

- (A) In GENERAL – For any special education teacher, has the meaning given the term “highly qualified” in Section 9101 of the Elementary and Secondary Education Act of 1965, except that such term also
- (i) includes the requirements described in Subparagraph (B); and
 - (ii) includes the option for teachers to meet the requirements of Section 9101 of such Act by meeting the requirements of Subparagraph (C) and (D).
- (B) REQUIREMENTS FOR SPECIAL EDUCATION TEACHERS – When used with respect to any public elementary school or secondary school special education teacher teaching in the State, such term means that –

- (i) the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher; except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State's public charter school law;
 - (ii) the teacher has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and
 - (iii) the teacher holds at least a bachelor's degree.
- (C) SPECIAL EDUCATION TEACHERS TEACHING TO ALTERNATE ACHIEVEMENT STANDARDS. – When used with respect to a special education teacher who teaches core academic subjects exclusively to children who are assessed against alternate achievement standards established under the regulations promulgated under Section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, such term means the teacher, whether new or not new to the profession, may either—
- (iii) meet the applicable requirements of Section 9101 of such Act for any elementary, middle, or secondary school teacher who is new or not new to the profession; or
 - (iv) meet the requirements of Subparagraph (B) or (C) of Section 9101(23) of such Act as applied to an elementary school teacher, or, in the case of instruction above the elementary level, has subject matter knowledge appropriate to the level of instruction being provided, as determined by the State, needed to effectively teach to those standards.
- (D) SPECIAL EDUCATION TEACHERS TEACHING MULTIPLE SUBJECTS – When used with respect to a special education teacher who teaches two or more core academic subjects exclusively to children with disabilities, such term means that the teacher may either –
- (i) meet the applicable requirements of Section 9101 of the Elementary and Secondary Education Act of 1965 for any elementary, middle, or secondary school teacher who is new or not new to the profession;
 - (ii) in the case of a teacher who is not new to the profession, demonstrate competence in all the core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher who is not new to the profession under Section 9101(23)(c)(ii) of such Act, which may include a single, high objective uniform State standard of evaluation covering multiple subjects; or
 - (iii) in the case of a new special education teacher who teaches multiple subjects and who is highly qualified in multiple subjects and who is highly qualified in mathematics, language arts, or science, demonstrate competence in the other core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher under Section 9101(23)(c)(ii) of such Act, which may include a single, high objective uniform State standard of evaluation covering multiple subjects, not later than two years after the date of employment.
- (E) RULE OF CONSTRUCTION – Notwithstanding any other individual right of action that a parent or student may maintain under this part, nothing in this section or part shall be construed to create a right of action on behalf of an individual student or class of students for the failure of a school district or approved cooperative employee to be highly qualified.

- (F) DEFINITION FOR PURPOSES OF THE ESEA – A teacher who is highly qualified under this paragraph shall be considered highly qualified for purposes of the Elementary and Secondary Education Act of 1965.

Performance Goals and Indicators

PROCEDURES

The school district will use performance indicators established by the State:

1. to assess progress of children with disabilities in Nebraska in achieving goals;
2. that ensure free appropriate public education (FAPE) designed to meet their unique needs and prepare them for employment and adult living;
3. that ensure that the rights of children with disabilities and their parents are protected; and
4. that ensure educators and parents have the necessary tools to improve educational results for children with disabilities and to ensure the effectiveness of efforts to educate children with disabilities.

The District ensures that the goals are consistent, to the maximum extent appropriate, with other goals and standards for children established by the state.

The State assesses progress toward achieving those goals that address the performance of children with disabilities on assessment, and on drop-out rates and graduation rates. The District will report to the Nebraska Department of Education on the progress of children with disabilities toward these goals, and on assessment, drop-out rates and graduation rates.

Person(s) Responsible: Superintendent, Principal, or Designee.

Timeline: Annually as requested by NDE.

Materials: Performance Goals and Indicators, Measurement Data.

Methods: The District will follow the procedures outlined above in carrying out the provisions of Performance Goals and Indicators.

Suspension and Expulsion Reporting

PROCEDURES

004.06A10 The incidence and duration of disciplinary actions by race, ethnicity, limited English proficiency status, gender, and disability category, of children with disabilities, including suspensions of one day or more.

004.06A11 The number and percentage of children with disabilities who are removed to alternative educational settings or expelled as compared to children without disabilities who are removed to alternative educational settings or expelled.

Person(s) Responsible: Superintendent, Principal, or Designee.

Timeline: Annually as requested by NDE.

Materials: NDE Suspension and Expulsion Rate Forms.

Methods: The District shall submit electronically via the NDE website to the state the number of suspensions and expulsions of children with disabilities. If significant discrepancies are occurring, the District will review and revise its policies, procedures and practices relating to the development and implementation of IEPs, the use of behavioral interventions, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA.

The District will maintain the data regarding suspensions and expulsions of children with disabilities as required by the state report. Data will include number of children listed by disability and race/ethnicity, subject to unilateral removal by school personnel following a drug or weapon offense, number of children subject to removal based on a hearing officer determination regarding likely injury, number of children subject to suspension/expulsion greater than 10 days or multiple short-term suspensions adding up to greater than 10 days.

Elementary Budget Summary

Area	2023-2024	2022-2023	Difference	Reasons for increase/decrease
KDG	\$2,222.10	\$2,782.33	-\$560.23	Decrease in materials
1st	\$609.20	\$1,114.36	-\$505.16	Decrease in materials
2nd	\$1,324.24	\$1,286.32	\$37.92	
3rd	\$700.00	\$448.56	\$251.44	Increased 1 section
4th	\$342.60	\$792.34	-\$449.74	Decrease in materials - 1 less section
5th (150)	\$420.89	\$576.38	-\$155.49	Decrease in materials
6th (160)	\$2,745.89	\$2,636.82	\$109.07	Increased 1 section
Art (190)	\$857.97	\$822.74	\$35.23	
Title I (101)	\$250.73	\$192.00	\$58.73	
Reading Intervention	\$768.76	\$1,031.36	-\$262.60	Decrease in materials
Math Intervention	\$598.33	\$605.09	-\$6.76	
Vocal Mus (197)	\$655.04	\$500.00	\$155.04	Replacement of materials
Instr Mus (294)	\$350.00	\$350.00	\$0.00	
PE (168)	\$954.92	\$949.34	\$5.58	
Science	\$300.00	\$470.00	-\$170.00	no online subscription needed
General Ed (170)	\$14,500.00	\$14,500.00	\$0.00	
Instructional Technology	\$2,000.00	\$2,000.00	\$0.00	
REG ED TOTAL (1100)	\$29,600.67	\$31,057.64	-\$1,456.97	decrease in materials
SPED (1200)	\$2,993.90	\$2,917.62	\$76.28	
SUMMER SCHOOL (1300)	\$3,000.00	\$3,000.00	\$0.00	
PRESCHOOL (4401)	\$3,046.13	\$2,622.48	\$423.65	Time to replenish testing materials
GUIDANCE (2120)	\$675.00	\$675.00	\$0.00	
HEALTH (2130)	\$7,700.00	\$7,700.00	\$0.00	
IMPROVEMENT OF INSTRUCTION (2210)	\$0.00	\$0.00	\$0.00	
INSTRUCTION AND CURRICULUM (2212)	\$0.00	\$0.00	\$0.00	
STAFF DEV (2213)	\$5,000.00	\$5,000.00	\$0.00	
LIBRARY (2220)	\$3,911.82	\$4,001.40	-\$89.58	
PRINCIPAL (2410)	\$4,250.00	\$4,250.00	\$0.00	
TOTAL ALL	\$60,755.34	\$61,224.14	-\$468.80	Overall decrease in materials

2023-2024 GRADES 7-12 BUDGET SUMMARY				
Area	2023-24	2022-23	Difference	Reasons for increase/decrease
Agriculture	\$ 9,932.78	\$8,468.78	\$1,464.00	Added a monthly Airgas charge that wasn't added last year
Art (290)	\$ 1,563.16	\$934.92	\$628.24	Had minimal requests last year; these are all needed
Business (270)	\$ 3,549.96	\$3,321.73	\$228.23	
English (210)	\$ 2,112.30	\$416.00	\$1,696.30	Purchasing replacement copies of a few novels
FCS (260)	\$ 1,725.70	\$1,489.70	\$236.00	Purchasing knife blocks
Industrial Tech (280)	\$ 2,700.00	\$3,374.19	-\$674.19	
Instrumental Music (194)	\$ 4,587.80	\$4,224.00	\$363.80	Rising program costs
Math (240)	\$ 757.64	\$547.65	\$209.99	Purchasing replacement calculators
PE (268)	\$ 823.40	\$315.79	\$507.61	Added \$500 as we look at reupholstering six benches
Science (250)	\$ 6,156.63	\$9,030.25	-\$2,873.62	Cost-saving cuts from last year
Social Studies (230)	\$ 2,226.12	\$397.50	\$1,828.62	Purchasing DBQ's (1/2 this year, 1/2 next year) document-based questions
Spanish (225)	\$ 500.00	\$500.00	\$0.00	
Vocal Music (297)	\$ 5,679.75	\$5,517.50	\$162.25	
General Education (295)	\$ 26,500.00	\$24,317.40	\$2,182.60	Added \$2000 more to fund for national comp's students qualify for
REG ED TOTAL (1100)	\$ 68,815.24	\$62,855.41	\$5,959.83	Airgas and funding for nationals is the biggest portion of the increase
SPED (1200)	\$ 4,653.17	\$3,205.91	\$1,447.26	Rising program costs; need for materials in LS program
GUIDANCE (2120)	\$ 2,875.16	\$3,513.88	-\$638.72	
IMPROVEMENT OF INSTRUCTION (2210)	0	\$0.00	\$0.00	This will be shown in the district budget.
INSTRUCTION AND CURRICULUM (2212)	\$ 2,810.00	\$0.00	\$2,810.00	These are only the HS "Instruction and Curriculum" numbers
STAFF DEV (2213)	\$ 5,000.00	\$5,000.00	\$0.00	
LIBRARY (2220)	\$ 2,771.84	\$2,687.26	\$84.58	
PRINCIPAL (2410)	\$ 4,950.00	\$4,950.00	\$0.00	
TOTAL ALL	\$91,875.41	\$82,212.46	\$9,662.95	11.75%
				The main reasons are: 1)Added campus instruction and curriculum back into this budget, 2)Added \$2000 extra for nationals, and 3)Added Airgas monthly charge

Notes: This is a large percentage increase from last year to this,, but overall, very small portion of the total budget (approximately .09%)

PROPOSAL FOR ASBESTOS ABATEMENT

For: Lawrence Reed
Arlington Public Schools
705 North 9th Street
Arlington, NE 68002
402-720-2194
Lawrence.reed@apseagles.org

Project Location: Arlington Public Schools
Arlington, NE 68002

February 16, 2023

ABC Abatement Company (ABC) is pleased to submit this proposal for asbestos abatement in the Boiler Room of the Arlington Public Schools located in Arlington, Nebraska.. This proposal outlines the scope of work and cost.

Scope of Work

ABC will provide asbestos abatement services in general accordance with the applicable federal, state, and local rules and regulations. ABC's scope of proposed services includes abatement of the following:

- Proposal #1, Removal of approximately 130 SF of friable Boiler Flu Insulation, boiler door gaskets, and 40-45 Mudded Pipe Fittings throughout the boiler room
- Not other asbestos within the boiler is included in the pricing. If the boiler is found to have asbestos inside of it additional pricing would need to be submitted.
- Proposal #1 will require 2 sets of PCM final air clearance samplings. One for the containment with the boiler flu piping and one for the glove bag abatement outside of the containment.
- Proposal #2 below includes the hot water tank insulation.
- Proposal #2 will require 1 set of PCM air clearance samples for the elbows outside of the containment and 1 set of TEM air samples for the containment which will be for the boiler flu piping and the tank insulation in one containment.
- Pricing includes B2 Environmental performing the air clearance sampling and the State of Nebraska notification fee is included.

Fees and Conditions

ABC proposes to perform the work for the following prices:

Total of Proposal #1: \$7,200
Total of Proposal #2: \$10,200

The proposal includes the labor, materials, disposal, 3rd party Air Clearance Sampling and insurance required for completion of the work. ABC agrees to indemnify the owner/general contractor only to the extent that the loss or damage is caused by ABC.

Schedule

ABC will proceed after receipt of a signed copy of this proposal or contract, either via facsimile or mailed hard copy. Client will not have access to the areas during the abatement.

ABC appreciates the opportunity to provide these services. If you have any questions, or desire additional information, please do not hesitate to contact me at (402) 330-0763

Respectfully submitted,
ABC Abatement Company



Brian Gibson
Operations Manager

Accepted By: _____ Date: _____
Client Representative



Sports Facility Maintenance, LLC
 DBA: Meyo Enterprises
 7915 Harney Street
 Omaha, NE 68114

Estimate

MEYO ENTERPRISES

Name / Address			
Arlington Public Schools 705 Ninth Street Arlington, NE 68002			
Project		Date	Estimate #
2022 PM Repairs		9/21/2022	474

Qty	Description	Total
2022 PM REPAIR ESTIMATE		
HIGH SCHOOL MAIN GYM		
6	Purchase Safety Straps	5,100.00
6	Purchase Strap Brackets - Side courts need center mount, mains need offsets. 6 5/8"	1,134.00
2	Purchase Rims for both mains	700.00
2	Purchase cable for N main, NE, SE	450.00
1	Shipping	95.00
4	Level out side court backstops by moving the glide tube stops & adjusting limit switches	580.00
AUXILIARY GYM		
4	Purchase winches for NE, NW, W, SW	7,500.00
4	Purchase Cable and Clamps	600.00
4	Install	2,400.00
5	Purchase Key Switches	625.00
5	Install Key Switches: NOTE - we are not electricians. If the switches do not fit in the existing boxes correctly or if the wiring is not correct, a licensed electrician would need to install.	325.00
5	Purchase Safety Straps	4,250.00
5	Offset Strap Brackets 6"	945.00
2	Purchase & Install two Breakaway Rims	600.00
1	Shipping	155.00
		\$22,879⁰⁰

Contact Info: Casey Illian Phone: 402-618-4353 Email: casey@sportsmaint.com	Thank you for giving us the opportunity to bid for your business. We look forward to working with you soon!	Total 25,539.00
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This is a quotation on the goods named, subject to any sales tax, if applicable. Lift charge is included in bid. Extra clamps, tubing, hardware or fabrication, limit switches set or adjusted, including time and materials, are not included in this bid.

learn2move, PLLC

Brooke L. Cheleen, PT
16110 Cornhusker Rd.
Omaha, NE 68136
402-676-7961

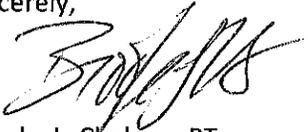
Date: March 24, 2023

Subject: Physical Therapy Contract 2023-2024

Dear Dr. Lewis,

Enclosed is the proposal for a renewal contract of physical therapy services to the Arlington Public School District, covering the 2023-2024 school year. It continues to be my pleasure to provide educational based physical therapy services in your district. For the 2023-2024 school year, I hope to continue working with students, staff and families, providing physical therapy services through *learn2move, PLLC* with an individual provider contract. I appreciate your review and consideration to continue these services. Please contact me if there are ever any questions or concerns with staff or student needs in your district.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brooke L. Cheleen', written in a cursive style.

Brooke L. Cheleen, PT

***learn2move*, LLC**
Brooke L. Cheleen, PT
16110 Cornhusker Rd
Omaha, NE 68136
402-676-7961

SERVICE PROVIDER CONTRACT

This contract made by and between the Arlington Public School District, in the State of Nebraska, and learn2move, LLC.

The Arlington Public School District hereby agrees to contract physical therapy services with learn2move, LLC for the 2023-2024 school year.

TERMS AND CONDITIONS

Brooke L. Cheleen, PT on behalf of learn2move, LLC will provide Arlington Public School District physical therapy services to those students identified as needing services by the I.E.P. /M.D.T. /I.F.S.P. Team. The frequency of physical therapy services will be provided as specified on the I.F.S.P. / I.E.P for each student.

learn2move, LLC will submit an itemized monthly billing summary to the Arlington Public School District. These monthly billing summaries will reflect the current state approved rate for physical therapy services. Within a reasonable time frame (30 days), the Arlington Public School District will reimburse learn2move, LLC for the amounts billed.

learn2move, LLC will only bill the Arlington Public School District for those items/services that are reimbursable by the State of Nebraska.

Brooke L. Cheleen, PT will provide proof that she is licensed by the State of Nebraska, and that learn2move, LLC is an Approved Service Provider by the State of Nebraska per request.

Either party may terminate this contract within thirty (30) day written notice to the other party.



learn2move, LLC
By: **Brooke L Cheleen, PT - member** Date March 24, 2023

Superintendent of Schools **Date**

Director of Special Education **Date**