

May Board Meeting
Monday, May 9, 2022 7:00 PM

Media Center, Amherst School
100 North Sycamore
Amherst, NE 68812-0008

Agenda

1. Call meeting to order
 - 1.1. Pledge of Allegiance
2. Notice of adherence to the Open Meeting Law
3. Roll Call
 - 3.1. Excuse absent Board members
4. Approval of Minutes, Claims and Reports
 - 4.1. Review previous meeting minutes
 - 4.2. Review financial reports and monthly claims
 - 4.3. Board Action on consolidated motion for approving Minutes, Claims and Financial Reports
5. Reports and communications from patrons or staff
6. Reports and communications from board members.
7. Principal's Report
8. Superintendent's Report
9. Old Business
10. New Business
 - 10.1. Approve two-year Softball COOP with Kearney Catholic HS
 - 10.2. Approve teacher contracts for the 2022-23 school year.
 - 10.3. Approve GMP (Guaranteed Maximum Price) for construction contract at 13,100,000.
 - 10.4. First reading on amended Board Policy 626 Staff Resignation
 - 10.5. Accept Policy committees review 100's Policy.
 - 10.6. Open Construction fund Money Market Account
 - 10.7. Approve transfer of \$10,000 from General to Activity
 - 10.8. Approve Contract with Dawson Public Power to move mainline
11. Miscellaneous or non-action items
12. Executive Session
13. Adjourn

Open Meetings Act

§ 84-1407. Act, how cited.

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

Source: Laws 2004, LB 821, § 34.

84-1408. Declaration of intent; meetings open to public.

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

Source: Laws 1975, LB 325, § 1; Laws 1996, LB 900, § 1071; Laws 2004, LB 821, § 35.

§ 84-1409. Terms, defined.

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

Source: Laws 1975, LB 325, § 2; Laws 1983, LB 43, § 1; Laws 1989, LB 429, § 42; Laws 1989, LB 311, § 14; Laws 1992, LB 1019, § 124; Laws
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1993, LB 635, § 1; Laws 1996, LB 1044, § 978; Laws 1997, LB 798, § 37; Laws 2004, LB, § 36; Laws 2007, LB296, § 810; Laws 2011, LB366, § 2.

§ 84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

(b) Discussion regarding deployment of security personnel or devices;

(c) Investigative proceedings regarding allegations of criminal misconduct;

(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;

(e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or

(f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

Source: Laws 1975, LB 325, § 3; Laws 1983, LB 43, § 2; Laws 1985, LB 117, § 1; Laws 1992, LB 1019, § 125; Laws 1994, LB 621, § 1; Laws 1996, LB 900, § 1072; Laws 2004, LB 821, § 37; Laws 2004, LB 1179, § 1; Laws 2006, LB 898, § 1; Laws 2011, LB390, § 29; Laws 2012, LB995, § 17.

§ 84-1411. Meetings of public body; notice; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body.

(1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes. Such notice shall be transmitted to all members of the public body and to the public. Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or (b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more

than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

(a) Reasonable advance publicized notice is given;

(b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;

(c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;

(d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and

(e)(i) Except as provided in subdivision (2)(c)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or

(ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if:

(a) The territory represented by the educational service unit, member educational service units, community college board of governors, public power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site;

(g) The telephone conference call lasts no more than five hours; and

(h) No more than one-half of the board's, council's, governing body's, committee's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that:

(i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and

(ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to

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circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

Source: Laws 1975, LB 325, § 4; Laws 1983, LB 43, § 3; Laws 1987, LB 663, § 25; Laws 1993, LB 635, § 2; Laws 1996, LB 469, § 6; Laws 1996, LB 1161, § 1; Laws 1999, LB 47, § 2; Laws 1999, LB 87, § 100; Laws 1999, LB 461, § 1; Laws 2000, LB 968, § 85; Laws 2004, LB 821, § 38; Laws 2004, LB 1179, § 2; Laws 2006, LB 898, § 2; Laws 2007, LB 199, § 9; Laws 2009, LB 361, § 2; Laws 2012, LB 735, § 1; Laws 2013, LB 510, § 1; Laws 2017, LB 318, § 1; Laws 2019, LB 212, § 5.

Effective Date: September 1, 2019

§ 84-1412. Meetings of public body; rights of public; public body; powers and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act;

(f) Reasonable arrangements are made to provide viewing at other in-state locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and

(g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the in-state location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

Source: Laws 1975, LB 325, § 5; Laws 1983, LB 43, § 4; Laws 1985, LB 117, § 2; Laws 1987, LB 324, § 5; Laws 1996, LB 900, § 1073; Laws 2001, LB 250, § 2; Laws 2004, LB 821, § 39; Laws 2006, LB 898, § 3; Laws 2008, LB 962, § 1.

§ 84-1413. Meetings; minutes; roll call vote; secret ballot; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

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(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

Source: Laws 1975, LB 325, § 6; Laws 1978, LB 609, § 3; Laws 1979, LB 86, § 9; Laws 1987, LB 663, § 26; Laws 2005, LB 501, § 1; Laws 2009, LB 361, § 3; Laws 2015, LB 365, § 2; Laws 2016, LB 876, § 1.

§ 84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

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

Source: Laws 1975, LB 325, § 9; Laws 1977, LB 39, § 318; Laws 1983, LB 43, § 5; Laws 1992, LB 1019, § 126; Laws 1994, LB 621, § 2; Laws 1996, LB 900, § 1074; Laws 2004, LB 821, § 40; Laws 2006, LB 898, § 4.

April Board Meeting
Media Center, Amherst School
Monday, April 11, 2022 7:00 PM

Terry Abbott: Present
Les Adelung: Present
Jess Day: Present
Ryan Fisher: Present
Karen Harmony: Present
Casey Mitchell: Present

Visitors present: Mr. Matt Gordon, Mr. Roger Thomsen, Morgan & Amy Graham, Tessa Dobish, Kyla Robbins, Jami Klingelhoefner, Kurt Schmidt, Richard Roeder, Virgil Kenney, Jack Moles, Lynden Hollander, Marci Day, Denise Davis, Carla Scott-Copple and Son.

Board Action on consolidated motion for approving Minutes, Claims and Financial Reports Moved to approve Minutes, Claims and financial Reports. This motion, made by Ryan Fisher and seconded by Terry Abbott, Passed.

Terry Abbott: Yea, Les Adelung: Yea, Jess Day: Yea, Ryan Fisher: Yea, Karen Harmony: Yea, Casey Mitchell: Yea

Moved to approve contract with ESU 10 for Title Services for the 22/23 school year. This motion, made by Terry Abbott and seconded by Ryan Fisher, Passed.

Karen Harmony: Abstain (With Conflict), Terry Abbott: Yea, Les Adelung: Yea, Jess Day: Yea, Ryan Fisher: Yea, Casey Mitchell: Yea

Moved to approve teaching contracts for Brian Fisher, 5th Grade, and Jennifer Meyer, High School Math. This motion, made by Karen Harmony and seconded by Jess Day, Passed.

Terry Abbott: Yea, Les Adelung: Yea, Jess Day: Yea, Ryan Fisher: Yea, Karen Harmony: Yea, Casey Mitchell: Yea

Motion to adjourn at 8:34 pm. This motion, made by Casey Mitchell and seconded by Terry Abbott, Passed.

Terry Abbott: Yea, Les Adelung: Yea, Jess Day: Yea, Ryan Fisher: Yea, Karen Harmony: Yea, Casey Mitchell: Yea

President Adelung began the Regular Board Meeting in the Media Center at 7:00 PM. President Adelung made known the location of the “Open Meetings Law” poster, which is hanging on the Media Center’s wall. Superintendent Gordon updated on the Building project and classified staff. Discussion was held about the playground at the football field. Jack Moles, Executive Director or NCRSCA talked about group goals, Board outreach, member benefits, and 2022 State Legislature bills. Kurt Schmidt talked about the Buffalo County planning survey. The Board congratulated the FFA on their performance.

The next regular monthly meeting will be held Monday, May 9, 2022 in the Media Center at 7:00 PM

FINANCIAL REPORT For April 30, 2022

Fund	Bank	Interest	Co. Treas	NSDLAF	Int.	TOTAL	Mo. Intr.	Balances
	04/30/22		03/31/22	04/30/22		04/30/22		04/30/22
General	2,050,292.04	632.09	64,034.80	767.14	0.01	2,051,059.18	632.10	1,381,533.99
CD								1,000,000.00
Lunch	35,003.89	2.25				35,003.89	2.25	40,613.65
Petty Cash	2,346.76					2,346.76		3,030.20
Activity	182,275.65	70.00				182,275.65	70.00	178,055.68
Retirement	44,431.78					44,431.78		43,314.88
Spe. Bld.	10,848,306.93	413.53	10,636.44	234.98	0.00	10,848,541.91	413.53	771,054.00
CD								500,000.00
Handicp	1,107.49	0.28		502.97	0.01	1,610.46	0.29	1,104.21
Deprec.	598,518.51	142.61		438.56	0.00	598,957.07	142.61	596,730.74
Unemployment	9,049.48			2,221.80	0.02	11,271.28	0.02	9,049.48
Caf. Plan	7,523.62					7,523.62	0.00	7,536.74
Bond	109,657.93	30.48	77.75	349.95	349.95	110,007.88	30.48	53,672.99
TOTAL	\$ 13,888,514.08	1,291.24	74,748.99	4,515.40	349.99	\$ 13,893,029.48	1,291.28	\$ 4,585,696.56

interest .35% General fund, Bond Fund, Special Building, and Depreciation Funds
interest .1% on all other accounts

	Budgeted	Spent to Date	Under budget
General Fund	\$ 5,100,000.00	\$ 3,088,643	6.11%
Lunch Fund	\$ 380,000.00	\$ 212,503	10.74%

21-22 General Fund Project expence	\$ 616,793.04
Total Project Spending	\$ 698,343.04

Consolidated Check Listing

Direct Dep.	Check	Check Date	Payable To	Amount
01 - GENERAL FUND				
	00034125	05/08/2022	Activity Account	10,000.00
	00034126	05/08/2022	Am. Family Life Assurance Co	1,585.96
	00034127	05/08/2022	AFLAC	67.39
	00034128	05/08/2022	Country Partners Cooperative	5,364.93
	00034129	05/08/2022	Apple, Inc.	6,193.00
	00034130	05/08/2022	Arrow Seed Company, Inc	223.50
	00034131	05/08/2022	DAS State Accounting - Central Finance	259.49
	00034132	05/08/2022	Heartland Bank	13,401.73
	00034133	05/08/2022	Blue Cross-Blue Shield	49,631.99
	00034134	05/08/2022	City of Kearney	424.02
	00034135	05/08/2022	Culligan of Kearney	138.00
	00034136	05/08/2022	Dawson Co Pub Power	4,160.02
	00034137	05/08/2022	Eakes Office Plus	2,004.33
	00034138	05/08/2022	Ecolab Pest Elimination	73.42
	00034139	05/08/2022	ESU 10	21,277.18
	00034140	05/08/2022	Titan Machinery	7,418.96
	00034141	05/08/2022	First Bankcard	862.91
	00034142	05/08/2022	Frontier	448.89
	00034143	05/08/2022	Garrisons - McCook Lettering	140.00
	00034144	05/08/2022	Heartland Bank	47,152.41
	00034145	05/08/2022	Hometown Leasing	492.30
	00034146	05/08/2022	Horace Mann	24.66
	00034147	05/08/2022	Horace Mann	25.00
	00034148	05/08/2022	Liberty National Life Ins. Co	245.06
	00034149	05/08/2022	Matheson-Linweld Tri-Gas Inc	218.18
	00034150	05/08/2022	Mcgraw-hill School Education Holdings, LLC	3,166.68
	00034151	05/08/2022	Menards - Kearney	268.23
	00034152	05/08/2022	Miscellaneous Cash Account	1,121.69
	00034153	05/08/2022	T&T Mobile Washing	325.00
	00034154	05/08/2022	Morris Press & Office Supplies, Inc.	185.47
	00034155	05/08/2022	Mosyle Corporation	645.84
	00034156	05/08/2022	NAEA	235.00
	00034157	05/08/2022	Ne Assoc Of School Boards	65.00
	00034158	05/08/2022	NCS Pearson, Inc	25.52
	00034159	05/08/2022	Nebraska Council of School Administrators	335.00
	00034160	05/08/2022	Nebraska/Central Equipment	889.94
	00034161	05/08/2022	Nebraska Safety & Fire Equip	205.80
	00034162	05/08/2022	TK Elevator Corporation	316.62
	00034163	05/08/2022	J.W. Pepper & Son, Inc.	7.49
	00034164	05/08/2022	Platte Valley Communication	116.25

Consolidated Check Listing

Direct Dep.	Check	Check Date	Payable To	Amount
	00034165	05/08/2022	Principal Life	750.02
	00034166	05/08/2022	Quill Corp	5.39
	00034167	05/08/2022	Ravenna Sanitation	433.00
	00034168	05/08/2022	Retirement	40,330.89
	00034169	05/08/2022	Heartland Bank	6,496.56
	00034170	05/08/2022	Ryan Smith	273.00
	00034171	05/08/2022	Black Hills Energy	1,224.80
	00034172	05/08/2022	Heartland Bank	4,699.16
	00034173	05/08/2022	Student Assurance Services	858.00
	00034174	05/08/2022	Sunbelt Rentals	233.00
	00034175	05/08/2022	Telephone Systems of Nebraska, Inc	95.00
	00034176	05/08/2022	Todd's Auto Repair	1,979.62
	00034177	05/08/2022	Verizon Wireless	49.95
	00034178	05/08/2022	Village Of Amherst Water Dept	564.38
	00034179	05/08/2022	Wilkins Architecture Design Planning LLC	41,614.87
	00034180	05/08/2022	Kearney Winnelson Co.	690.00
	00034181	05/08/2022	Yandas Music	174.00
	00034182	05/08/2022	Yellow Van Cleaning	715.00
01 - GENERAL FUND Totals:				280,929.50
06 - LUNCH FUND				
	00004428	05/08/2022	Jackie Bissell	40.35
	00004429	05/08/2022	Cash-wa Dist Co	11,625.76
	00004430	05/08/2022	Heartland Bank	1,474.72
	00004431	05/08/2022	Mi6 Pizza, Inc	1,204.35
	00004432	05/08/2022	Retirement	1,524.42
	00004433	05/08/2022	Heartland Bank	182.95
	00004434	05/08/2022	The Thompson Co - US FOODS	2,218.75
06 - LUNCH FUND Totals:				18,271.30
Report Total:				299,200.80



KEARNEY CATHOLIC STARS

110 E. 35th St.
PO Box 1866
Kearney, NE 68848-1866
308-234-2610

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AGREEMENT FOR COOPERATIVE SPONSORSHIP:

[Guidelines for Cooperative Sponsorships \(PDF\)](#)

Is this a **NEW** Cooperative Sponsorship or a **RENEWAL** of an existing Cooperative Sponsorship?

NEW RENEWAL

This Agreement is made between/among the School Boards of:

- School District No. 701, Kearney Catholic , Nebraska and
- School District No. 119, Amherst , Nebraska and
- School District No. , Select School , Nebraska and
- School District No. , Select School , Nebraska.

The parties agree as follows:

1. **Joint Application.** The above-named governing boards shall jointly make an application to the Nebraska School Activities Association (NSAA) Board of Directors before (July 1 for fall activities, September 1 for winter activities or January 1 for spring activities) **2022**, for approval for cooperative sponsorship of a joint high school program.

Please check the activity or activities for which the above-named governing boards are applying for cooperative sponsorship.

FALL	<input type="checkbox"/> FB6	<input type="checkbox"/> FB8	<input type="checkbox"/> FB11	<input type="checkbox"/> VB	<input type="checkbox"/> BCC	<input type="checkbox"/> GCC	<input type="checkbox"/> GGO	<input type="checkbox"/> BTE	<input checked="" type="checkbox"/> SB	<input type="checkbox"/> UBO
WINTER	<input type="checkbox"/> BSW	<input type="checkbox"/> GSW	<input type="checkbox"/> WR	<input type="checkbox"/> WR_G	<input type="checkbox"/> BBB	<input type="checkbox"/> GBB	<input type="checkbox"/> BBO	<input type="checkbox"/> GBO	<input type="checkbox"/> PP	<input type="checkbox"/> SP
SPRING	<input type="checkbox"/> DE	<input type="checkbox"/> BA	<input type="checkbox"/> BTR	<input type="checkbox"/> GTR	<input type="checkbox"/> GTE	<input type="checkbox"/> BGO	<input type="checkbox"/> BSO	<input type="checkbox"/> GSO		
OTHER	<input type="checkbox"/> UTR	<input type="checkbox"/> VM	<input type="checkbox"/> IM							
	<input type="checkbox"/> JO									

hereinafter "combined program," for students attending the above-named schools for years:

- 2022-2023
- 2023-2024
- 2024-2025

(Check all school years to be covered. Cooperative Sponsorship Agreements must be for a minimum of two years.)

2. **Purpose.** The purposes for the above-named boards agreeing to apply for authority to cooperatively sponsor the combined program are as follows: (Specify conditions which have prompted the Boards to agree.)

- a. Amherst does not offer softball as a NSAA Activity.
- b. Amherst has students that would like to participate.

c.

d.

3. **Agreement to Cooperate.** If the joint application is approved by the NSAA Board of Directors, the above-named governing boards agree that they will cooperatively sponsor the combined program in the school years specified, provided that nothing in this provision shall be deemed to require that the governing boards offer that combined program at all in any particular year.

4. **Terms and Conditions of Cooperative Sponsorship.** Any combined program shall be cooperatively sponsored upon the following terms and conditions:

a. **Team Name, Mascot and Team Colors.** The team shall be known as (Name) Kearney Catholic HS, (Mascot) Stars, with School District No. _____ serving as host school district. The team colors are Green and Gold.

b. **Contracts.** Except as otherwise provided herein, contracts related to the cooperatively sponsored team with groups such as referee associations, with individuals, or with other schools or school districts, shall be made by the governing board of School District No. _____, after consultation with the governing board of the cooperating school district. **In the event this co-op qualifies for reimbursement for any state championships, the check should be written to the head school.**

c. **Allocation of Costs.** All costs of the combined program shall be allocated between/among the parties in the manner indicated below for each expenditure category listed:

I. Expenses for transportation, including daily transportation of participants to and from practice sessions and contests. (Specify method of allocation.)

Transportation from Amherst to Kearney and back for practices and games will be the responsibility of Amherst.

II. Expenses for transportation to "away contests." (Specify method of allocation.)

Transportation to away contests and all other program costs will be divided on a per student cost. Allocation of such costs are based on the number of students participating in softball per school.

III. Expenses for spectator buses. (Specify method of allocation.)

NA

IV. Expenses for facilities, lights, heating, showers, towels, laundry, etc., of the host school, including maintenance of practice and competitive facilities. (Specify method of allocation.)

See #2 above.

V. Expenses for banquets and awards. (Specify method of allocation.)

See #2 above.

VI. Expenses for scouting, coaches' meetings and workshops. (Specify method of allocation.)

See #2 above.

VII. Expenses for payment of referees and other personnel necessary to stage the event. (Specify method of allocation.)

See #2 above.

VIII. Expenses for purchasing of supplies and equipment. (Specify method of allocation.)

See #2 above.

IX. Expenses for salary and fringe benefit costs for coaches and other activity personnel. (Specify method of allocation.)

See #2 above.

X. Other expenses. (Specify method of allocation.)

See #2 above.

In the event that the allocation of an expenditure item is not specified above, the costs of that item shall be shared EQUALLY between/among the cooperating parties.

d. Allocation of Gate Receipts. Funds from gate receipts shall be divided by the parties after payment of referees and other personnel in the following manner: (Specify method of allocation.)

Gate receipts to be deducted from the total program costs.

In the event the gate receipts are insufficient to make the payments, the parties shall make up the difference in the following manner: (Specify method of allocation.)

See above.

e. Concessions. The provision of concessions at home contests shall be the responsibility of the home location school, and concession revenues shall not be covered by the provisions of this Agreement unless the parties specifically agree to the contrary herein.

f. Utilization of Resources. Personnel in charge of the program shall make every attempt to utilize the resources of each of the cooperating schools, such as equipment and uniforms.

g. Employment of Personnel.

I. The head coach of the combined program shall be employed by the school board of School District No. 701

II. Other joint program personnel, if any, shall be employed as follows:

POSITION	EMPLOYER
Assistant coach(es)	Kearney Catholic HS

III. Recommendations for employment of personnel by each board shall be in accordance with the board's policies.

IV. Coaches and other personnel employed by a school district shall meet applicable state requirements.

h. Control and Supervision of Programs and Participants. The control and supervision of a combined program, and of the behavior of student participants in the program, shall be the responsibility of the host school district.

The control and supervision of student participants while in transport to and from the host school district shall be the responsibility of the home school district.

5. Interdistrict Advisory Board. An Interdistrict Advisory Board may be formed from members of the schools to work on the improvement of the various co-sponsored programs.

6. Resolution of Disputes. Any disputes relating to this Agreement, or items in this Agreement requiring clarification, will be investigated by the school superintendents from each school, and they will present their findings and recommendations to their respective boards.

7. Term, Dissolution. The term of this Agreement shall be for school years 2022 and 2023. The Agreement shall terminate at the end of the last school year specified, unless extended by mutual agreement. If the parties determine to extend the Agreement beyond the period specified, they agree to submit a "Cooperative Program Renewal Agreement" form to the NSAA Board of Directors prior to July 1 for fall activities, September 1 for winter activities and January 1 for spring activities, preceding the school year or season in which the co-op program is to be implemented. If the parties determine to dissolve the Agreement at an earlier date, they agree to submit a request in writing from both schools signed by the Superintendent and Board Chairperson prior to July 1 for fall activities, September 1

for winter activities, and January 1 for spring activities. If the early dissolution of the Agreement is not approved, the combined program must be offered cooperatively, or not at all, during the remaining terms of the Agreement.

8. **Liability Insurance.** Nothing contained in this Agreement shall relieve any party to this Agreement from liability for its negligence or that of its officer, agents and employees. Each party shall carry a minimum liability insurance limit in the amount of \$ 1,000,000 for any one liability occurrence and carry a minimum aggregate liability insurance limit of \$ 2,000,000 for any accumulation of separate liability occurrences that may occur during the insured policy period. The policy shall name the officers, agents and employees of the other party as named insured. Each party shall provide the other party with a certificate evidencing such insurance coverage.

Save & Continue

NOTE: Clicking **Save & Continue** will take you to your school's Resolution Form that will need to be completed **AND** will alert the schools you selected above for this co-op that they need to review this form and complete their portion as well.

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Project: Amherst Public School Renovation & Addition
Owner: Amherst Public School
Architect: Wilkins ADP- Jacob Sertich
Estimate: Option C
Duration: 16 months

Date: May 2, 2022
Estimator: Wayne Galloway
Building SF: 62,869
Parking Stalls: 0
Site Area (Acre): 2.25

DIRECT COSTS SUMMARY

Division	Division Description	Cost	Building Cost/SF	% of Building Total
01	General Requirements	\$787,274	\$12.52	7.09%
02	Existing Conditions	\$185,946	\$2.96	1.67%
03	Building Concrete	\$1,014,668	\$16.14	9.14%
04	Masonry	\$391,150	\$6.22	3.52%
05	Metals	\$952,561	\$15.15	8.58%
06	Wood, Plastics, Composites	\$321,663	\$5.12	2.90%
07	Thermal & Moisture Protection	\$336,511	\$5.35	3.03%
08	Doors & Windows	\$400,007	\$6.36	3.60%
09	Finishes	\$2,196,510	\$34.94	19.78%
10	Specialties	\$168,869	\$2.69	1.52%
11	Equipment	\$58,990	\$0.94	0.53%
12	Furnishings	\$11,800	\$0.19	0.11%
13	Special Construction	\$693,351	\$11.03	6.25%
14	Conveying Equipment	\$0	\$0.00	0.00%
21	Fire Suppression	\$149,525	\$2.38	1.35%
22	Plumbing	\$2,117,800	\$33.69	19.08%
23	Heating, Ventilation, Air Conditioning	\$48,500	\$0.77	0.44%
26	Electrical	\$1,058,511	\$16.84	9.53%
27	Communications	\$0	\$0.00	0.00%
28	Electronic Safety & Security	\$0	\$0.00	0.00%
	Site Requirements	\$208,586	\$3.32	1.88%
TOTAL BUILDING COSTS		\$11,102,222	\$176.59	100.00%
Division	Division Description	Cost	Site Cost/Acre	% of Site Total
31	Earthwork	\$216,587	\$96,260.76	50.15%
32	Exterior Improvements - Landspce/Seed/Sod/Irrig. By Owner	\$34,585	\$15,371.13	8.01%
33	Utilities - Tap fees by Owner	\$180,678	\$80,301.33	41.84%
TOTAL SITE COSTS		\$431,850	\$191,933.23	100.00%

INDIRECT COSTS SUMMARY

Description	Cost	Building Cost/SF		
Preconstruction services	\$10,000	\$0.16		
Building permit/Plan review fees	\$25	\$0.00		
Capital facility fees	Exempt	\$0		
Sales Tax	Exempt	\$0		
Material Testing / Inspections	\$45,000	\$0.72		
Builder's risk insurance	0.20%	\$23,068		
Performance & payment bond	0.50%	\$57,670		
General liability insurance	0.30%	\$34,602		
Construction contingency	3.00%	\$346,022		
Price escalation	0.00%	\$0		
Sampson fee	1.85%	\$222,749		
TOTAL INDIRECT COSTS		\$739,136		
TOTAL DIRECT & INDIRECT CONSTRUCTION COSTS		\$12,273,208	\$195.22	Per SF of Building

OTHER INDIRECT COSTS

Description	Cost	Building Cost/SF
Design & Engineering fee	\$740,937	\$11.79
Fiscal Agent Fee	\$0	\$0.00
FF&E Items	\$0	\$0.00
Design Reimbursables	\$0	\$0.00
Geotechnical Report	\$0	\$0.00
Surveying - Olson quote	\$35,000	\$0.56
Owner Contingency	0.44%	\$50,750

TOTAL INDIRECT COSTS	\$826,687
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TOTAL DIRECT & INDIRECT COSTS	\$13,099,895	\$208.37	Per SF of Building
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Bond Budget	\$13,100,000
delta	-\$105

All Alternates are sub cost only and DO NOT include loads and fee's.

Alt. #1	Purchase New Kitchen Equipment Selection's - add	\$59,964	rejected	
Alt. #1	Add Gym & Wrestling room windows	\$51,927	rejected	
Alt. #1a	Add Gym & Wrestling room windows - modified Alt.	TBD	TBD	
Alt. #2	Add Skylights in Commons	\$65,000	rejected	
Alt. #3a	Add Bleachers on West side	\$78,504	by owner	
Alt. #3b	Add Bleachers on Mezzanine	\$56,442	by owner	
Alt. #3c	Add Bleachers on East side	\$83,527	by owner	
Alt. #4	Add Terrazzo in lieu of Polished concrete as shown	no bid	rejected	
Alt. #8	Add Sound Reinforcing North Gym	\$43,450	by owner	
Alt. #9a	Add Phone system & Phone to VOIP(cloud hosted)	\$82,959	rejected/by Owner	
Alt. #9b	Add Phone system & Phone to VOIP(on premise system)	\$37,344	rejected/by Owner	
Alt. #10	Add EPDM roofing in lieu of TPO Roofing as shown.	\$45,494	rejected	
Alt. #11a	Wood gym flooring(provide & install 2nd & better grade wood gym flooring inside the main basketball court of North Gym A109, w/3rd & better grade wood gym flooring at remainder of wood gym floor.)	inc. GMP	accepted	
Alt. #11b	Wood gym flooring(provide 2nd better & better grade wood gym flooring at North Gym A109. FA-2.)	\$5,730	rejected	
Alt. #12	Add Additional casework as indicated on drawings.	\$15,966	rejected	
Alt. #13	Add casework at Music Room C119	\$29,982	rejected	
Alt. #14	Add acoustic ceiling blades at Commons B113.	\$32,750	rejected	
Alt. #15	Add - Upgrade existing clock system	\$9,762	rejected/by Owner	
Alt. #16	Add - Upgrade existing paging system	\$24,880	rejected/by Owner	
Alt. #17	Add - Security System (Access Control & Video Surveillance).	\$59,082	rejected/by Owner	
Alt. #18	Add - Adjustable height basketball hoops.	\$4,050	TBD	
Alt. #19	Add - Concrete drive in lieu of gravel drive west of Entrance.	inc. GMP	accepted	does not include any Earthwork or Site Utility impacts

Policy: 626

RESIGNATION OF CERTIFIED STAFF

Resignations should be sent to the Board of Education through the Superintendent not less than thirty days before the date effective, except in cases of sickness or other serious emergency. The Board of Education will not accept resignations after April 1 in any year except in cases where hardship or pressing personal need must be considered and in any case when suitable replacements can be found.

SECTION 100 – THE SCHOOL

POLICY TITLE	POLICY NUMBER
SCHOOL DISTRICT LEGAL STATUS	110
CLASS OF SCHOOL DISTRICT	111
THE PEOPLE AND THEIR SCHOOL DISTRICT	112
ANTI-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-RETALIATION	113
SERVICE ANIMALS	113.1
MULTICULTURAL EDUCATION	114
MULTICULTURAL EDUCATION	114.1
STATEMENT OF PHILOSOPHY	115
GOALS FOR EDUCATION	116
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LOANING OF TEXTBOOKS TO PRIVATE SCHOOLS	118
DENYING ACCESS TO SCHOOL PREMISES OR ACTIVITIES	120
RECORDING OF OTHERS	122

Policy: 110

SCHOOL DISTRICT LEGAL STATUS

The official name of the district shall be: THE AMHERST PUBLIC SCHOOLS, IN THE COUNTY OF BUFFALO, IN THE STATE OF NEBRASKA; but for all purposes of business, except where the name is mandatory, AMHERST PUBLIC SCHOOLS may be used as the business title of the district. (Legal Reference 79-307 and 79-405)

Policy adopted:
Reviewed: January 10, 2011

Amherst Public Schools
Amherst, Nebraska

Policy: 111

CLASS OF SCHOOL DISTRICT

The district shall be a school district of the second class, the basis of which is reflected as a school district having a population of 1000 inhabitants or fewer maintaining both elementary and high school grades under the direction of a single school board, including such adjacent territory as how is or hereafter may be attached for school purposes. (Legal Reference 79-102) This district shall be a body corporate and possess all the usual powers of a corporation for public purposes and in that name and style may sue and be sued, purchase, hold, and sell such personal and real estate and control such obligations as authorized by law. (Legal Reference 79-405)

Policy: 112

THE PEOPLE AND THEIR SCHOOL DISTRICT

The public school belongs to the people. The people govern the school under the rights guaranteed them by the constitution and statutes of our State. The people exercise their proprietorship through the elective process. They elect state and federal representatives who establish through the Unicameral and the Congress the framework of law within which the schools cooperate. The people also elect a school board to represent them and to determine local educational policy and to establish publicly endorsed educational goals and objectives. The Amherst Board of Education functions as the agent of the public within this framework.

The Board of Education (hereafter known as the Board) is mindful that the people are the ultimate governor of public education and that the Board is directly accountable to the people through the elective process. But the Board also believes that accountability is a shared responsibility by involving students, teachers and other employees, the Superintendent of Schools and the people themselves as well the Board of Education. Therefore, the Board asserts these beliefs and expectations that it is the Board's duty to:

1. Help pupils become happy, useful members of our democratic society.
2. Equip each pupil with a command of the fundamental processes that will enable him or her to live a full life.
3. Develop the vocational interests of the pupil thus making it possible for them to spend their leisure time in a profitable manner.
4. Emphasize the values of good health and teach them to care for their mental and physical well-being in a positive manner.
5. Develop a feeling for the rights of others as exemplified by the "Golden Rule".
6. Help develop an ethical code of behavior that will reflect the best of the individual and the community.
7. Provide pupils with guidance to help them solve their problems.
8. Accept each child and to do all we can to develop him/her.
9. Develop in each pupil a yearning for knowledge and truth.
10. Develop in each individual an understanding of the world, our American heritage and each person's place in it.
11. Help the student realize the importance of family life, for the individual and society.
12. Prepare children psychologically for a well-balanced social life and for creative use of their leisure time.

The Board should hold itself accountable for carrying out its mandate to plan, to make policy and to lead in the identification of goals and objectives and the resources necessary for their achievement.

Policy 113

ANTI-HARASSMENT

A. Elimination of Discrimination.

The policy of Amherst Public Schools is to not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, in admission or access to, or treatment with regard to employment or with regard to its programs and activities.

Amherst Public Schools and its staff shall comply with all state and federal laws prohibiting discrimination. The Board of Amherst Public Schools intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination and directs its staff to take all actions necessary to meet this objective.

The Superintendent shall be the Coordinator for anti-discrimination laws (including Title VI, Title IX; the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act of 1973 (Section 504)) and complaints or concerns involving discrimination or compliance with those laws should be addressed to said Coordinator.

B. Preventing Harassment and Discrimination of Employees and Students.

1. **Purpose:** Amherst Public Schools is committed to offering employment and educational opportunity to its employees and students based on ability and performance in a climate free of discrimination. Accordingly, unlawful discrimination or harassment of any kind by administrators, teachers, co-workers or other persons is prohibited. In addition, [Name] Public Schools will try to protect employees or students from reported discrimination or harassment by non-employees or others in the work place and educational environment.

For purposes of this policy, discrimination or harassment based on a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, is prohibited. The following are general definitions of what might constitute prohibited harassment.

In general, ethnic or racial slurs or other verbal or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, constitutes harassment when they unreasonably interfere with the person's work performance or create an intimidating work, instructional or educational environment.

b. Age harassment has been defined by federal regulations as a form of age discrimination. It can consist of demeaning jokes, insults or intimidation based on a person's age.

c. Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or physical or verbal conduct of a sexual nature by supervisors or others in the work place, classroom or educational environment.

Sexual harassment may exist when:

(a) Supervisors or managers make submission to such conduct either an explicit or implicit term and condition of employment (including hiring, compensation, promotion, or retention);

(b) Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment related decisions such as promotion, performance evaluation, pay adjustment, discipline, work assignment, etc.

(c) The conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working, class room or educational environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching or brushing against another's body.

2. **Procedures:**

a. Employees or students should initially report all instances of discrimination or harassment to their immediate supervisor or teacher. However, if the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student is encouraged to go to the next level of supervision.

b. If the report is not satisfactorily resolved within ten calendar days, or if the discrimination or harassment continues, please report your complaint to the Superintendent of [Name] Public Schools.

c. If a satisfactory arrangement cannot be obtained through the Superintendent, the complaint may be processed to the Board of Education.

d. The person to whom the complaint is made is to thoroughly investigate the complaint and work with the person filing the complaint to seek an appropriate resolution so the discrimination or harassment can be remedied and put to an end.

e. Complaints of discrimination or harassment will be treated with the utmost confidence, consistent with resolution of the problem.

f. Based on the results of the investigation, appropriate corrective action, up to and including discharge of offending employees, etc., may be taken.

g. Under no circumstances will a supervisor or a teacher or the Board threaten or retaliate against a person for alleging discrimination or harassment.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.

Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;

Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.

Section 504 of the Rehabilitation Act of 1973 (Section 504)

Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)

Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq. Neb. Rev. Stat. Sec. 79-2,115, et seq

Policy Adopted: August 9, 2021

Amherst Public School
Amherst, Nebraska

Policy: 113.1

SERVICE ANIMALS

Individuals with a disability shall be permitted to use a service animal on school premises as and to the extent provided by law.

1. Definition of Service Animal

A service animal is a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Other species of animals are not service animals for the purposes of this definition, though miniature horses are in certain circumstances entitled to similar treatment.

The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks that a service dog may perform to meet this definition include:

- Navigation: assisting individuals who are blind or have low vision with navigation and other tasks,
- Alerting: alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- Protection: providing non-violent protection or rescue work,
- Pulling: pulling a wheelchair,
- Seizure: assisting an individual during a seizure,
- Allergens: alerting individuals to the presence of allergens,
- Retrieving: retrieving items such as medicine or the telephone,
- Physical support: providing physical support and assistance with balance and stability to individuals with mobility disabilities, and
- Interrupting behaviors: helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Work or tasks that are excluded from meeting the definition are:

- Guard dogs: the crime deterrent effects of an animal's presence and
- Companion dogs: the provision of emotional support, well-being, comfort, or companionship.

1. Permit Presence of Service Animals

An individual with a disability shall be permitted to be accompanied by his or her service animal in all areas where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go. A bona fide trainer of a service animal also has the right to be accompanied by such animal in training. The individual may not be required to pay an extra fee for the service animal to attend events for which a fee is charged.

Service animals may be excluded from school premises if:

- a. The service animal is out of control and the service animal's handler does not take effective action to control it;
- b. The service animal is not housebroken; or
- c. The presence of the service animal poses a direct threat to the health or safety of others. To determine whether a "direct threat" exists, an "individualized assessment" is to be made to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.

2. Control of the Service Animal.

The service animal must be under the control of its handler. In most cases, the dog must have a harness, leash, or other tether. The service animal does not need to be on a leash, however, if the handler is unable because of a disability to use a leash. A leash is also not required if it would interfere with the service animal's safe, effective performance of work or tasks. If either of the leash exceptions applies the service animal must be under the handler's control via voice control, signals, or other effective means.

3. Responsibility for Care or Supervision.

The school district is not responsible for the care or supervision of the service animal. The individual with the service animal shall be liable for any damage done to the premises or facilities or to any person by such animal.

4. Inquiries.

When addressing a service animal matter, staff shall not ask about the nature or extent of the person's disability.

Staff may not ask questions about the dog's qualifications as a service animal when it is readily apparent that the dog is trained to do work or perform tasks for an individual with a disability. Examples include where the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability.

Where it is not readily apparent that the dog qualifies as a service animal, staff may ask if the dog's presence is required because of a disability and what work or task the dog has been trained to perform. Staff may not require documentation, such as proof that the dog has been certified, trained, or licensed as a service animal.

Legal Reference: Americans with Disabilities Act of 1990 (ADA), 28 CFR §28.104 and §35.136; Section 504 of the Rehabilitation Act of 1973 (Section 504); and Neb. Rev. Stat. §§20-126.01 and 20-127

Policy Adopted: August 8, 2011

Amherst Public Schools
Amherst, Nebraska

Policy: 114

MULTICULTURAL EDUCATION

The Amherst School District is committed to a policy of implementing effective multicultural education into all aspects of activities within the school system. It is the school board's belief that an important purpose of the school system is to provide students with a curriculum which promotes a realistic view of minority people; in effect, to provide students with a multicultural education enabling them to better live and work in a pluralistic society.

The elimination of prejudice and stereotyping requires a variety of inter-related approaches in education. To that end the school board is fully committed to a multicultural orientation in the areas of curriculum, instruction, in-service education and counseling and guidance.

1. Courses and curriculum guides will be written and followed that include the various cultures of those students in attendance. The cultural programs that have been used in the past will still be incorporated, but will also include material related to cultural backgrounds of any additional cultures that may be in attendance.
2. The school counseling program and counselors are to be well aware of any cultural differences that may exist, and they are to address those differences to the best interest of the individual regardless of cultural or economic background.
3. If the need arises the school is open to adult education programs that will better educate the public of any cultural differences that may exist.
4. The school will review and/or amend this policy as the need arises.

(Legal References 79-719 to 79-723)

Policy adopted:
Reviewed: January 10, 2011

Amherst Public Schools
Amherst, Nebraska

Policy: 114.1

MULTICULTURAL EDUCATION

Statement of Philosophy and Mission

The philosophy of the multicultural education program is that students will have improved ability to function as productive members of society when provided with: (a) an understanding of diverse cultures and races, the manner in which the existence of diverse cultures and races have affected the history of our nation and the world, and of the contributions made by diverse cultures and races; and (b) with the ability and skills to be sensitive toward and to study, work and live successfully with persons of diverse cultures and races.

The mission of the multicultural education program is to prepare students to: (a) value and respect their own culture and race and cultures and races other than their own; and (b) eliminate stereotypes and different treatment of others based on culture and race. The mission shall also include preparing students to eliminate stereotypes and discrimination or harassment of others based on ethnicity, religion, gender, socio-economic status, age, or disability.

Implementation of Multicultural Education

The philosophy and mission of the multicultural education program is to be implemented as follows:

1. Multicultural education shall be included in the goals established for educational programs.
2. Multicultural education shall be included in the district curriculum guides, frameworks or standards.
3. The process for selecting appropriate instructional materials shall include assuring that the instructional materials at all grade levels include studies relative to the culture, history and contributions of "African-Americans, Hispanic-Americans, Native-Americans, Asian-Americans, and European-Americans with special emphasis on human relations and sensitivity toward all races.
4. Staff development shall be provided on the District's multicultural education policy. The staff development shall include professional development for administrators, teachers, and support staff which is congruent with the District and program goals.
5. Periodic assessment of the multicultural education program shall be conducted by the Superintendent. Teachers and other staff, upon request, shall have the responsibility to provide the administration with reports on: (a) the instructional material used and programs or methods implemented with their students which are supportive of the multicultural education program philosophy and mission; (b) programs or materials to be implemented in the future or which teachers or other staff feel should be implemented to further advance such philosophy and mission; and their professional assessment of the successes of or deficiencies in achieving the multicultural education program philosophy and mission. The Superintendent shall provide an annual status report on this assessment to the Board of Education.

Legal Reference: Nebraska State Board of Education Rule 10

Policy Adopted: November 12, 2012

Amherst Public School
Amherst, Nebraska

Policy: 115

STATEMENT OF PHILOSOPHY

All progressive nations recognize that if the economic, social and political structure of a nation is to be healthy, its citizens must be trained in many fields of endeavor. Hence they have all set up systems of public education supported by governmental treasuries.

In addition, our nation recognizes the rights of equal opportunities for all its citizens. The schools must consider the needs of every person, adults as well as children. The school cannot tolerate discrimination of any kind.

Since the school exists for and are paid for by the citizens, the programs offered should be by the people served and not necessarily those an employee of the district thinks are of the greatest importance. In the public schools, the freedom to teach must never abridge the freedom of the majority of the parents to choose through their elected representatives what they want for their children.

It is the duty of educators to provide the leadership necessary to establish curriculums that develop all citizens to their greatest potential for a world community service and fulfillment of desires for personal happiness and security.

The goal of the Amherst Board of Education is to provide the best education possible for all children in its district from pre-school through the twelfth grade. The school program will be based on the needs of the community, state and nation while following the requirements of the Federal, State and local governments.

Each student will be considered as an individual and every means will be used to help him/her learn as an individual. A student's interest will be developed and new ones created to make him/her a better citizen.

The Board will make a conscientious effort to determine the needs, hopes and desires of the community and then balance them against the resources available for the support of public education. No goal other than what is good for the children should govern, and no goal is satisfactory short of the maximum program the community can afford.

Mission Statement:

Providing a safe, caring environment, the Amherst Public Schools will challenge all students to develop their fullest potential while maintaining progressive learning and creating the desire for lifelong successful learning.

Beliefs:

We believe our school must develop critical thinking skills with an emphasis on developing students who are lifelong learners.

We believe that all students can learn.

We believe that learning should take place in a safe, caring environment where students are encouraged to reach their potential academically and socially.

We believe that school board, parents, community, teachers and administrations should work together for what is going to provide the best education that begins with communication and respect.

We believe the school should keep current with technology, materials, and teaching methods.

We believe the school should be a place where students receive an education that enables them to be concerned and productive citizens.

Philosophy:

The Amherst Public Schools will strive to provide all students with the best education possible. We believe that students should be given the opportunity, without discrimination, to develop attitudes and ideals to become concerned and productive citizens in our democratic society.

The responsibility of the Amherst Public Schools is to meet the intellectual, social, moral, cultural, emotional and physical needs necessary for the development of responsible, well educated citizens of tomorrow. The school must be prepared to recognize the uniqueness of each individual. It is also a responsibility of our school system to make clear to all students the nature and meaning of the democratic values by which we live.

Our goal is to provide students with an education enabling them to function to their full potential. Students will function both academically and socially through skills and knowledge gained in the educational process.

Policy: 116

GOALS FOR EDUCATION

The following are goal statements for the Amherst School District:

1. To educate each student to his/her fullest potential.
2. To develop social awareness and adjustment.
3. To master basic academic skills.
4. To develop a state of physical and mental well-being.
5. To develop a sense of responsibility.
6. To provide an opportunity for the development of an appreciation of our culture and heritage.
7. To provide a broad opportunity for investigation in many fields.
8. To encourage worthy use of leisure time.
9. To provide opportunities in vocational training.
10. To emphasize the need for participation in government and its functions.
11. To encourage a rational, logical approach to problem solving.
12. To develop a sensitivity to change.
13. To develop useful and productive members of the community.

Policy: 117

ANNUAL REPORT AND SCHOOL IMPROVEMENT

The Superintendent shall prepare and distribute each year an Annual Report in accordance with Rule 10, Regulations and Procedures for the Legal Operation of Schools. The Annual Report shall be distributed to residents of the School District by the Superintendent distributing it to the members of the Board of Education and to the parents of students enrolled in the School District each school year and making it available to other residents. The report shall include information required by Rule 10. The results of the annual report shall be used to plan and make needed changes to improve instruction for all students. The report is to include:

- A. Student academic performance. The report shall include results of student success in achieving the state standards set forth in Appendices A through D of Rule 10 or local content standards approved by the Department, on a building basis. Individual test scores shall be kept confidential. If the school has fewer than ten students in the grades being reported, or if reporting would allow for the identification of students because they all had comparable scores, no public reports of student performance shall be provided for those grades.
- B. School system demographics.
- C. School improvement goals and progress.
- D. School system financial information.

The Superintendent shall further ensure that the School District implements a systematic on-going process that guides planning, implementation, and evaluation and renewal of school improvement activities to meet local and statewide goals and priorities. The school improvement process shall focus on improving student learning and include a periodic review by visiting educators who provide consultation to the local school/community in continued accomplishment of plans and goals. The school improvement process shall further include the following activities at least once within each five years:

- A. Review and update of the mission and vision statements.
- B. Collection and analysis of data about student performance, demographics, learning climate, and former high school students.
- C. Selection of improvement goals. At least one goal is directed toward improving student academic achievement.
- D. Development and implementation of an improvement plan which includes procedures, strategies, actions to achieve goals, and an aligned professional development plan.
- E. Evaluation of progress toward improvement goals.

The school improvement process shall further include a visitation by a team of external representatives to review progress and provide written recommendations. A copy of the school system's improvement plan and the written recommendations shall be provided to the Department. The external team visits shall be conducted at least once each five years.

Legal Reference: NDE Rule 10.01, 10.5.02, 10.9 and 10.10

Policy adopted: August 10, 2020

Amherst Public Schools
Amherst, Nebraska

Policy: 118

LOANING OF TEXTBOOKS TO PRIVATE SCHOOLS

Be it resolved the Amherst Public Schools, hereby declares that rules and regulations for textbook loans to children enrolled in private schools will be established according to Title 92, NAC-Chapter 4 - NDE Rule 4. To wit:

The Amherst Public School Board of Education has the power and duty to purchase and loan textbooks to private school children; provided, however, that said Board is only obligated to the extent that the Legislature of the State of Nebraska appropriates funds for the specific purpose of purchasing and loaning such textbooks. Said purchases and loans will be made only for textbooks designated for use in classroom instruction in the Amherst Public School as the principal source of classroom instruction in grades K through 12. Library books, workbooks, and other similar materials are not considered textbooks and are, therefore, exempt from this statutory obligation. Lists of principal textbooks used in the Amherst Public Schools will be made available upon request. For purposes of this act, private schools shall mean only those which are approved for legal operation under Title 92, NAC, Chapter 10.

(Legal Reference 79-734 [2])

Policy adopted:
Reviewed: January 10, 2011

Amherst Public Schools
Amherst, Nebraska

Policy: 120

DENYING ACCESS TO SCHOOL PREMISES OR ACTIVITIES

The school district shall provide access to the district's buildings, grounds and activities to students, parents or guardians of students, and other persons who have legitimate reasons for being on school grounds. The superintendent of schools or his/her designee (referred to herein as the "administrator") may limit or deny access to school buildings, grounds, and activities to any person who:

1. Disrupts the educational environment; or
2. Is unreasonably boisterous; or
3. Engages in violence, force, coercion, threats, intimidation, or similar conduct; or
4. Causes or attempts to cause damage to school property or to the property of any student or school employee; or
5. Causes or attempts to cause personal injury to any student, school employee or other person on school grounds or at a school activity on or off school grounds; or
6. Uses vulgar, profane, or demeaning language; or
7. Uses fighting words.

Upon determining that a person has engaged in, or is engaging in conduct which constitutes grounds for exclusion under this policy, the administrator shall take such action as he/she determines appropriate, including directing the person to cease engaging in the conduct or to leave the school premises or activity immediately. The administrator may request assistance from law enforcement authorities to remove an offending person from the school grounds. As there are instances when the administrator will not have observed the misconduct or will not have been aware of all the facts regarding a situation, the administrator may deny a person access to school premises without giving a warning when an investigation reveals that person's behavior was contrary to the standards set out in the policy or school rule and warrants exclusion from school premises and activities.

The administrator shall have the authority to fix the time when, and the conditions under which, the offending person may return to school premises. If a person enters school premises in violation of these conditions, he/she shall be deemed to be trespassing on school property. The administrator may summon law enforcement authorities to remove the person from school premises and request that criminal proceedings be initiated.

Any person who feels aggrieved by an action of the administrator under this policy may appeal the administrator's action to the board of education. The board shall consider the matter at its next regular or special meeting, provided that the person filed the appeal sufficiently in advance of the meeting to enable the board to comply with the Public Meetings Law and any other applicable provisions of board policy. The person shall file the appeal in writing in the office of the superintendent of school setting forth the alleged facts, listing all witnesses who have information bearing on the matter, identifying the information that the witnesses have, and setting forth the result that the person is requesting.

AMHERST PUBLIC SCHOOLS

"Home of the Broncos"

PO BOX 8

AMHERST NEBRASKA 68812

Matt Gordon Superintendent

Principal Roger Thomsen

Telephone (308) 826-3131

Fax (308) 826-4865



[Date]

[Name]

[Address]

[City, State Zip]

Dear _____:

It has been reported to us that you are currently registered with the Nebraska Sex Offender Registry. You are hereby given notice that you are not licensed or permitted to be on school grounds, at any school-sponsored activity, or on any property under the control of Amherst Public Schools.

In the event you need to pick up your child from school prior to the normal dismissal time, you must contact the superintendent's office at least 1 hour prior to the time you will arrive at school. We will then arrange for a staff member to escort you to and from your child's classroom, or to escort your child to your vehicle. If you violate these conditions, you will be considered to be a trespasser and appropriate law enforcement assistance will be called.

If you are permitted by law to participate in an activity or meeting related to your student, such as a meeting related to special education services, the district will arrange for your participation as required by law. Similarly, if you wish to participate in parent-teacher conferences or other parental activities, you must contact me in advance of the activity to make arrangements for your participation.

If you would like to attend a special programs or activity at the school, contact me in writing, in advance, and we will determine whether suitable arrangements for your attendance at the program or activity may be made. If so, I will issue you a written permission form which would allow attendance under those arrangements. Without such a written permission, you are not allowed to be on school grounds or at any school activity.

If you feel that this correspondence has been sent to you in error, you may send me a written report explaining the basis for that belief. I will review your correspondence and may modify this notice based on my consideration of your communication. In the meantime, the prohibitions and limitations regarding your presence on school property and at school activities will remain in effect.

Sincerely,

Superintendent

cc: [Local law enforcement]

AMHERST PUBLIC SCHOOLS

"Home of the Broncos"

PO BOX 8

AMHERST NEBRASKA 68812

Matt Gordon Superintendent **Principal Roger Thomsen**

Telephone (308) 826-3131

Fax (308) 826-4865



[Date]

[Name]

[Address]

[City, State Zip]

Dear _____:

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If you feel that this correspondence has been sent to you in error, you may send me a written report explaining the basis for that belief. I will review your correspondence and may modify this notice based on my consideration of your communication. In the meantime, the prohibition against your presence on school property and at school activities will remain in effect.

If there are certain special programs or activities at the district that you would like to attend, contact me in writing a reasonable amount of time in advance of the event. The administration will determine whether suitable arrangements for your attendance at the program or activity may be made. If so, I will issue you a written permission form which would allow attendance under those arrangements. Without such a written permission, you are not allowed to be on school grounds or at any school activity.

Sincerely,

Superintendent

cc: [Local law enforcement]

Policy: 122

RECORDING OF OTHERS

To ensure the privacy and confidentiality of student information, no person is authorized to record or transmit any sound or image of any person (including themselves) without the prior consent or authorization of either (1) the person or persons being recorded or whose image or sound is being transmitted or (2) the Superintendent or Superintendent's designee. This prohibition applies to all persons, including staff, students and community members, regardless of the content or context of the image or sound; however, this provision shall not apply to District-sponsored athletic or activity events where the focus of the recording or transmission is on the student performances or activity. Nothing in this provision shall prohibit the recording of an Individualized Education Program meeting if the recording is necessary to ensure that the parent understands the IEP or the IEP process or to implement other parental rights guaranteed by the Individuals with Disabilities Education Act.

Legal Reference: Neb. Rev. Stat. § 86-290
Letter to Anonymous, 40 IDELR 70 (OSEP 2003)

Date of Adoption: August 13, 2018

Amherst Public Schools
Amherst, Nebraska