

DATE:

TO: ESU #1 Board of Directors

FROM: Bill Heimann, Administrator

RE: Tuesday, November 9, 2021 Board Meeting

There will be a meeting of the ESU #1 Board of Directors, on Tuesday, November 9, 2021, at 5:30 PM in the

ESU #1 Conference Room
211 Tenth Street
Wakefield, NE 68784-5014

Consideration, discussion and any action necessary will be taken on the following items.

- A. Notification of Open Meetings Law
- B. Roll Call*
- C. Approve Agenda*
- D. Consent Agenda*
 - 1. Previous Minutes (copy attached)
 - 2. Financial Reports*
 - a. Revenue Report/Treasurer's Report
 - b. Cash Summary/Expenditure Report
 - 3. Bills for November
 - 4. Administrator's Monthly Report
 - a. EMC Insurance Dividend
 - b. ESU 1 & 8 Collaborative Superintendent Meeting
 - c. Teacher Shortage Conference
 - d. Email Address
 - e. Ergonomic Work Place Consultation
 - f. AESA Conference
 - g. Facility Projects
 - h. COVID-19 Vaccine Mandate
- E. Public Comment
- F. Proposed ESU #1 Redistricting Plan
- G. Educator Health Alliance Rates for 2022-23
- H. Virtual Board Meeting
- I. ESU #1 Accreditation External Team Report
- J. Administrator Evaluation Process
- K. Personnel*
 - 1. Consider, discuss, and take necessary action on employee contracts and personnel changes.
 - a. Resignation(s)
 - b. New Hire(s)
 - c. Contract Change(s)
 - d. Termination(s)
- L. Adjournment

This agenda contains a list of subjects known at the time of its distribution on . A copy of the agenda reflecting any changes will be kept in the ESU #1 Administrative office and will be readily available for public inspection during normal office hours. Except for items of emergency nature, the agenda will not be enlarged later than twenty-four hours before the scheduled commencement of the meeting. The Board reserves the right to change the order of business discussed.

*Action Items

Nebraska 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.

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.

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.

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.

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

(1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site. (ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such notice shall be published by: (A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site; or (B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting. (iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) 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 (i) twenty-four hours before the scheduled commencement of the meeting or (ii) 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 as provided in subsection (1) of this section;

(b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recodation 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)(e)(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 as provided in subsection (1) of this section 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, recodation 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 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.

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 instate 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 instate 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 instate 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.

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.

(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.

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.

Revised
10/2020



PERRY, GUTHERY, HAASE & GESSFORD, P.C., L.L.O.
233 SOUTH 13TH STREET, SUITE 1400, LINCOLN, NE 68508
(402) 476-9200
jgessford@perrylawfirm.com
rschultze@perrylawfirm.com
gperry@perrylawfirm.com



Nebraska Council
of School Administrators

455 South 11th Street, Suite A
Lincoln, NE 68508
(402) 476-8055
ncsa.org

**ESU #1 Board Meeting
Tuesday, October 12, 2021**

A meeting of the ESU #1 Board of Directors convened in open and public session on Tuesday, October 12, 2021, at 5:30 PM at ESU #1 in ESU #1 Conference Room, 211 Tenth Street, Wakefield, NE 68784-5014. **Present:** Tucker Hight, AJ Johnson, Lana Oswald, Sally Reinert, Benjamin Schultz, Helen Sorensen, Grant Torpin, **Absent:** Traci Haglund, Shannon Johnson, Susan Strahm, Josh Weber.

Notice of the meeting was given in advance by publication and/or posting, as shown below, in accordance with the Board approved method for giving notice of meetings. Notice of this meeting was given in advance to all members of the Board of Directors. The Recording Secretary maintains a list of news media requesting notification of meetings and advance notification to the listed media of the time and place of the meeting and the subjects to be discussed at this meeting was provided. Availability of the agenda was communicated in the publicized notice and current copy of the Agenda was maintained as stated in the publicized notice. All proceedings of the Board of Directors, except as may be hereinafter noted, were taken while the convened meeting was open to the attendance of the public.

Published and/or Posted Locations:

- Wayne Herald (Thursday before meeting date)
- Central Office Front Door (Friday before meeting date)
- Sparq (Friday before meeting date)

A. Notification of Open Meetings Law

At the beginning of this meeting, President AJ Johnson announced and informed the public that a current copy of the Open Meetings Act is available at the meeting site.

B. Roll Call*

Motion by Sally Reinert, seconded by Helen Sorensen, to excuse the absence of members: Shannon Johnson, Josh Weber, Traci Haglund and Susan Strahm. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Shannon Johnson: Absent, Susan Strahm: Absent, Josh Weber: Absent, Tucker Hight: For, AJ Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Grant Torpin: For
For: 7, Against: 0, Absent: 4

C. Approve Agenda*

Motion by Grant Torpin, seconded by Helen Sorensen, to approve the October 12, 2021 agenda as presented. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Shannon Johnson: Absent, Susan Strahm: Absent, Josh Weber: Absent, Tucker Hight: For, AJ Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Grant Torpin: For

For: 7, Against: 0, Absent: 4

D. Consent Agenda*

Motion by Sally Reinert, seconded by Tucker Hight, to approve all items on the consent agenda as provided (September 14, Minutes, Financial Reports, October 15 bills totaling \$902,487.48, and Administrator's Monthly Report). After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Shannon Johnson: Absent, Susan Strahm: Absent, Josh Weber: Absent, Tucker Hight: For, AJ Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Grant Torpin: For

For: 7, Against: 0, Absent: 4

D.1. Previous Minutes (copy attached)

D.2. Financial Reports*

D.2.a. Revenue Report/Treasurer's Report

D.2.b. Cash Summary/Expenditure Report

D.3. Bills for October

D.4. Administrator's Monthly Report

E. Public Comment

F. ESU #1 Continuous Improvement Process and External Team Visit

ESU #1 Teaching and Learning Team comprised of Kellen Conroy, Chris Good, Rhonda Jindra and Amy Mundil presented an overview of the upcoming external accreditation team visit taking place October 21-22. In addition, they summarized the ESU #1 Continuous Improvement Process.

G. ESU #1 Election Districts

Administrator Heimann provided additional information and resources related to the redistricting process.

H. ESU #1 Education Association Recognition as Bargaining Agent for Certified Staff*

Motion by Helen Sorensen, seconded by Sally Reinert, to approve the recognition of the Educational Service Unit #1 Education Association as the bargaining agent for certificated staff for the 2022-23 contract year. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Shannon Johnson: Absent, Susan Strahm: Absent, Josh Weber: Absent, Tucker Hight: For, AJ Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Grant Torpin: For

For: 7, Against: 0, Absent: 4

I. ESUCC Cooperative Purchasing Program

The use and cost savings of the ESUCC Cooperative Purchasing Program to area school districts and statewide was shared with the Board.

J. Nebraska Association of School Boards State Conference

The State Education Conference will be held on November 17-19 in Omaha. Board members were encouraged to notify Administrator Heimann if they plan to attend.

K. ESU #1 Authorized Account Signature*

Motion by Sally Reinert, seconded by Helen Sorensen, to authorize Brittney Hampl to represent ESU#1, effective October 18, for BankFirst accounts, including authorization to transfer funds between ESU#1 accounts and BankFirst. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Shannon Johnson: Absent, Susan Strahm: Absent, Josh Weber: Absent, Tucker Hight: For, AJ Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Grant Torpin: For
For: 7, Against: 0, Absent: 4

L. ESU #1 Annual Report*

Motion by Grant Torpin, seconded by Lana Oswald, to approve the 2020-21 Annual Report as presented. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Traci Haglund: Absent, Shannon Johnson: Absent, Susan Strahm: Absent, Josh Weber: Absent, Tucker Hight: For, AJ Johnson: For, Lana Oswald: For, Sally Reinert: For, Benjamin Schultz: For, Helen Sorensen: For, Grant Torpin: For
For: 7, Against: 0, Absent: 4

M. Personnel*

M.1. Consider, discuss, and take necessary action on employee contracts and personnel changes.

M.1.a. Resignation(s)

M.1.b. New Hire(s)

M.1.c. Contract Change(s)

M.1.d. Termination(s)

N. Adjournment

As there were no additional agenda items, President AJ Johnson declared the meeting adjourned at 6:21 p.m.

Lisa Salmon, Recording Secretary

Helen Sorensen, Board Secretary



Participation. Collaboration. Cooperation.

Educators Health Alliance Approves 2022-23 School Year Rates

Lincoln, NE – Oct. 28, 2021 – There will be an overall increase of 5.84 percent in premiums next year for the medical and dental insurance plans used by nearly every Nebraska school district, following action by the Educators Health Alliance (EHA), a consortium of three statewide public school groups that manages the plan. Medical insurance rates for active employees and retirees will increase 6.14 percent. Dental rates for all employees and retirees will remain unchanged from the 2021-22 rate level.

When the 2022-2023 plan year begins next Sept. 1, it will mark the 20th consecutive rate increase of less than 10 percent. The average annual increase over the past ten years has been 4.4 percent.

“The COVID pandemic has resulted in significant disruption for our members,” said Sheri Jablonski, EHA Board Chair. “It has also made it difficult to set rates for the 2022-23 plan year. Nevertheless, we are pleased we’ve been able to maintain our streak of 20 years without a double digit increase in rates and, especially, to average an increase of under 4.5 percent for the last decade.”

The benefit changes for the 2022-23 contract year include an increase in the deductible and out of pocket maximum for the \$3,600 deductible HSA plan. It will now have an in-network deductible of \$3,800 and out of pocket maximum of \$4,350. There will also be a change to the formulary used as part of the prescription drug offering. The formulary change will be implemented to achieve claim savings and increased rebates from pharmaceutical manufacturers.

“We believe it is important, particularly in these stressful times, to minimize the change in benefits to our members. We also feel the formulary change will allow us to achieve savings that can be passed on through lower rate increases,” said Maddie Fennell, executive director of Nebraska State Education Association.

A successful rollout of the alternate network product offering in the 2021-22 plan year to all districts in areas of the state where network competition is possible will be continued in the 2022-23 plan year.

Jablonski indicated the single digit increase in premium rates is made possible due to several factors, including:

- The impact of the EHA’s state-wide wellness and health promotion program;
- A program designed to assist in the management of chronic diseases and emerging diseases;
- Holding the line on health and administrative cost increases; and
- Continued prudent management in the design and choices of benefit plans.

“The EHA Wellness program has been instrumental in improving the health and wellness of plan participants,” said Beth Kernes Krause, EHA Vice Chair and Auburn Public Schools Board of Education member. “The wellness plan continues to expand, such as the recent addition of the Headspace

program, and includes options for individuals and school groups to earn financial incentives for achieving goals set by the program.”

“The EHA Board understands the financial concerns of our members as well as the fiscal constraints facing school districts,” said John Spatz, executive director of the Nebraska Association of School Boards. “It is an important responsibility of the EHA Board to balance the health insurance premium increase and the benefit adjustments for both districts and individual employees and their families.”

“The EHA Board takes its responsibility for plan oversight very seriously and we believe the rate increase and benefit decisions reached by the Board for the 2022-23 plan year have been well thought out and discussed,” said Mike Dulaney, executive director of the Nebraska Council of School Administrators. “We are confident these changes will allow us to continue to provide a quality, affordable health insurance plan well into the future.”

The Educators Health Alliance is a non-profit corporation that was created to procure quality, affordable health care insurance for Nebraska educational employees. The rates set by the EHA Board are for the Blue Cross and Blue Shield of Nebraska (BCBSNE) health care plan used by more than 400 public school district and affiliate groups in the state. The plan is governed by a 12-member board representing the Nebraska Association of School Boards, the Nebraska Council of School Administrators and the Nebraska State Education Association. More than 80,000 Nebraskans are covered by the plan, making it the largest health plan in the state.

-End-

For more information, contact Sheri Jablonski, EHA Chair, 402-475-7611, sheri.jablonski@nsea.org

Educational Service Unit #1 Administrator Job Description

It is the policy of Educational Service Unit #1 to not discriminate on the basis of sex, handicap or disability, race, color, religion, marital status, veteran status, or national or ethnic origin in its educational programs, admission policies, employment policies or other administered programs. Persons requiring accommodations to apply and/or be considered for positions are asked to make their request to the Administrator.

- A. Job Title:** Administrator
- B. Department:** Administration
- C. FLSA Status:** The employee has the primary duty of performing office or non-manual work directly related to the management general business operations of ESU #1. The employee customarily and regularly exercises discretion and independent judgment or has a primary duty of performing administrative functions directly related to academic instruction or training in the school district or a department or subdivision.
- D. Education Level and Certification:** Specialist Degree. Must possess a Nebraska Administrative and Supervisory Certificate at all times during employment with such endorsements as required by NDE Rule 10.
- E. Reports To:** Board
- F. May Receive Guidance From:** Board, Advisory Council, School District Personnel, Department of Education
- G. Essential Job Functions:**
 - 1. General supervisory, teaching and instructional skills
 - 2. Basic operational skills for Macintosh or PC computer
 - 3. Poised
 - 4. Supervise a variety of tasks at the same time
 - 5. No history of child abuse or negligence
 - 6. Good oral and written skills
 - 7. Driver's license and reliable vehicle.
- H. Working Conditions:**
 - 1. Inside heated and air conditioned office.
- I. Job Tasks:**
 - 1. Attends, participates in all meetings of the Board and its committees, except when own employment or salary is under consideration.

2. Serves as ex officio member of all Board committees and assigns administrative personnel to support committee activities when necessary.
3. Advises the Board on the need for new or revised policies and ensures through delegation to staff that all policies of the Board are implemented.
4. Prepares and submits to the Board recommendations relative to all matters requiring Board action, placing before the Board such necessary and helpful facts, information, and reports as are needed to ensure the making of informed decisions.
5. Acts on own discretion if emergency action is necessary in any matter not covered by Board policy, reports such action to the Board as soon as practicable, and recommends policy in order to provide guidance in the future.
6. Supervises the implementation of all laws, regulations, and Board policies.
7. Establishes procedures to ensure all administrative decisions necessary to the proper function of ESU #1 are made.
8. Delegates at own discretion to other employees the exercise of any powers or the discharge of any duties with the knowledge that the delegation of power or duty does not relieve the administrator of final responsibility for the action taken under such delegation.
9. Formulates objectives, policies, plans, and programs; prepares (or causes to be prepared) and presents facts and explanations necessary to assist the Board in its duty of legislation.
10. Communicates directly or through delegation all actions of the Board relating to personnel matters to all employees and receives from employees communications to be made to the Board.
11. Directs staff negotiations with professional and nonprofessional personnel.
12. Secures and nominates for employment the best qualified and most competent persons for positions, as may be necessary within the limits of budgetary provisions.
13. Assigns and transfers employees as the interest of ESU #1 may dictate and reports such action to the Board for information and record.
14. Approves leave schedules for salaried district employees under direct supervision.
15. Takes appropriate disciplinary actions with employees and reports, as necessary, to the Board.

16. Recommends to the Board for final action the promotion, salary changes, demotion, or dismissal of any employee.
17. Submits to the Board explanation of any proposed procedure that would involve either departure from established policy or the expenditure of substantial sums.
18. Directs the preparation of the annual budget for adoption by the Board and administers the budget as enacted by the Board, acting at all times in accordance with legal requirements and adopted Board policies.
19. Establishes and maintains efficient procedures and effective controls for all expenditures of funds in accordance with the adopted budget including procedures for the purchase of supplies, etc.
20. Provides suitable instructions and regulations for staff to govern the use and care of ESU properties.
21. Recommends to the Board sales of all property no longer required by the Board and delegates the proper execution of such sales through staff and legal advisors.
22. Maintains directly or through delegation such personnel records, business records, and other records that are required by law and by Board policy.
23. Ensures that all reports required by statute or regulation are filed.
24. Assures that the accreditation standards set by the Department of Education are met.
25. Oversees the financial transactions of all funds.
26. Evaluates administrative staff.
27. Represents or delegates a representative for ESU #1 in its dealing with other school systems, institutions, agencies, and community organizations.
28. Attends such conventions and conferences as are necessary to keep abreast of latest educational trends.
29. Works with and maintains a relationship with the Advisory Council.
30. Consults with local administrators to determine supplementary educational needs of the schools and recommends methods for meeting those needs.
31. Confers periodically with professional and lay groups concerning the school program and transmits to the Board suggestions gained from such conferences.

32. Represents ESU #1 before the public and establishes and maintains a program of public relations to keep the public well-informed of the activities and needs of ESU #1, effecting a wholesome and cooperative working relationship between ESU #1 and the community.
33. Keeps the public informed about modern educational practices, educational trends, and the policies, practices, and problems in ESU #1.
34. Performs such other tasks as may, from time to time, be assigned by the Board.

J. Knowledge:

1. Education and Training — Knowledge of principles and methods for curriculum and training design, teaching and instruction for individuals and groups, and the measurement of training effects.
2. Administration and Management — Knowledge of business and management principles involved in strategic planning, resource allocation, human resources modeling, leadership technique, production methods, and coordination of people and resources.
2. English Language — Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.
3. Personnel and Human Resources — Knowledge of principles and procedures for personnel recruitment, selection, training, compensation and benefits, labor relations and negotiation, and personnel information systems.
4. Mathematics — Knowledge of arithmetic, algebra, geometry, calculus, statistics, and their applications.
5. Communications and Media — Knowledge of media production, communication, and dissemination techniques and methods. This includes alternative ways to inform and entertain via written, oral, and visual media.
6. Economics and Accounting — Knowledge of economic and accounting principles and practices, the financial markets, banking and the analysis and reporting of financial data.
7. Psychology — Knowledge of human behavior and performance; individual differences in ability, personality, and interests; learning and motivation; psychological research methods; and the assessment and treatment of behavioral and affective disorders.

K. Skills

1. Coordination — Adjusting actions in relation to others' actions.
2. Speaking — Talking to others to convey information effectively.
3. Reading Comprehension — Understanding written sentences and paragraphs in work related documents.
4. Writing — Communicating effectively in writing as appropriate for the needs of the audience.
5. Social Perceptiveness — Being aware of others' reactions and understanding why they react as they do.
6. Critical Thinking — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.
7. Judgment and Decision Making — Considering the relative costs and benefits of potential actions to choose the most appropriate one.
8. Active Listening — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
9. Management of Personnel Resources — Motivating, developing, and directing people as they work, identifying the best people for the job.
10. Systems Evaluation — Identifying measures or indicators of system performance and the actions needed to improve or correct performance, relative to the goals of the system.

L. Abilities

1. Oral Expression — The ability to communicate information and ideas in speaking so others will understand.
2. Written Expression — The ability to communicate information and ideas in writing so others will understand.
3. Written Comprehension — The ability to read and understand information and ideas presented in writing.
4. Oral Comprehension — The ability to listen to and understand information and ideas presented through spoken words and sentences.
5. Speech Clarity — The ability to speak clearly so others can understand you.

6. Near Vision — The ability to see details at close range (within a few feet of the observer).
7. Fluency of Ideas — The ability to come up with a number of ideas about a topic (the number of ideas is important, not their quality, correctness, or creativity).
8. Inductive Reasoning — The ability to combine pieces of information to form general rules or conclusions (includes finding a relationship among seemingly unrelated events).
9. Deductive Reasoning — The ability to apply general rules to specific problems to produce answers that make sense.
10. Originality — The ability to come up with unusual or clever ideas about a given topic or situation, or to develop creative ways to solve a problem.

M. Work Activities:

1. Communicating with Persons Outside Organization — Communicating with people outside the organization, representing the organization to customers, the public, government, and other external sources. This information can be exchanged in person, in writing, or by telephone or e-mail.
2. Communicating with Supervisors, Peers, or Subordinates — Providing information to supervisors, co-workers, and subordinates can be exchanged in person, in writing, or by telephone or e-mail.
- 3.
4. Getting Information — Observing, receiving, and otherwise obtaining information from all relevant sources.
5. Provide Consultation and Advice to Others — Providing guidance and expert advice to management or other groups on technical, systems-, or process-related topics.
6. Coordinating the Work and Activities of Others — Getting members of a group to work together to accomplish tasks.
7. Training and Teaching Others — Identifying the educational needs of others, developing formal educational or training programs or classes, and teaching or instructing others.
8. Establishing and Maintaining Interpersonal Relationships — Developing constructive and cooperative working relationships with others, and maintaining them over time.
9. Staffing Organizational Units — Recruiting, interviewing, selecting, hiring, and promoting employees in an organization.

10. Developing Objectives and Strategies — Establishing long-range objectives and specifying the strategies and actions to achieve them.
11. Organizing, Planning, and Prioritizing Work — Developing specific goals and plans to prioritize, organize, and accomplish your work.

N. Required Employee Characteristics:

1. Cooperation — Being pleasant with others on the job and displaying a good-natured, cooperative attitude.
2. Attention to Detail — Being careful about detail and thorough in completing work tasks.
3. Dependability — Being reliable, responsible, and dependable, and fulfilling obligations.
4. Integrity — Being honest and ethical.
5. Concern for Others — Being sensitive to others' needs and feelings and being understanding and helpful on the job.
6. Self Control — Maintaining composure, keeping emotions in check, controlling anger, and avoiding aggressive behavior, even in very difficult situations.
7. Stress Tolerance — Accepting criticism and dealing calmly and effectively with high stress situations.
8. Adaptability/Flexibility — Being open to change (positive or negative) and to considerable variety in the workplace.
9. Independence — Developing one's own ways of doing things, guiding oneself with little or no supervision, and depending on oneself to get things done.
10. Initiative — A willingness to take on responsibilities and challenges.

O. Continuing Contract Law: Employment with ESU #1 is subject to the rights and responsibilities of the Nebraska Teacher Tenure Act, Neb. Rev. Stat. §§79-824 et. seq. and the terms of the Contract between the Administrator and ESU #1. The terms of the employment agreement may not be modified except in writing signed by the Board President.

P. Essential Functions: The essential functions of the Administrator position include (1) regular, dependable attendance on the job; (2) the ability to perform the identified tasks and to possess and utilize the identified knowledge, skills, and abilities and to perform the

identified work activities; and, (3) the ability to perform the following identified physical requirements:

Physical Requirements Administrator E = Essential NE = Non-Essential		Item is not a requirement of the job	Occasional -- up to 33% of time	Occasional/Essential -- up to 33% of time, absolutely essential to the job	Frequent -- between 34% - 66%	Continuous -- over 66% of time
Stamina						
	1. Sitting				X	
	2. Walking				X	
	3. Standing		X			
	4. Sprinting/Running	X				
Flexibility						
	5. Bending or twisting at the neck more than the average person		X			
	6. Bending or twisting at the trunk more than the average person		X			
	7. Squatting/Stooping/Kneeling		X			
	8. Reaching above the head		X			
	9. Reaching forward		X			
	10. Repeating the same hand, arm or finger motion many times (For example: typing, data entry, etc.)				X	
Activities						
	11. Climbing (on ladders, into large trucks/vehicles, etc.)	X				
	12. Hand/grip strength	X				
	13. Driving on the job			X		
	14. Typing non-stop		X			
Use of Arms and Hands						
	15. Manual dexterity (using a wrench or screwing a lid on a jar)		X			
	16. Finger dexterity (typing or putting a nut on a bolt)		X			
Lifting Requirements						
	17. Lifting up to 10 pounds (Mark all that apply)					
	Floor to waist		X			
	Waist to shoulder		X			
	Shoulder to overhead		X			
	18. Lifting 11 to 25 pounds (Mark all that apply)					
	Floor to waist	X				
	Waist to shoulder	X				
	Shoulder to overhead	X				
	19. Lifting 26 to 50 pounds (Mark all that apply)					
	Floor to waist	X				
	Waist to shoulder	X				
	Shoulder to overhead	X				
	20. Lifting 51 to 75 pounds (Mark all that apply)					
	Floor to waist	X				

	Waist to shoulder	X				
	Shoulder to overhead	X				
	21. Lifting 76 plus pounds (Mark all that apply)					
	Floor to waist	X				
	Waist to shoulder	X				
	Shoulder to overhead	X				
	22. Can load/items weighing over 50 pounds that are lifted or carried be shared, or reduced into smaller loads?	X				
	Pushing/Pulling					
	23. 25 to 50 pounds	X				
	24. 51 to 75 pounds	X				
	25. 76 to 90 pounds	X				
	26. Over 90 pounds	X				
	Carrying					
	27. 10 to 25 pounds		X			
	28. 26 to 50 pounds	X				
	29. 51 to 75 pounds	X				
	30. 76 to 90 pounds	X				
	31. Over 90 pounds	X				