

# REGULAR MONTHLY MEETING OF THE BOARD OF EDUCATION - AGENDA

## Alma Public Schools

Monday, May 9, 2022

- A. Call to Order and announce location of Open Meetings Act Poster
  - A.1. Verification of Receipt of Notice, which was published in the Harlan County Journal
  - A.2. Roll of Board Members - Excuse absent board members
  - A.3. Approval of Consent Agenda
    - A.3.a. Minutes from Previous Meetings
    - A.3.b. General Financial Report
    - A.3.c. Activity Financial Report
  - A.4. Review monthly bills submitted
- B. Request to address the Board
- C. Action Items - Discuss, consider, and take all necessary action
  - C.1. to review and possibly approve the Required Policy updates from the Perry Law Firm: #1220 - Title IX Grievance Policy; #3132 – Internal Controls; #3540 – Bidding Construction Projects; #4009 – Drug and Substance Abuse; #4133 – Substitute Teachers; #6600 Special Education; #8343 – Agenda Construction and Control; #8346 – Public Participation at Board Meetings; # 9340 - Minutes.
  - C.2. to discuss the Perry Law Firm list of “Other Considerations” that schools could be impacted by and decide if additional changes need to be made to the school’s policies.
  - C.3. to review and possibly approve the purchase of a hot food serving table and a cold food serving Table from Cash-Wa Distributing Co. The cost of the items will come from the Lunch Fund.
  - C.4. to review and possibly approve the bid from LeRoy Tree Service for cutting down and trimming trees around the school property.
  - C.5. to review and possibly approve Waggoner Insurance Agency proposal for the overall school insurance.

D. Principal's Report

E. Superintendent's Report: Facilities Study & the next step, American Civics Report, Summer Projects, IDEA MOE, Computers.

F. Next Regular Meeting

G. Adjourn

THE BOARD OF EDUCATION OF THE ALMA SCHOOL DISTRICT NO. 2 WILL DISCUSS, CONSIDER, OR TAKE ACTION ON ALL ISSUES MENTIONED IN THIS AGENDA.

MINUTES OF THE REGULAR, APRIL 11, 2022, MEETING OF THE  
ALMA PUBLIC SCHOOLS BOARD OF EDUCATION

A meeting of the Alma Public Schools Board of Education was convened in open and public session on Monday, April 11, 2022, at 7:00 PM in the library at Alma Public Schools. The roll was called and the following Board members were present: Allen Brugh, Bett Hammond, Randy Heckenlively, Kate Hopkins, Nick Simonson, and Samantha Stuhmer.

Notice of the meeting was given in advance by publication and/or posted in accordance with the Board approved method for giving notice of meetings. Notice of this meeting and hearing were given in advance to all members of the Board of Education. Availability of the agenda was communicated in the publicized notice and a current copy of the agenda was maintained. All proceedings of the Board of Education, except as may be hereinafter noted, were taken while the convened meeting was open to the attendance of the public.

A motion was made by Nick Simonson and seconded by Samantha Stuhmer to approve the consent agenda items which include: Minutes from the regular March school board meeting, the General Fund Financial Report and the Activity Fund Financial Report. After discussion and on roll call vote the Board voted as follows: Randy Heckenlively: Yea, Brett Hammond: Yea, Nick Simonson: Yea, Kate Hopkins: Yea, Samantha Stuhmer: Yea, Allen Brugh: Yea

A motion was made by Brett Hammond and seconded by Kate Hopkins to approve the monthly bills as submitted: General Fund \$452,459.23; Lunch Fund \$18,930.18; Activity Fund \$16,438.88, and Building/Sinking Fund \$3,293.28. After discussion and on roll call vote the Board voted as follows: Brett Hammond: Yea, Allen Brugh: Yea, Randy Heckenlively: Yea, Nick Simonson: Yea, Samantha Stuhmer: Yea, Kate Hopkins: Yea

Jacob Sertich with Wilkens Architecture Design Planning LLC was present to review a Facilities Assessment and Planning Report. Marty Kasl with ETI joined via Zoom and Phase One was reviewed and discussed.

The graduation list for the class of 2022 was reviewed and discussed. It was decided President Allen Brugh and Kate Hopkins will present diplomas with Superintendent Davis to those students who meet all graduation requirements, as outlined in board policies and the student handbook.

A motion was made by Nick Simonson and seconded by Randy Heckenlively to approve replacing flooring, as bid, for kindergarten classroom and bathrooms (in the kindergarten area) at the rates on estimate #4539 from Wilson Flooring. Mr. Davis will get a breakdown for the separate areas. After discussion and on roll call vote the Board voted as follows: Nick Simonson: Yea, Allen Brugh: Yea, Brett Hammond: Yea, Kate Hopkins: Yea, Samantha Stuhmer: Yea, Randy Heckenlively: Yea

A motion was made by Brett Hammond and seconded by Samantha Stuhmer to approve refinishing the flooring and interior walls in the Junior High Locker Rooms, as bid by Diverse Epoxy. After discussion and on roll call vote the Board voted as follows: Kate Hopkins: Yea, Randy Heckenlively: Yea, Allen Brugh: Yea, Brett Hammond: Yea, Nick Simonson: Yea, Samantha Stuhmer: Yea

A motion was made by Nick Simonson and seconded by Kate Hopkins to accept, with regret, the resignation of Margaret Ehrke upon completion of the 2021-2022 school term. After discussion and on roll call vote the Board voted as follows: Allen Brugh: Yea, Samantha Stuhmer: Yea, Brett Hammond: Yea, Nick Simonson: Yea, Kate Hopkins: Yea, Randy Heckenlively: Yea

A motion was made by Brett Hammond and seconded by Samantha Stuhmer to approve a contract with Madalyn Brugh, for the 2022-2023 school term, as 4th grade teacher and assistant volleyball coach. After discussion and on roll call vote the Board voted as follows: Kate Hopkins: Yea, Allen Brugh: Abstain (With Conflict), Randy Heckenlively: Yea, Samantha Stuhmer: Yea, Nick Simonson: Yea, Brett Hammond: Yea

A motion was made by Brett Hammond and seconded by Kate Hopkins to approve a contract with Maddie Kriefels, for the 2022-2023 school term, as elementary music teacher. After discussion and on roll call vote the Board voted as follows: Samantha Stuhmer: Yea, Nick Simonson: Yea, Brett Hammond: Yea, Randy Heckenlively: Yea, Allen Brugh: Yea, Kate Hopkins: Yea

A motion was made by Brett Hammond and seconded by Nick Simonson to approve a contract with Hannah Robison, for the 2022-2023 school term, as Title One Reading teacher. After discussion and on roll call vote the Board voted as follows: Kate Hopkins: Yea, Randy Heckenlively: Yea, Brett Hammond: Yea, Allen Brugh: Yea, Samantha Stuhmer: Yea, Nick Simonson: Yea

A motion was made by Randy Heckenlively and seconded by Brett Hammond to hire Taylor Simmons as secretary/receptionist, beginning around May 10, 2022. After discussion and on roll call vote the Board voted as follows: Randy Heckenlively: Yea, Kate Hopkins: Yea, Samantha Stuhmer: Yea, Brett Hammond: Yea, Allen Brugh: Yea, Nick Simonson: Yea

A motion was made by Nick Simonson and seconded by Randy Heckenlively to purchase new/updated K-6 math curriculum at approximately \$40,000 from Savvas (using ESSER funds). After discussion and on roll call vote the Board voted as follows: Allen Brugh: Yea, Nick Simonson: Yea, Kate Hopkins: Yea, Brett Hammond: Yea, Samantha Stuhmer: Yea, Randy Heckenlively: Yea

A motion was made by Nick Simonson and seconded by Samantha Stuhmer to approve proposed coaching assignments as follows: Mike Ford - Head Boys Basketball; Josh Quinn - Asst Boys Basketball; Michael Bell - Head One Act/Play; Mattie Kreifels - Asst One Act/Play and Speech; Madalyn Brugh - Asst Volleyball. After discussion and on roll call vote the Board voted as follows: Allen Brugh: Yea, Samantha Stuhmer: Yea, Brett Hammond: Yea, Nick Simonson: Yea, Randy Heckenlively: Yea, Kate Hopkins: Yea

A motion was made by Kate Hopkins and seconded by Randy Heckenlively to accept, with regret, the resignation of Tyrell Howsden upon completion of the 2021-2022 school term. After discussion and on roll call vote the Board voted as follows: Allen Brugh: Yea, Nick Simonson: Yea, Randy Heckenlively: Yea, Samantha Stuhmer: Yea, Brett Hammond: Yea  
Kate Hopkins: Yea

A motion was made by Brett Hammond and seconded by Kate Hopkins to approve a contract with Candace Sage, for the 2022-2023 school term, as an elementary teacher. After discussion and on roll call vote the Board voted as follows: Randy Heckenlively: Yea, Samantha Stuhmer: Yea, Kate Hopkins: Yea, Brett Hammond: Yea, Allen Brugh: Yea, Nick Simonson: Yea

Discussion items included: new math curriculum, ESSER funds, scheduling a meeting of the American Civics Committee, transportation needs, coaching duties, trees that are damaged and need to be removed around the building, cabinets in the kindergarten and nurse's rooms.

The next regular meeting will be May 9, 2022, in the school library.

President Brugh declared the meeting adjourned at 8:56 PM.

DATED Monday, April 12, 2022  
HARLAN COUNTY SCHOOL DISTRICT #2,  
a/k/a ALMA PUBLIC SCHOOLS

---

President

---

Secretary

•

•

•

**Expenditure Report by Function/Object -  
Summary- Board Report**

05/05/2022 10:50 AM

Regular; Processing Month 05/2022; Fund Number 01

Function Number

Revised Budget      Expended During      Expenditures to Date      % of Budget Balance at EOM  
Month

Function Number	Description	Revised Budget	Expended During Month	Expenditures to Date	% of Budget	Balance at EOM
01	<b>GENERAL FUND</b>					
1100	REGULAR INSTRUCTIONAL PROGRAMS	3,240,395.00	247,880.26	2,236,865.35	69.63	1,003,529.65
1160	PROVERTY PROGRAMS	230,650.00	13,891.80	203,425.62	88.20	27,224.38
1200	SPED INSTRUCTION SCHOOL AGE	659,800.00	49,901.85	459,911.56	69.72	199,888.44
1291	SP ED INSTRUCTION Age 3-5	4,000.00	0.00	0.00	0.00	4,000.00
1292	SP ED INSTRUCTION Age 0-2	14,000.00	0.00	9,316.04	66.54	4,683.96
1300	SUMMER SCHOOL (incl DR ED)	33,660.00	2,064.43	4,128.86	12.27	29,531.14
2120	GUIDANCE SERVICES	110,700.00	7,636.40	67,249.78	60.75	43,450.22
2130	HEALTH SERVICES	76,327.00	5,642.78	63,550.83	83.26	12,776.17
2131	HEALTH SERVICES SPED SA	350.00	0.00	0.00	0.00	350.00
2141	PSYCHOLOGICAL SERVICES SpEd SA	114,300.00	8,894.29	75,803.64	66.32	38,496.36
2151	SPEECH PATH/AUDIOLOGY SVCS SpEd SA	151,950.00	7,953.39	90,380.51	59.48	61,569.49
2152	SPEECH PATH/AUDIOLOGY SVCS Age 3-5	3,500.00	0.00	3,784.12	108.12	(284.12)
2153	SPEECH PATH/AUDIOLOGY SVCS Age 0-2	1,400.00	0.00	1,655.56	118.25	(255.56)
2161	OCCUPATIONAL THERAPY SA	28,000.00	1,947.00	14,030.51	50.11	13,969.49
2162	OCCUPATIONAL THERAPY SPED Age 3-5	1,000.00	198.00	2,086.04	208.60	(1,086.04)
2163	OCCUPATIONAL THERAPY Age 0-2	1,000.00	24.57	94.49	9.45	905.51
2171	PHYSICAL THERAPY SA	1,000.00	0.00	591.66	59.17	408.34
2172	PHYSICAL THERAPY Age 3-5	1,000.00	0.00	0.00	0.00	1,000.00
2173	PHYSICAL THERAPY Age 0-2	1,000.00	0.00	555.12	55.51	444.88
2211	SCHOOL IMPROVEMENT	400.00	0.00	0.00	0.00	400.00
2220	LIBRARY/MEDIA SERVICES	60,200.00	4,101.62	38,151.66	63.37	22,048.34
2224	ED SVCS - CONTRACTED (DIST ED)	2,500.00	0.00	772.20	30.89	1,727.80
2230	TECH RELATED INSTRUCTION	6,725.00	127.20	2,493.70	37.08	4,231.30
2310	BOARD OF EDUCATION	39,000.00	600.00	21,608.87	55.41	17,391.13
2320	OFFICE OF THE SUPERINTENDENT	217,450.00	12,484.69	114,497.80	52.65	102,952.20
2330	DISTRICT LEGAL SERVICES	3,500.00	0.00	99.00	2.83	3,401.00
2410	OFFICE OF THE PRINCIPAL	247,375.00	17,380.69	178,587.45	72.19	68,787.55
2490	ACTIVITIES DIRECTOR	6,335.00	496.15	4,825.30	76.17	1,509.70
2510	GENERAL ADMIN-BUSINESS SERVICE	106,200.00	6,755.79	63,201.66	59.51	42,998.34
2570	STAFF TRAINING, IN-SERVICE	1,000.00	0.00	0.00	0.00	1,000.00
2580	ADMIN SUPPORT/MAINT OF TECHNOLOGY	500.00	266.40	266.40	53.28	233.60
2610	OPERATION OF BUILDINGS	735,800.00	65,595.14	425,852.10	57.88	309,947.90
2630	SNOW REMOVAL, GROUNDS MAINTENANCE	28,400.00	395.84	13,712.52	48.28	14,687.48
2670	SAFETY OF STUDENTS/STAFF	12,000.00	0.00	1,269.94	10.58	10,730.06
2710	STUDENT TRANSPORTATION (DRIVING)	331,605.00	12,772.69	142,939.39	43.11	188,665.61
2730	MAINT VEHICLES (STUDENT TRANS)	52,000.00	8,098.42	65,222.55	125.43	(13,222.55)
3500	STATE CATEGORICAL PROGRAMS	180,000.00	0.00	0.00	0.00	180,000.00
3535	HIGH ABILITY LEARNERS	8,000.00	12.50	3,555.06	44.44	4,444.94
5000	LONG TERM DEBT SERVICE	200,000.00	0.00	0.00	0.00	200,000.00
6210	TITLE1, PART A ESSA IMP BASIC PROG (LEA)	89,600.00	6,901.67	62,070.41	69.28	27,529.59
6310	TITLE 2A TEACHER RECRUIT	0.00	0.00	100.00	0.00	(100.00)
6406	IDEA PRESCHOOL SP ED 3-4	600.00	0.00	0.00	0.00	600.00
6408	IDEA PartB Base EP	75,000.00	0.00	0.00	0.00	75,000.00
6411	IDEA PART B EARLY INTERVENTION	1,950.00	0.00	0.00	0.00	1,950.00
6700	FED VOC TECH - CARL PERKINS	1,100.00	0.00	850.00	77.27	250.00
6990	OTHER FED NONCAT RECEIPTS	35,000.00	0.00	549.98	1.57	34,450.02
9000	NON-PROGRAM EXPENDITURES	0.00	8.70	17,375.62	0.00	(17,375.62)
01	<b>GENERAL</b>	<b>7,116,272.00</b>	<b>482,032.27</b>	<b>4,391,431.30</b>	<b>61.98</b>	<b>2,724,840.70</b>



<b>General/Money Market/Trans Accts</b>	Receipts	Disburse	Total
4/01/2022 General			\$190,769.25
4/01/2022 Money Market			\$470,415.00
4/01/2022 Transaction			\$8,586.79
Franklin County Treasurer	\$1,704.15		
Furnas County Treasurer	\$105.43		
Harlan County Treasurer	\$248,989.95		
BCBS self-pay (2)	\$2,631.95		
Impact Aid 2022	\$143,188.00		
St of NE - SpEd SA reimb 20-21	\$37,960.00		
City of Alma - liquor license	\$600.00		
drivers education	\$500.00		
interest earned - Transaction Acct	\$0.66		
interest earned - MMA	\$64.50		
interest earned - Gen Fund	\$10.87		
<b>TOTAL RECEIPTS</b>	<b>\$435,755.51</b>		<b>\$1,105,526.55</b>
cks cleared in April		\$513,001.75	\$592,524.80
outstanding checks		\$590.00	\$591,934.80
<b><u>Certificates of Deposit</u></b>			<b>\$423,463.70</b>
Balance 4/30/2021			\$1,015,398.50
<hr/>			
<b><u>Bldg/Sinking Fund</u></b>			
Balance 4/01/2022			\$381,504.10
Franklin County Treasurer	\$158.31		
Furnas County Treasurer	\$9.79		
Harlan County Treasurer	\$21,440.37		
interest earned	\$32.21		
Total Receipts	\$21,640.68		
#607 - Wilkins ArchDesPlan		\$1,549.83	
#608 - KPE		\$4,658.40	
loan payment auto-deduct		\$1,743.45	
Balance 4/30/2022			\$395,193.10
<hr/>			
<b><u>QCPU Fund</u></b>			
Balance 4/01/2022			\$228,478.03
Franklin County Treasurer	\$46.55		
Furnas County Treasurer	\$2.88		
Harlan County Treasurer	\$6,364.21		
interest earned	\$28.69		

Total Receipts	<u>\$6,442.33</u>		
Balance 4/30/2022			\$234,920.36
<hr/>			
<b><u>Depreciation Fund</u></b>			
Balance 4/01/2022			\$139,769.95
interest earned	\$11.49		
Balance 4/30/2022			\$139,781.44
<hr/>			
<b><u>Lunch Fund</u></b>			
Balance 4/01/2022			\$84,559.29
Total Receipts	\$35,542.52		
cks cleared in April		\$20,153.82	\$99,947.99
outstanding checks		\$941.52	
Balance 4/30/2022			\$99,006.47
<hr/>			
<b><u>Activity Fund</u></b>			
Balance 4/01/2022			\$170,095.64
Receipts posted at bank	\$16,407.65		
cks cleared in April		\$22,227.16	\$164,276.13
outstanding checks		\$11,391.47	
Balance 4/30/2022			\$152,884.66

---

---

---

---

---

---

---

---

---

---

APRIL 2022 Activity Fund

Trial Balance

Fund: 05

		<u>Beginning Balance</u>	<u>Debits</u>	<u>Credits</u>	<u>Ending Balance</u>
<b>Fund Balance</b>					
05 704 0100	ART	3,230.98	0.00	0.00	3,230.98
05 704 0101	elementary students fund balance	248.40	0.00	0.00	248.40
05 704 0110	COMPUTERS	16,755.33	0.00	705.00	17,460.33
05 704 0113	eSports Club	281.91	0.00	0.00	281.91
05 704 0120	MISCELLANEOUS	2,169.29	4,965.93	1,798.59	(998.05)
05 704 0130	MUSIC SUPPLIES	(351.99)	63.00	45.00	(369.99)
05 704 0131	ELEMENTARY CHOIR	1,675.27	820.00	0.00	855.27
05 704 0133	DISTRICT MUSIC	1,116.41	0.00	0.00	1,116.41
05 704 0134	BAND PROJECTS	120.00	0.00	0.00	120.00
05 704 0135	CASH BOXES	500.00	0.00	0.00	500.00
05 704 0140	COURTESY FUND	2,646.29	0.00	0.00	2,646.29
05 704 0141	WOW	670.17	0.00	0.00	670.17
05 704 0142	CIRCLE OF FRIENDS	498.58	0.00	0.00	498.58
05 704 0144	RESOURCE	928.02	0.00	0.00	928.02
05 704 0145	LUEDKE MEMORIAL	1,867.27	0.00	0.00	1,867.27
05 704 0160	INDUSTRIAL ARTS	1,479.86	0.00	0.00	1,479.86
05 704 0161	FFA SCHOLARSHIP	10,342.43	0.00	0.00	10,342.43
05 704 0165	FUTURE FARMS OF AMERICA	33,198.71	11,993.98	5,423.29	26,628.02
05 704 0170	STUDENT COUNCIL	5,133.07	590.68	2,234.96	6,777.35
05 704 0190	DISTANCE LEARNING COURSES	18.00	0.00	0.00	18.00
05 704 0218	CLASS OF 2018	243.89	0.00	0.00	243.89
05 704 0219	CLASS OF 2019	119.35	0.00	0.00	119.35
05 704 0221	CLASS OF 2021	1,014.95	0.00	0.00	1,014.95
05 704 0222	CLASS OF 2022	3,479.69	1,386.33	855.72	2,949.08
05 704 0223	CLASS OF 2023	2,639.88	1,480.39	104.11	1,263.60
05 704 0224	CLASS OF 2024	4,312.64	0.00	0.00	4,312.64
05 704 0225	CLASS OF 2025	2,277.20	0.00	0.00	2,277.20
05 704 0240	PLATE FUND	251.19	0.00	0.00	251.19
05 704 0251	PICTURES/ANNUAL/YEARBOOK	7,575.46	1,573.91	1,525.50	7,545.72
05 704 0260	HOME EC/CONS ED	1,706.15	391.31	0.00	1,314.84
05 704 0265	COOKIE SALES	3,509.13	0.00	0.00	3,509.13
05 704 0270	BOOK/SOFTWARE ORDERS	6,436.53	0.00	0.00	6,436.53
05 704 0271	GENERAL MILLS BOX TOPS	5,020.71	0.00	51.30	5,072.01
05 704 0280	FIELD TRIPS	110.75	564.00	0.00	(453.25)
05 704 0300	ALL ACTIVITIES (entry fees, etc)	5,006.69	1,561.68	1,400.00	4,845.01
05 704 0301	FOOTBALL	536.67	0.00	0.00	536.67
05 704 0302	VOLLEYBALL	3,807.40	0.00	0.00	3,807.40
05 704 0303	BOYS BASKETBALL	763.70	0.00	0.00	763.70
05 704 0304	GIRLS BASKETBALL	4,526.51	0.00	0.00	4,526.51
05 704 0305	CROSS COUNTRY	829.72	0.00	0.00	829.72
05 704 0306	TRACK	974.82	23.65	0.00	951.17
05 704 0307	WRESTLING	339.17	0.00	0.00	339.17
05 704 0308	GOLF	400.00	1,369.64	864.00	(105.64)
05 704 0400	CHEERLEADERS	2,203.37	1,083.70	1,383.99	2,503.66
05 704 0550	VENDING MACHINE/NHS	3,849.62	471.86	153.00	3,530.76
05 704 0600	QUIZ BOWL	1,177.11	0.00	0.00	1,177.11
05 704 0940	SCHOOL CLIMATE COMMITTEE	249.61	0.00	0.00	249.61
05 704 0950	SCHOLARSHIP FUND	1,711.50	0.00	0.00	1,711.50
05 704 0970	WEIGHT ROOM	5,094.50	0.00	0.00	5,094.50
05 704 0971	DEPOSITS WEIGHT ROOM USE	1,252.75	0.00	50.00	1,302.75

05 704 0980	MATH/SCIENCE CLUB	15.00	0.00	0.00	15.00
05 704 0985	PROJECTOR ADVERTISING	6,930.00	0.00	0.00	6,930.00
05 704 0990	SPEECH	(1,605.93)	0.00	0.00	(1,605.93)
05 704 0991	DRAMA	5,324.53	0.00	0.00	5,324.53
		<hr/>			
		164,612.26	28,340.06	16,594.46	152,866.66
		<hr/>			
		164,612.26	28,340.06	16,594.46	152,866.66

MAY 2022 GENERAL FUND EXPENSES

<u>Ck #</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
31783	ALMA Auto Parts-Carquest	mini bulbs coach bus	7.58
31784	ALMA SCHOOL LUNCH FUND	Friday teacher meetings	38.80
31785	Blazer Manufacturing	scorebooks vball and bball	85.19
31786	C H S / AGRI SERVICE CENTER	fuel	3,372.27
31787	CENTRAL COMMUNITY COLLEGE	Actions Day (1 more student)	12.50
31788	CITY OF ALMA	water, gas, sewer, trash	9,117.03
31789	CLASSIC SPORTSWEAR & AWARDS	letters, bands, medals	581.25
31790	DANA F COLE & CO.	monthly admin fee	70.00
31791	DAS STATE ACCTING - CENTRAL FINANC	St of NE Interagency billing	1,303.01
31792	EAKES OFFICE PRODUCTS	monthly Doc Mgmt fee	315.00
31793	ECOLAB PEST ELIM DIVISION	pest/vermin control	84.26
31794	EDUCATIONAL SERVICE UNIT #11	Erate filing, tech consulting fee	393.60
31795	EDUCATIONAL SERVICE UNIT 10	deaf ed, supplemental supervision	237.92
31796	FRONTIER	land lines	563.22
31797	HARLAN COUNTY HEALTH SYSTEM	bus driver physicals	187.00
31798	HD Supply	Home Depot custodial supplies	2,296.65
31799	HOGELANDS MARKET	monthly charges	339.31
31800	HOMETOWN LEASING	copier lease	2,473.04
31801	INSPIRE REHABILITATION, LLC	OT, PT	2,169.57
31802	LANDMARK IMPLEMENT INC	oil filter, oil, labor, filter kit	707.69
31803	LOCKMOBILE (THE)	repair locks, svc call, mileage	320.00
31804	LOU'S SPORTING GOODS	shot put, pennants on rope	276.28
31805	MADISON NATIONAL LIFE	prepaid retiree life	8.70
31806	MAIN STREET VARIETY	glue gun, glue sticks	35.73
31807	MATHESON TRI-GAS, INC.	welding gases, balance due 21/22	2,151.91
31808	MFAC, LLC	Hip numbers	112.45
31809	Mosyle Corporation	1 year renewal	3,080.00
31810	NEBRASKA PUBLIC POWER DISTRICT	electricity	4,026.79
31811	Nebraska State Fire Marshal Agency	elevator inspection	120.00
31812	NORTHWEST EVALUATION ASSOCIATION	MAP Growth K-12	400.00
31813	PERRY GUTHERY, HAASE & GESSFORD	revise AIA A104 HVAC	600.00
31814	QUILL CORPORATION	ESUCC	231.74
31815	RASMUSSEN MECHANICAL SERVICES	snstall dielectric union in piping, actuator (2)	4,121.19
31816	S & W AUTO PARTS, INC	mower oil, filter +	99.85
31817	SCHOOL SECURITY SERVICES	ESUCC	166.92
31818	STAPLES	ESUCC	186.89
31819	Titan Machinery Inc	smoke upon accelerating, air leak	2,188.01
31820	TRIPE MOTOR CO	install passenger brake pedal	198.00
31821	TRUSTWORTHY HARDWARE	bolt, bowl wax, tarp, faucet aerator	71.86
31822	US BANK	dr ed brake, library books, printer ink, fuel FFA	1,026.71
31823	WAGGONER INSURANCE AGENCY	Qtrly billing + \$282 Buick Envision	25,260.75
31824	WHITE'S AUTO GLASS	side rear window	1,055.07
31825	YANDAS MUSIC	timpani mallets	30.00
		sub-total	<u>70,123.74</u>
	PAYROLL		<u>411,908.53</u>
		TOTAL	<u><u>482,032.27</u></u>

Bldg/Sinking Fund May 2022

<u>Ck #</u>	<u>Ck Date</u>	<u>Entity Name</u>	<u>Description</u>	<u>Amount</u>
508	#####	BANNER CAPITAL BANK	lease purchase payment	1,743.45
610	#####	First National Bank - Omaha	loan pmt + interest	<u>148,948.26</u>
				<u>150,691.71</u>

ACTIVITY FUND APRIL 2022

Ck #	Vendor Name	Description	Check Date	Amount
18996	ARAPAHOE PUBLIC SCHOOL	4/12 Golf Invitational	04/05/2022	50.00
19003	AXTELL PUBLIC SCHOOL	HS track meet 4/8/22	04/07/2022	100.00
19012	BERTRAND COMMUNITY SCHOOL	4/14/22 track meet Jerry Stine Invit	04/14/2022	110.00
19015	BERTRAND COMMUNITY SCHOOL	Jr Hi track 4/26	04/19/2022	60.00
18995	CAMBRIDGE PUBLIC SCHOOL	June 10 Golf Outing - Team of 4	04/04/2022	300.00
19006	Cargill Consulting, Inc.	164 ACT prep @ \$30/each	04/11/2022	4,920.00
18991	CASH-WA DISTRIBUTING	nacho trays for concessions	04/04/2022	105.90
19000	CASH-WA DISTRIBUTING	choc milk - vending machine	04/06/2022	86.40
19007	CENTRAL COMMUNITY COLLEGE	FFA registration	04/11/2022	332.50
18997	CHAMPION TEAMWEAR	jackets - cheerleaders	04/05/2022	694.95
19036	CHAMPION TEAMWEAR	6" ppms	04/28/2022	356.79
19005	DJ America	prom	04/08/2022	395.00
19016	EDGERTON EXPLORIT CENTER	2nd Grade field trip	04/19/2022	261.00
19002	EDUCATIONAL SERVICE UNIT #11	team posters	04/06/2022	94.58
19004	EDUCATIONAL SERVICE UNIT #11	posters yearbook & seniors	04/07/2022	37.34
18993	FIRST STATE BANK	cash for state FFA	04/04/2022	1,404.00
19020	FIRST STATE BANK	cash at B Biskup's request - Senior Trip	04/21/2022	420.00
19026	FIRST STATE BANK	Meals at the Mark	04/22/2022	345.00
18999	FLOWER PATCH	FFA RPAC	04/06/2022	50.25
19011	FRANKLIN COMMUNITY CORPORATION	12 dozen golf balls	04/13/2022	379.80
19014	FRANKLIN PUBLIC SCHOOL	Jr Hi track meet	04/19/2022	100.00
19021	FRANKLIN PUBLIC SCHOOL	JV Golf Tournament 4/22/22	04/21/2022	35.00
19018	FRITZ'S MEAT	patties & franks for concessions	04/20/2022	396.19
19001	GREATER AMERICA DIST INC	vending machine repair	04/06/2022	76.87
19028	GREATER AMERICA DIST INC	683691	04/25/2022	284.95
19017	HASTINGS MUSEUM	4/21 1st Grade field trip	04/20/2022	303.00
19008	HOGELANDS MARKET	cheer ACT FFA	04/11/2022	213.28
19023	HOGELANDS MARKET	Junior Prom	04/21/2022	636.28
19032	HOGELANDS MARKET	FFA Banquet	04/26/2022	241.72
19013	JOSTENS, INC	yearbook deposit	04/19/2022	1,440.00
19009	LANHAM, MIKE	Jr Hi track starter	04/12/2022	200.00
18989	LIVESTOCK JUDGING.COM	one year site license	04/01/2022	200.00
19029	LOUP CITY HIGH SCHOOL	District Speech	04/25/2022	208.88
19030	MARK (Kingpin Properties, LLC), THE	senior trip-bowling,shoes,arcade,etc	04/26/2022	947.66
19024	NATIONAL FFA ORGANIZATION	National FFA Organization MDS261232	04/21/2022	661.75
19025	NEBRASKA AG ED ASSN.	Ben Robison renewal	04/21/2022	235.00
18990	NEBRASKA FFA ASSN.	State Convention	04/01/2022	625.00
18992	NEBRASKA SCHOOL ACTIVITIES ASSN.	Golf Score Cards (4 sets of 50 @ \$8)	04/04/2022	32.00
19033	Noren, Norman	8 golf bags	04/27/2022	1,264.00
19031	PLATINUM AWARDS & GIFTS	FFA awards 2022	04/26/2022	48.69
19019	RPAC	ACT Recognition	04/21/2022	18.00
19037	SOUTHERN VALLEY SCHOOL	golf	04/29/2022	50.00
19034	US BANK	VISA charges	05/27/2022	546.45
18994	VEE ARENA, LLC	elementary music	04/04/2022	820.00
19010	WILD ROOTS GREENHOUSE & MARKET	plants for resale FFA	04/12/2022	7,984.02
19027	YANDAS MUSIC	Haylee Christensen clarinet repair, reed	04/22/2022	63.00

---

28,135.25

## MAY 2022 LUNCH FUND

<u>Vendor Name</u>	<u>Ck #</u>	<u>Description</u>	<u>Check Date</u>	<u>Invoice Amount</u>
ARAMARK	2111	laundry service	05/10/2022	68.02
CASH-WA DISTRIBUTING	2112	foods	05/10/2022	835.38
CASH-WA DISTRIBUTING	2112	foods	05/10/2022	615.85
CASH-WA DISTRIBUTING	2112	6' black food bar w/2 slide trays	05/10/2022	3,310.00
GENERAL FUND	2118	check mailed to wrong vendor	05/10/2022	2,620.81
HOGELANDS MARKET	2114	April lunch fund charges	05/10/2022	1,063.98
SYSCO LINCOLN	2115	4 invoices in April	05/10/2022	3,180.25
TRUSTWORTHY HARDWARE	2116	fan for kitchen	05/10/2022	39.99
US BANK	2117	faucet parts	05/10/2022	148.80
US Foods, Inc.	2119	Apr inv less cr bal	05/10/2022	1,218.91
				13,101.99
PAYROLL				8,377.83
		TOTAL		21,479.82

James B. Gessford  
Daniel F. Kaplan  
Gregory H. Perry  
Joseph F. Bachmann\*  
R. J. Shortridge\*  
Joshua J. Schauer\*  
Derek A. Aldridge\*\*  
Justin J. Knight\*\*\*  
Charles Kaplan  
Haleigh B. Carlson  
Daniel K. Kaplan  
Sara I. Tonges



PERRY, GUTHERY, HAASE & GESSFORD, P.C., L.L.O.

Of Counsel  
Thomas M. Haase  
Rex R. Schultze

\*Also admitted in Iowa  
\*\* Also admitted in Kansas  
\*\*\*Also admitted in Colorado

Ernest B. Perry (1876-1962)  
Arthur E. Perry (1910-1982)  
R.R. Perry (1917-1999)  
Edwin C. Perry (1931-2012)

## MEMORANDUM

To: Greg Barnes, ESU 11 Administrator  
From: Perry Law Firm  
Date: May 1, 2022  
RE: School District Annual Policy Service Update

---

### A. REQUIRED POLICY UPDATES

1. **Policy 1220 – Title IX Grievance Policy** – The grievance policy needed several clarifications and adjustments to comply with the current Title IX regulations, and Policy 1220 incorporates these technical changes. However, as the Biden Administration reviews current Title IX regulations, this Policy may need to be updated again next year.

2. **Policy 3132 – Internal Controls** – NDE has asked for additional policy provisions under federal monitoring and reporting requirements. This policy update will also be applicable for schools that are audited and/or monitored for use of ESSER funds.

3. **Policy 3540 – Bidding Construction Projects** – Neb. Rev. Stat. 73-106 generally requires the District to bid construction projects in excess of \$100,000. However, that amount is subject to adjustment by the State Board of Education. The State Board of Education has adjusted this amount to \$109,000, so Policy 3540 has been updated to reflect this change. The requirement to hire an engineer or architect has also been increased to projects in excess of \$118,000.

4. **Policy 4009 – Drug and Substance Abuse** – This policy reflects updates at the federal level for drug and substance abuse testing for employees.

5. **Policy 4133 – Substitute Teachers** – There were some timing issues with Boards approving local substitute teachers and when the District needed the substitute to begin teaching. This policy specifically authorizes the Superintendent to sign off on a local substitute permit.

6. **Policy 6600 – Special Education** – Over the past year, NDE has developed new special education guidance for district policies and procedures. You can access the majority of this guidance here: <https://cdn.education.ne.gov/wp-content/uploads/2017/09/Developing-Local-Policies-and-Procedures-Required-for-Implementation-of-Special-Education-Part-B-Regulations-in-Nebraskas-Public-Schools.pdf>. In response to this new guidance, we have updated Policy 6600.

7. **Policy 8343 – Agenda Construction and Control** – LB 83 requires persons wishing to address the Board of Education to state their name, address, and any organization they represent.

8. **Policy 8343 – Agenda Construction and Control & Policy 9340 – Minutes** – Beginning July 31st, LB 83 requires that Board agendas and meeting minutes be posted on the District’s website. Each agenda must be posted at least twenty-four hours before the meeting. Both the agendas and meeting minutes must remain on the District’s website for at least six months.

## **B. OTHER CONSIDERATIONS**

1. **LB 644 / Property Tax Request Joint Hearing.** This summer, Districts will need to prepare for and review LB 644, and the new budget and tax request process and timelines. Of note, districts will need to sufficiently plan to ensure that they meet the new law’s very specific and condensed timeframe. Within the next week or so, we will be sending out a more detailed guidance on complying with LB 644.

2. **Juneteenth.** This session, LB 29 made Juneteenth (June 19th) a Nebraska State holiday. Although most policies (including 6117) are limited to holidays that occur during the school year, some school districts (either by contract, handbook, or business practice) offer paid holidays for employees on state or federal holidays. Districts should review their holiday pay practices to determine if Juneteenth needs to be added as an additional paid holiday.

3. **Seizure Safe Schools Act.** Last year, the Legislature enacted LB 639, which requires, among other things, that “at least one school employee at each school who has met the training requirements necessary to administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms as approved by the United States Food and Drug Administration.” This requirement becomes effective, beginning in 2022-2023 school year.

4. ***Mahanoy v. BL Case.*** Last summer, the United States Supreme Court issued its decision in the “Snapchat cheerleader case.” The case mainly focused on whether a cheerleader had a First Amendment right to post negative comments about the cheer coaches and school while off-school grounds and outside of school hours. The United States Supreme Court held that the school overstepped its authority by removing the student from the cheer squad in response to her Snaps. One key takeaway from this case is that schools need to review their activity handbooks, activity agreements, and so forth, to ensure that there are no prohibitions against “any” negative speech, comments, and the like. Overbroad and/or vague rules regarding student speech are now subject to higher scrutiny under the *Mahanoy* case.

**5. Polling Place or Election Training.** LB 843 requires that any political subdivision that receives state or federal funding must make their building available to the County Election Commissioner either as a polling place or for election training. Schools should be aware of this new requirement, if contacted by their Election Commissioner.

**6. Holocaust and Financial Literacy Standards.** LB 888 requires the State Board of Education to incorporate education on the Holocaust and financial literacy into the social studies standards. This does not necessarily require a policy update but is something to keep in mind as you review and update your curriculum.

**7. Bond Timing Correction.** LB 1165 fixed a timing dispute over the approval and issuance of voter-approved bonds. Districts who are interested in pursuing a bond election should consult with their bond counsel to confirm that LB 1165 would address any timing concerns with their bond election.

**8. Student Attendance Policies.** Several schools ran into problems with NDE over student attendance reporting and their Student Attendance Policy. This summer would be a good time to review your Student Attendance Policy and related handbook provisions to ensure that your policy matches current practice.

**9. Temporary Memorials Policy.** Recent guidance has led some to rethink their Temporary Memorials Policy. Typically, this Policy outlines how deceased staff and/or students will (or will not) be memorialized by the District. There is no requirement to have a Temporary Memorials Policy, but some Districts have adopted a policy for the sake of consistency. For those Districts interested in different policy options on this point, please let us know and we can send you different draft policies.

**10. Release from Contract.** Some Districts have a policy that allows a teacher or administrator to be released from their contract up to a certain date. The current teacher shortage has led some Districts to question their current practices. In advance of the 2022-2023 school year, this summer would be a good time to decide if your District needs to change its policy and/or practice related to releasing certificated employees from contracts by a certain date.

As always, please let us know if you have any questions or concerns.

Business OperationsInternal Controls

The District will develop and maintain internal control procedures as required by law and in accordance with sound fiscal monitoring practices that will ensure appropriate oversight of state and federal funds. The following internal control procedures will be utilized for all federal grants:

Generally: If the District receives federal awards, grants, or other funds, the District will:

- (a) Establish and maintain effective internal control over the federal award that provides reasonable assurance that the District manages the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. The District will endeavor to develop and maintain these internal controls consistent with the "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States or the "Internal Control Integrated Framework" issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO);
- (b) Comply with the U.S. Constitution, federal statutes, regulations, and the terms and conditions of the federal award;
- (c) Evaluate and monitor the District's compliance with statutes, regulations and the terms and conditions of federal award;
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; and
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency, or pass-through entity, designates as "sensitive" or the District considers sensitive, consistent with applicable federal, state, and local laws regarding privacy and responsibility over confidentiality.

Legal Reference: 2 C.F.R. § 200.303.

Management requirements: The District will manage equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until the District disposes of such equipment. The District will, as a minimum, meet the following requirements:

- 1) Maintain property records of the equipment (including equipment description, serial number or other identification number, source of funding, acquisition date, and the like);
- 2) Maintain a physical inventory procedure, with an inventory occurring at a minimum of every two (2) years;
- 3) Implement a Control System procedure;

- 4) Continue to develop and implement adequate maintenance procedures for the equipment;
- 5) Continue to develop and implement sales procedures for the equipment; and
- 6) Continue to develop and implement disposition procedure for the equipment.

Legal Reference: 2 C.F.R. §§ 200.313 & 200.33.

Procurement: The District will use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the requirement standards imposed by law, including:

- 1) A procedure for micro-purchases (Under \$10,000);
- 2) A procedure for small purchases (between \$10,000 to \$250,000);
- 3) A procedure for sealed bids;
- 4) A procedure for competitive proposals; and
- 5) A procedure for noncompetitive bids.

Legal Reference: 2 C.F.R. §§ 200.317 through 200.326.

Cross-Reference: Policies 3130 & 3131.

Record Retention: Financial records, supporting documents, statistical records, and all other related records pertinent to a federal award will be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the federal awarding agency or pass-through entity in the case of a sub-recipient.

For all other records, the District will retain such records for the length of time as required by law.  
Legal Reference: 2 C.F.R. § 200.333.

Suspension and Debarment: The District will not contract with any entity or individual who has been debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. Before entering into a contract regarding a federal award, the District will verify that a vendor has not been debarred, suspended or otherwise excluded, and the District will maintain a copy of said verification.

Legal Reference: 2 C.F.R. § 200.213.

Financial Management: The District will maintain financial management systems to account for the federal funds, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award. These records will be sufficient to permit the District to prepare reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. The financial management system will provide for the following:

- 1) Identifying all of the federal awards received and expended and the federal programs under which they were received;

If the District intends to charge compensation to federal awards, such charges will be based on records that accurately reflect the work performed, and will:

- 1) Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- 2) Be incorporated into the official records of the District;
- 3) Reasonably reflect the total activity for which the employee is compensated by the District, not exceeding 100% of compensated activities;
- 4) Encompass both federally-assisted and all other activities compensated by the District on an integrated basis, but may include the use of subsidiary records as defined in the District's written procedures;
- 5) Comply with the established accounting policies and practices of the District; and
- 6) Differentiate and account for the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one (1) Federal award; a Federal award and non-Federal award; an indirect cost activity and a direct cost activity; two (2) or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity.

Budget estimates will generally not be used to support charges to Federal awards but may be used for interim accounting purposes.

Legal Reference: 2 C.F.R. §§ 200.430 & 200.431.

Federal Funds for Construction Projects: For all federal awards, the District will comply with all applicable legal requirements, including the Davis-Bacon Act.

Legal Reference: 34 C.F.R. § 75.600, et seq.

Capitalization and Depreciation: The District will follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E, when charging these specific expenditures to a federal grant. When applicable, District staff will check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, federal, state, or program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and District personnel shall follow those requirements. The following rules of allowability apply to equipment and other capital expenditures:

A. Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the federal awarding agency or pass-through entity.

B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the federal awarding agency or pass-through entity.

C. Capital expenditures for improvements to land, buildings, or equipment which materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the federal awarding agency or pass-through entity.

D. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 CFR § 200.436 and 2 CFR § 200.465.

E. When approved as a direct cost by the federal awarding agency or pass-through entity under Sections A - C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.

F. If the District is instructed by the federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.

G. Any depreciation will be computed, charged, and recorded in a manner consistent with federal regulations and any requirements of the federal awarding agency.

Legal Reference: 2 C.F.R. §§200.436 & 200.439.

Maintaining Records: Financial records, supporting documents, statistical records, and all other District records pertinent to a federal award must be retained for the minimum period time as required by federal law or the terms of the federal awarding agency, whichever is longer in time.

Legal Reference: 2 C.F.R. § 200.334.

Conflict of Interest: Notwithstanding any other Board Policies or Procedures, the District shall ensure that it avoids any conflicts of interest regarding any federal awards. The District will disclose in writing any potential conflict of interest to the federal awarding agency or pass-through entity in accordance with applicable federal awarding agency policy.

Legal Reference: 2 C.F.R. § 200.112.

Unexpected or Extraordinary Circumstances: For all federal awards, if the District does not currently have in place a sufficient policy that addresses extraordinary circumstances, such as those caused by COVID-19, the District may amend or create a policy at a later date in order to put emergency contingencies in place for federal and non-federal similarly situated employees. If the conditions exist for charges to be made to the federal grant, then charges may also be made to any non-federal sources that are used by the District in order to meet a matching requirement. The District will take other steps to comply with federal award requirements in the event of unexpected or extraordinary circumstances.

Legal Reference: 2 C.F.R. § 200, et seq.

Date of Adoption: [5/9/22]

Business OperationsProcedures—Bidding Construction Projects

The District shall bid every project for the construction, remodeling, or repair of any school-owned building or for site improvements when the contemplated expenditures for the project is in excess of one hundred nine thousand dollars (\$109,000), or such sum as adjusted pursuant to Section 73-106. The bidding procedures shall comply with the requirements of state law and shall include the following:

1. Notice to Bidders: The Administration shall prepare a notice to bidders containing a general description of the scope of the project being bid; the location of the project; the means of obtaining project documents, including plans and specifications; the date and hour bids will close; and the date, hour and place bids are to be returned, received and opened, and a provision that such bids will be immediately and simultaneously opened in the presence of the bidders or representatives of the bidders, when the hour is reached for the bids to close.
2. Regular Manner of Advertisement for Bids: The notice to bidders shall be published one time in a newspaper of general circulation in the School District. The notice shall be published at least seven (7) days prior to the date designated for the opening of such bids. The Board of Education or Administration may, in its sole discretion, elect to utilize further advertisement for bids as it may determine appropriate to secure a sufficient number of qualified bidders for the scope of the project.
3. Bid Opening: When the hour is reached for such bids to close, bids will be immediately and simultaneously opened in the presence of the bidders or representatives of the bidders.
4. Contract Award: The contract shall be awarded to the lowest responsible bidder as to the extent required by law. When not so required, the award shall be made on the basis of consideration of the contract award criteria determined appropriate by the Board or administration.
5. Performance and Payment Bonds. Whenever any contract is entered into for the erecting, furnishing, or repairing of any building or other public structure or improvement, the contractor shall be required, before commencing such work, to furnish a performance, labor and material payment bond. The bond requirement shall not apply, however, to any project bid or proposed which has a total cost of ten thousand dollars (\$10,000) or less unless the School Board or Administration includes a bond requirement in the specifications for the project. The bond shall be in an amount not less than the contract price. The bond shall be conditioned on the faithful performance of the contract and the payment by the contracting party of all laborers and mechanics for labor that is performed and of all material and equipment rental that is actually used or rented in connection with the improvement project and the performance of the contract. Such bond shall contain such provisions as are required by statutes, and be in a form prescribed and required by the district.

6. Retention of an Architect or Engineer. The School District shall not engage in the construction of any public works involving architecture or engineering unless the plans, specifications, and estimates have been prepared and the construction has been observed by an architect, a professional engineer, or a person under the direct supervision of an architect, professional engineer, or those under the direct supervision of an architect or professional engineer; provided that such requirement shall not apply to any public work in which the contemplated expenditure for the complete project does not exceed one hundred and eighteen thousand dollars (\$118,000), as adjusted from time to time by Section 81-3445 or other applicable law.
  
7. Additional Procedures. Each bid for which a labor and material bond is required shall be accompanied by a bid bond or certified check in the amount of five percent (5%) of such bid unless the School Board or Administration waives such requirement. The Board of Education or Administration may provide for additional procedures for the procurement, opening and acceptance of bids as deemed appropriate for a particular project.

Legal Reference: Neb. Rev. Stat. Sec. 52-118; Neb. Rev. Stat. Sec. 73-101 *et seq.*; Neb. Rev. Stat. Sec. 73-106; Neb. Rev. Stat. Sec. 81-3445

Date of Adoption: [5/9/22]

Personnel - All EmployeesDrug and Substance Use and Abuse

It is the policy of the Alma Public School District to eliminate the influence of drugs, alcohol and other chemicals within the school environment and to educate students against the usage of drugs, alcohol and illegal substances. The District will implement regulations and practices which will ensure compliance with laws relating to drugs and alcohol, including: the Drug-Free Workplace Act and the Omnibus Transportation Employee Testing Act of 1991, and all regulations and rules promulgated pursuant thereto.

**Section 1 Drug-Free Workplace**

The District has established the school as a drug-free workplace. The drug-free workplace for this purpose includes school grounds, school utilized vehicles, and places in which school activities are held. The school district recognizes that the use, possession, or being under the influence of illicit drugs or alcohol constitutes a hazard to the positive development of students and employees and a substantial interference with school purposes.

1. The unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited in the work place. Employees are also prohibited from possessing, using or distributing illicit drugs or alcohol, or being under the influence of illicit drugs or alcohol, on any district property or district sponsored event. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol in the work place or on duty time shall be a violation of the drug-free workplace.
2. The possession or distribution of a look-alike drug or look-alike controlled substance is prohibited. In addition, employees are expected to serve as role models for students and will be considered to have violated the District's expectations in the event the employee commits a criminal drug or alcohol offense off the work place or off duty time.
3. As a condition of employment, employees will abide by the District's drug-free workplace policies and notify the Superintendent or designee in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such conviction.
4. Disciplinary sanctions, up to and including termination of employment and referral for prosecution, will be imposed upon employees who violate the aforementioned standards of conduct. Sanctions for violation thereof may include the requirement that the employee complete an appropriate rehabilitation program, reprimands, and non-renewal, cancellation, or termination of contract of employment.
5. Employees shall be advised through employee publications about drug and alcohol counseling and rehabilitation and reentry programs that are available.

6. Employees shall be furnished with a paper or digital copy of this policy.

This policy supplements and is in addition to all other policies, regulations, practices, procedures and contractual provisions regarding or related to the improper or unlawful possession, use, or distribution of illicit drugs and alcohol.

**Section 2 Alcohol and Drug Testing**

The District will implement regulations and practices which will insure compliance with the Omnibus Transportation Employee Testing Act of 1991, the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Act, and all regulations and rules promulgated pursuant to such Acts. Employees in "safety-sensitive" positions, as defined by the Act and regulations promulgated thereunder, including employees whose position requires a commercial driver's license (CDL), shall be tested for alcohol and controlled substances as required by law. (See attached Appendix "1"). Refusal to submit to such pre-employment testing, or testing positive, shall disqualify an applicant from employment. Reasonable suspicion, random, post-accident, return-to-duty, and follow-up testing shall also be conducted. Employees who test positive shall be immediately removed from safety-sensitive positions and shall be removed from employment.

Legal Reference: 41 U.S.C. §§701 to 707  
49 U.S.C. §§5331(b) and 31306; 49 CFR Part 382

Date of Adoption: [5/9/22]

**CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING:  
FEDERAL REGULATIONS, ALMA PUBLIC SCHOOLS' COMPLIANCE POLICIES  
AND PROCEDURES, AND EDUCATIONAL MATERIALS**

The U.S. Department of Transportation (DOT) and the Federal Highway Administration (FHWA) have issued regulations requiring that individuals who perform safety-sensitive functions and who are required to maintain a commercial driver's license (CDLs) be tested for controlled substances and alcohol and not engage in controlled substances use or alcohol misuse. Information concerning those regulations, [Name] Public Schools policies and procedures, and educational materials relating to controlled substances use and alcohol misuse is set forth as follows:

**(A) The persons designated by Alma Public Schools to answer employee questions about these materials are:**

Superintendent of Schools  
Secondary Principal

**(B) The categories of employees who are subject to the provisions of the federal controlled substances and alcohol use and testing regulations are:**

Individuals who perform safety-sensitive functions and who are required to maintain a commercial driver's license (CDLs), including bus drivers and distribution and maintenance employees who are subject to driving commercial motor vehicles.

**(C) The term "safety-sensitive functions" means:**

- (1) All time waiting to be dispatched, unless the driver has been relieved from duty;
- (2) All time inspecting equipment or inspecting, servicing, or conditioning any commercial motor vehicle (i.e., a vehicle in excess of 26,000 pounds GVWR or designed to carry 16 or more passengers, including the driver) at any time;
- (3) All driving time (i.e., time spent at the controls of a commercial motor vehicle in operation);
- (4) All time, other than driving time, in or upon any commercial motor vehicle;
- (5) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
- (6) All time spent performing the driver requirements of 49 CFR §§392.40 and 392.41 relating to accidents;
- (7) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

**(D) Employee conduct that is prohibited by the federal controlled substances and alcohol use and testing regulations includes:**

1. **Alcohol concentration.**  
No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
2. **Alcohol possession.**  
No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol.
3. **On-duty use.**  
No driver shall use alcohol while performing safety-sensitive functions.
4. **Pre-duty use.**  
No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. **Use following an accident.**  
No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.
6. **Refusal to submit to a required alcohol or controlled substances test.**  
No driver shall refuse to submit to a post-accident alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substance test, or a follow-up alcohol or controlled substances test.
7. **Controlled substances use.**  
No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
8. **Controlled substances test.**  
No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances.

**(E) The circumstances under which an employee will be tested for alcohol and/or controlled substances pursuant to the federal regulations include:**

1. **Pre-employment testing.**  
Prior to the first time a driver performs safety-sensitive functions, the driver shall undergo testing for alcohol and controlled substances. No safety-sensitive functions are to be performed unless the driver has been administered an alcohol test with a result indicating an alcohol concentration less than 0.04, and has received a controlled substances test result from the medical review officer indicating a verified negative test result.
2. **Post-accident testing.**
  - (a) As soon as practicable following an accident involving a commercial motor vehicle, each surviving driver:
    - (1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or

- (2) Who receives a citation under State or local law for a moving traffic violation arising from the accident shall undergo a test for alcohol and controlled substances.
- (b) (1) *Alcohol tests.* Shall be administered within two hours following the accident unless such cannot reasonably be done, and not more than eight hours following the accident.
- (2) *Controlled substance tests.* Shall be administered within 32 hours following the accident.
- (c) A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. The driver shall be permitted to leave the immediate scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care, but shall otherwise remain readily available for testing.

3. **Random testing.**

(a) Drivers shall be subject to random testing. The minimum annual percentage rate for random alcohol testing should be 25 percent of the average number of driver positions, or such minimum annual percentage rate as established from time to time by the FHWA. The minimum annual percentage rate for random controlled substance testing shall be 50 percent of the average number of driver positions.

(b) The selection of drivers for random alcohol and controlled substances testing shall be made by a scientifically valid method. Under the selection process used, each driver shall have an equal chance of being tested each time selections are made.

(c) The random alcohol and controlled substances tests shall be unannounced and the dates for administering random alcohol and controlled substances tests shall be spread reasonably throughout the calendar year.

(d) Each driver who is notified of selection for random alcohol and/or controlled substances testing shall proceed to the test site immediately; provided, however, that if the driver is performing a safety-sensitive function at the time of notification, the driver shall cease to perform the safety-sensitive function and proceed to the testing site as soon as possible.

4. **Reasonable suspicion testing.**

(a) A driver shall submit to an alcohol test when the employer has reasonable suspicion to believe that the driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations (except for possession of alcohol).

(b) Under federal law, notwithstanding the absence of a reasonable suspicion alcohol test, a driver is prohibited from reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol and must not perform or continue to perform safety-sensitive functions, until:

(i) An alcohol test is administered and the driver's alcohol concentration measures less than 0.02; or

(ii) Twenty-four hours have elapsed following the determination that there is reasonable suspicion to believe that the driver has violated the prohibitions concerning the use of alcohol.

5. **Return-to-duty testing.**

(a) Alcohol. If a driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations concerning alcohol and has not been terminated, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02.

(b) Controlled Substances. If a driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations concerning controlled substances, and has not been terminated, the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use.

6. **Follow-up testing.**

Following a determination that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the driver shall, if still employed, be subject to unannounced follow-up alcohol and/or controlled substances testing as directed by a substance abuse professional in accordance with the provisions of federal regulations.

Random, reasonable suspicion, and follow-up alcohol testing shall be conducted only when the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.

**(F) The procedures that will be used to test for the presence of alcohol and controlled substances, to protect the employee and the integrity of the testing processes, to safeguard the validity of the test results, and to ensure that those results are attributed to the correct employee include:**

The procedures outlined in 49 CFR 40, concerning procedures for Transportation Workplace Drug and Alcohol Testing Program, will be followed. This includes use of a "split sample" approach for drug testing and chain of custody procedures including documentation of screening aliquots.

**(G) An employee is required to submit to alcohol and controlled substances tests administered pursuant to the federal regulations.**

**(H) A "refusal to submit" to an alcohol or controlled substance test includes:**

*Refuse to submit* (to an alcohol or controlled substances test) means that a driver (1) Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing, or (3) engages in conduct that clearly obstructs the testing process. A failure to remain readily available for post-accident testing, or to notify the employer of the need for such testing, or to proceed to the test site immediately for random testing, may be deemed by the employer to constitute a refusal to submit.

**The consequences for refusing to submit to an alcohol or controlled substances test are as follows:** A driver who has refused to submit to a required alcohol or controlled substance test is subject to the same consequences as a driver who has tested positive on an alcohol (concentration of 0.04 or greater) or controlled substances test.

(I) **The consequences under the federal regulations for employees who have violated the federal regulations relating to controlled substances and alcohol use and testing include:**

The driver shall be removed from and not permitted to perform safety-sensitive functions. The driver shall be referred for evaluation by a substance abuse professional for a determination of what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substances abuse.

Before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by the federal regulations, the driver shall, if still employed, undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 if the conduct involved alcohol, or a controlled substances test with a verified negative result if the conduct involved a controlled substance.

In addition, each driver identified as needing assistance in resolving problems associated with alcohol misuse or controlled substance use, if still employed,

- (i) Shall be evaluated by a substance abuse professional to determine that the driver has properly followed any rehabilitation program prescribed, and
- (ii) Shall be subject to unannounced follow-up alcohol and controlled substances tests administered by the employer following the driver's return to duty.

The driver may also be subject to the penalty provisions of 49 U.S.C. § 521(b).

(J) **The consequences under the federal regulations for employees found to have an alcohol concentration of 0.02 or greater but less than 0.04 include:** Removal from safety-sensitive functions for a period of not less than 24 hours following administration of the test.

(K) **Information to assist employees in avoiding alcohol misuse and controlled substances use, signs and symptoms of an alcohol or a controlled substances problem, and available methods of intervening when such a problem is suspected:** Information will be made available by the counselor to employees upon request.

Date of Adoption: [5/9/22]

Personnel - Certificated Employees

Substitute Teachers

Persons employed as substitute teachers shall meet such qualifications as are established by law and the State Department of Education and may be employed for periods of time in the absence of the regular teacher.

Rates of compensation for all substitute teachers will be set by the Board, provided that after a substitute employee has been on duty for fifteen (15) consecutive school days, such substitute teacher shall be paid on a per diem rate applying the salary schedule in place for certificated teachers for the school district based upon the substitute teacher's level of educational attainment and years of teacher experience. Substitute teachers will not participate in the health plan or other fringe benefits of the school district.

The Superintendent shall be responsible for recruitment, selection, assignment, orientation and evaluation of substitute teachers. The Superintendent, or Superintendent's designee, is hereby authorized on behalf of the District to execute any necessary documents to assist a substitute teacher to secure a local substitute teaching permit.

Legal Reference: Neb. Rev. Stat. Sec. 79-808

Date of Adoption: [5/9/22]

InstructionSpecial Education

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

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

**1. Free Appropriate Public Education**

A free appropriate public education shall be made available to all children with disabilities residing in the District, including children with disabilities who have been suspended or expelled, from date of verification through the school year in which the child is no longer eligible or the student reaches twenty-one (21) years of age, whichever occurs earlier. An Individualized Education Plan ("IEP") will be created for each such child that will enable the student to make progress appropriate in light of the student's unique circumstances

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

**2. Full Educational Opportunity Goal**

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

Legal Reference: 92 NAC 51-004.11A

**3. Child Find**

All children from birth to age twenty-one (21) with disabilities residing in the District, including children with disabilities who are homeless or are wards of the state or attending nonpublic schools, regardless of the severity of their disabilities, who are in need of special education and related services, will be identified, located and evaluated. A practical method shall be developed and implemented by the administration to determine which children with disabilities are currently receiving needed special education and related services. The District will implement multiple methods to provide parents, guardians, and community members with information regarding how to refer a child for an evaluation and the identification process and will publish an annual notice of any significant activity that is designed to identify, locate, or

evaluate children to publicly notify parents, guardians, or appointed surrogates. The District's child find process will be consistent with Federal and Nebraska regulations. Legal Reference: 92 NAC 51-006.01 through 006.01A2

#### **4. Pre-Referral Interventions**

For a school age student, a general education student assistance team (SAT) or a comparable problem solving team shall be used prior to referral for multidisciplinary team evaluation. The SAT or comparable problem solving team shall utilize and document problem solving and intervention strategies to assist the teacher in the provision of general education. If the student assistance team or comparable problem solving team feels that all viable alternatives have been explored, a referral for multidisciplinary evaluation shall be completed. A referral shall include information from the SAT or comparable problem solving team, meeting the requirements of 92 NAC 51-006.01B and a listing of the members of the SAT or comparable problem solving team.

Legal Reference: 92 NAC 51-006.01B

#### **5. Disability Verification and Eligibility**

Eligibility for services will be determined by a multidisciplinary team based on the results of a comprehensive evaluation. The multidisciplinary team will identify whether a child is eligible for special education services based on the disability categories identified by Nebraska and Federal regulations. The multidisciplinary team will rule out the determinant factor is due to a lack of appropriate instruction in reading or math or due to lack of English proficiency. The team will prepare a written report documenting all evaluation findings in accordance with Federal and Nebraska requirements that will be provided to the parent, guardian, or appointed surrogate. When a child is not eligible for services, the multidisciplinary team will determine if general education interventions or strategies are needed.

Legal Reference: 92 NAC 51-006.03; 92 NAC 51-006.04B through 006.04N;

#### **6. Individualized Education Program (IEP)**

An individualized education program, or an individualized family service plan, is to be developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007 by teams that will include all roles identified within Federal and Nebraska rules. Any draft of an IEP that is developed will not be considered final until it is reviewed and revised based on the team, including the parent, guardian, or appointed surrogate, input, and consensus. The district will make reasonable efforts to obtain informed consent from the parent, guardian, or appointed surrogate for special education placement on the IEP form before services are initiated. Revocation of consent for services must be documented by the parent, guardian, or appointed surrogate in writing.

Legal Reference: 92 NAC 51-007

#### **7. Least Restrictive Environment**

To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are to be educated with children who are not disabled. Placement for a student with a disability will be based upon a completed IEP developed by a group of persons, including the parent, guardian, or appointed surrogate, knowledgeable about the child, the meaning of the evaluation data, and the placement options. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment will occur only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (the "Least

Restrictive Environment Rules”). The District will ensure that a continuum of alternative placements is available to meet the needs of children with disabilities, particularly those in disproportionate groups, for special education and related services.

Legal Reference: 92 NAC 51-008.01

#### **8. Procedural Safeguards**

Children with disabilities and their parents, guardians, or appointed surrogates shall be afforded the required procedural safeguards. Parents, guardians, and appointed surrogates will be given a copy of their procedural safeguards annually or upon initial referral or parental (parent, guardian, or appointed surrogate) request for evaluation; upon request by a parent, guardian, or appointed surrogate; upon receipt by the school district or approved cooperative of the first occurrence of the filing of a complaint under 92 NAC 51-009.11 and the first occurrence of filing a special education due process case under 92 NAC 55; and in accordance with the discipline procedures in 92 NAC 51-016.

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

#### **9. Disciplinary Removal of Children with Disabilities**

School personnel may remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for no more than ten (10) consecutive school days and for additional removals of not more than ten (10) consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement. If a student with a disability violates a code of student conduct, the school district will ensure that school personnel appropriately consider unique circumstances on a case-by-case basis when determining whether a change in placement, as defined in Federal and Nebraska rules, is appropriate for the student. Change of placement decisions related to disciplinary removals will be consistent with Federal and Nebraska regulations. For disciplinary changes in placement that would exceed ten (10) consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child’s disability, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures that would be applied to children without disabilities.

Legal Reference: 92 NAC 51-016

#### **10. Evaluation, Identification, and Reevaluation Procedures**

Children with disabilities shall be evaluated, identified, and reevaluated by a team of multidisciplinary qualified professionals in accordance with 92 NAC 51-006. The MDT of a child suspected of having a specific learning disability shall include the additional requirements in accordance with 92 NAC 51-006.04K. The District will make reasonable efforts to obtain written permission for evaluation in accordance with Federal and Nebraska rules. Revocation for consent for evaluation must be documented by the parent, guardian, or appointed surrogate in writing.

The documented results of the evaluation will be provided to parent, guardian, or appointed surrogate and included in student files. All evaluation components will be at district expense. The District will utilize a variety of assessment instruments to ensure district teams have access to appropriate measures to complete evaluations. The district will follow any publisher guidelines for assessments and will not use outdated or culturally inappropriate tools.

The District will respond to a request for an Independent Educational Evaluation without unnecessary delay. The parent, guardian, or appointed surrogate will be given written notice of the District's decision to either move forward with the Independent Educational Evaluation or to initiate a hearing to determine the appropriateness of the evaluation. If the District agrees to move forward with the evaluation, locations of any evaluator shall be within a reasonable distance of the District. A reasonable distance means within 100 miles of the school building the child attends and within Nebraska. In the event this geographic area restriction would prevent a parent, guardian, or appointed surrogate from obtaining an Independent Educational Evaluation, the location of the evaluator may be outside the specified geographic area but must be within Nebraska. The District will provide the parent, guardian, or appointed surrogate with a list of qualified agencies/evaluators within the geographic area. The evaluators are to have their rates approved by the Nebraska Department of Education to be authorized to conduct the evaluation.

Legal Reference: 92 NAC 51-006

#### **11. Confidentiality of Personally Identifiable Information**

A system of safeguards will be implemented to protect the confidentiality of student records and information in accordance with law.

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

#### **12. Transition of Children from Part C to Preschool Programs**

Children participating in early intervention programs under Part C of the IDEA (early intervention services) will be appropriately evaluated, identified, and have services under Part B of the IDEA by age 3 in a manner consistent with 92 NAC 52-008. Children receiving early intervention services under Part C of the IDEA may continue to receive Part C services, upon parental consent, until the August 31st following the child's third birthday. The District will participate in transition planning conferences arranged by the designated lead agency.

Legal Reference: 92 NAC 52-008

#### **13. Children in Nonpublic Schools**

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

Legal Reference: 92 NAC 51-012.08 and 015

#### **14. Personnel Standards and Personnel Development**

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

Legal Reference: 92 NAC 51-010

#### **15. Participation in and Reporting of State and District Wide Assessments**

All children with disabilities shall be included in all general state and district wide assessment programs, including assessments described under section 612(a)(16)(A) of the IDEA with

appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs. The District will make available to the Nebraska Department of Education the information necessary to carry out its duties relating to the reporting of children with disabilities participation in assessments.

Legal Reference: 92 NAC 51-004.05

**16. Suspension and Expulsion Rates**

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

Legal Reference: 92 NAC 51-004.06E

**17. Access to Instructional Materials**

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

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

Legal Reference: 92 NAC 51-004.15

**18. Over-Identification and Disproportionality**

Procedures shall be in place to ensure that testing and evaluation materials and procedures utilized for the evaluation and placement of children with disabilities will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it is clearly not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child. All District special education provisions will be equitably available to all children regardless of race, ethnicity, language, location, transience, income level, and access to medical care.

Legal Reference: 92 NAC 51-006.02C

**19. Prohibition on Mandatory Medication**

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

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

**20. Transportation**

Transportation will be provided for children with disabilities who are eligible for transportation and residents of the school district as required by law to access academic, related services, and nonacademic services and activities as determined by the child's IEP. Except when a parent is

transporting only his or her child, the District shall require that the driver and vehicle meet the standards required by 92 NAC 91 and 92.

Legal Reference: 92 NAC 51-014.01 through 014.02

**21. Surrogates**

A surrogate will be appointed, and other action taken to ensure the rights of children with a disability as required by law. The surrogate may represent the child in all matters related to the identification, evaluation, and educational placement of a child and the provision of a free appropriate public education to the child.

Legal Reference: 92 NAC 51-009.10

**22. Early Intervention Services – Consent**

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

Legal Reference: 92 NAC 52

Legal Reference: 34 CFR Parts 300, 303 and 304  
Neb. Rev. Stat. Sec. 79-1110 to 79-1167  
92 NAC 51, 52 and 55

Date of Adoption: [5/9/22]

Internal Board Policies - Methods of OperationAgenda Construction and Control

- A. Written meeting agendas will be prepared by the Superintendent in collaboration with the President of the Board of Education. Any Board member may submit agenda items to be placed on the agenda by the Superintendent and the Board President.
- B. Control of the agenda is the responsibility of the Board President. Agenda items shall set forth the matter to be discussed at that agenda item. An agenda, kept continuously current, shall be readily available for public inspection on the District's website and at the office of the Superintendent of Schools of the Alma School District during normal business hours. Except for items of an emergency nature, the agenda shall not be altered later than 24 hours before the scheduled commencement of the meeting. The School Board shall have the right to modify the agenda to include items of an emergency nature only by action taken at the public meeting at which the item is to be considered. Agenda items shall be sufficiently specific to advise the public of the issues to be discussed under that agenda item.

Legal Reference: Neb. Rev. Stat. Sec. 84-1411

Date of Adoption: [5/9/22]

Internal Board Policies - Methods of OperationPublic Participation at Board MeetingsA. Attend

Members of the public shall be permitted to attend and to speak at board meetings. They will not be required to identify themselves as a condition for admission to the meeting.

The Board may allow advisors, consultants, and other persons who are not Board members to appear at the meeting via telephone or other similar means.

The chair has the authority to assure that people conduct themselves in an orderly manner at the meeting. Undue interruption or other interference with the orderly conduct of business will not be allowed. The chair may order persons who are disorderly to be removed from the meeting.

<b>Legal Reference:</b>	Sections 79-570; 79-571; Sec. 84-1411 (3) and (6); Sec. 84-1412 (1) and (3)
-------------------------	--

B. Hear

The board will, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

<b>Legal Reference:</b>	Sec. 84-1412 (7)
-------------------------	------------------

C. Record

Members of the public may use recording devices (tape recorder, video camera, etc.) to record any part of a meeting of a public body, except for closed sessions. No recording, other than note taking, shall be done without informing the President in advance. The President shall control the placement of the recording device so the device does not obstruct the view of Board members or other members of the public attending the meeting and does not otherwise interfere with the meeting.

<b>Legal Reference:</b>	Sec. 84-1412 (1)
-------------------------	------------------

D. Access to Written Materials

At least one copy of all reproducible written material to be discussed at an open meeting will be made available at the meeting for examination and copying by members of the public.

<b>Legal Reference:</b>	Sec. 84-1412 (8)
-------------------------	------------------

E. Speak

Members of the public will be permitted to speak at Board meetings at which a public forum is on the Agenda. Members of the public may also speak when invited to make a presentation or when recognized by the chair. The Board is not required to allow members of the public to speak at each meeting. However, the Board will not forbid public participation at all meetings.

Members of the public will not be required to have their name be placed on the agenda prior to the meeting in order to speak about items on the agenda.

Any member of the public desiring to address the body shall be required to identify himself or herself, including an address and the name of any organization represented by such person, unless the address requirement is waived to protect the security of the individual. The President or chair for the meeting shall have the authority to establish reasonable time limits for individual speakers and for the duration of public forum sessions.

Speakers will be permitted to address the Board consistent with free speech rights. However, offensive language, defamatory remarks, and hostile conduct will not be tolerated. Further, charges or complaints against a school employee shall not be made for the first time at a public Board meeting without having followed the school's complaint procedure.

Legal Reference: Neb. Rev. Stat. 84-1412

Date of Adoption: [5/9/22]

Bylaws of the Board - MeetingsMinutes

The Board of Education shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed. The resignation of a Board member or any other circumstance that results in a vacancy in office shall be made a part of the minutes.

The minutes shall be prepared by the secretary immediately following the meeting, shall be written, shall be available on the District's website and for inspection by the public and for distribution to the members of the Board within ten (10) working days, or prior to the next convened meeting, whichever occurs earlier, and shall be a part of the agenda for the next regular meeting at which time they shall be corrected, if necessary, and approved.

The minutes shall be kept in the office of the superintendent and shall be public records and open to public inspection during normal business hours. The minutes shall also be available on the District's website for at least six (6) months.

Legal Reference: Neb. Rev. Stat. Sections 79-555; 79-570; and 79-577  
Neb. Rev. Stat. Sections 84-1408 to 1414

Date of Adoption: [5/9/22]

7. **Policy 8343 – Agenda Construction and Control** – LB 83 requires persons wishing to address the Board of Education to state their name, address, and any organization they represent.

8. **Policy 8343 – Agenda Construction and Control & Policy 9340 – Minutes** – Beginning July 31st, LB 83 requires that Board agendas and meeting minutes be posted on the District’s website. Each agenda must be posted at least twenty-four hours before the meeting. Both the agendas and meeting minutes must remain on the District’s website for at least six months.

## **B. OTHER CONSIDERATIONS**

1. **LB 644 / Property Tax Request Joint Hearing.** This summer, Districts will need to prepare for and review LB 644, and the new budget and tax request process and timelines. Of note, districts will need to sufficiently plan to ensure that they meet the new law’s very specific and condensed timeframe. Within the next week or so, we will be sending out a more detailed guidance on complying with LB 644.

2. **Juneteenth.** This session, LB 29 made Juneteenth (June 19th) a Nebraska State holiday. Although most policies (including 6117) are limited to holidays that occur during the school year, some school districts (either by contract, handbook, or business practice) offer paid holidays for employees on state or federal holidays. Districts should review their holiday pay practices to determine if Juneteenth needs to be added as an additional paid holiday.

3. **Seizure Safe Schools Act.** Last year, the Legislature enacted LB 639, which requires, among other things, that “at least one school employee at each school who has met the training requirements necessary to administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms as approved by the United States Food and Drug Administration.” This requirement becomes effective, beginning in 2022-2023 school year.

4. ***Mahanoy v. BL Case.*** Last summer, the United States Supreme Court issued its decision in the “Snapchat cheerleader case.” The case mainly focused on whether a cheerleader had a First Amendment right to post negative comments about the cheer coaches and school while off-school grounds and outside of school hours. The United States Supreme Court held that the school overstepped its authority by removing the student from the cheer squad in response to her Snaps. One key takeaway from this case is that schools need to review their activity handbooks, activity agreements, and so forth, to ensure that there are no prohibitions against “any” negative speech, comments, and the like. Overbroad and/or vague rules regarding student speech are now subject to higher scrutiny under the *Mahanoy* case.

**5. Polling Place or Election Training.** LB 843 requires that any political subdivision that receives state or federal funding must make their building available to the County Election Commissioner either as a polling place or for election training. Schools should be aware of this new requirement, if contacted by their Election Commissioner.

**6. Holocaust and Financial Literacy Standards.** LB 888 requires the State Board of Education to incorporate education on the Holocaust and financial literacy into the social studies standards. This does not necessarily require a policy update but is something to keep in mind as you review and update your curriculum.

**7. Bond Timing Correction.** LB 1165 fixed a timing dispute over the approval and issuance of voter-approved bonds. Districts who are interested in pursuing a bond election should consult with their bond counsel to confirm that LB 1165 would address any timing concerns with their bond election.

**8. Student Attendance Policies.** Several schools ran into problems with NDE over student attendance reporting and their Student Attendance Policy. This summer would be a good time to review your Student Attendance Policy and related handbook provisions to ensure that your policy matches current practice.

**9. Temporary Memorials Policy.** Recent guidance has led some to rethink their Temporary Memorials Policy. Typically, this Policy outlines how deceased staff and/or students will (or will not) be memorialized by the District. There is no requirement to have a Temporary Memorials Policy, but some Districts have adopted a policy for the sake of consistency. For those Districts interested in different policy options on this point, please let us know and we can send you different draft policies.

**10. Release from Contract.** Some Districts have a policy that allows a teacher or administrator to be released from their contract up to a certain date. The current teacher shortage has led some Districts to question their current practices. In advance of the 2022-2023 school year, this summer would be a good time to decide if your District needs to change its policy and/or practice related to releasing certificated employees from contracts by a certain date.

As always, please let us know if you have any questions or concerns.

# BULLER FIXTURE COMPANY

A DIVISION OF **CASH-WA** DISTRIBUTING

**To:**  
Alma School Lunch  
Kathy  
515 Jewell Street  
Alma, NE 68920  
(308)-928-2131

**Project:**  
Alma School Lunch

**From:**  
Cash-Wa Distributing Co.  
401 West 4th Street  
PO Box 309  
Kearney, NE 68845-7825  
(308)-237-3151 EXT. 7135  
Carly.Eacker@bullenfixture.com

Customer ID: 117250

Item	Qty	Description	Sell	Sell Total
1	1 ea	<b>HOT FOOD SERVING COUNTER / TABLE</b> Vollrath Model No. T38708 2-Series Affordable Portable™ Hot Food Station Deluxe, (3) well, 46"W x 28-5/8"D x 57-5/16"H (overall), with buffet style breath guard, enclosed base with storage opening, individual manual dial controls for each 480 watts thermostet sealed well (no spillage pans required), manifold drain, black vinyl-clad 20 gauge carbon steel base, (4) 4" swivel casters (2) braked, 120v/60/1-ph, 12 amps, cord with NEMA 5-15P, cULus, NSF, Made in USA, made to order, cannot be cancelled or returned	\$3,349.00	\$3,349.00
	2 ea	39946 2-Series Affordable Portable™ Tray Slide, 46"W, , fold-down/lift-off brackets, 300 series stainless (adds 5-1/2" to width of unit in folded position), made to order, cannot be cancelled or returned	\$756.00	\$1,512.00
Freight estimates can be requested when final selections are made.				
			<b>ITEM TOTAL:</b>	<b>\$4,861.00</b>

Item	Qty	Description	Sell	Sell Total
2	1 ea	<b>SERVING COUNTER, COLD FOOD</b> Vollrath Model No. R38717 2-Series Affordable Portable™ Refrigerated Cold Food Pan with black wrapper with easy access fully enclosed clear acrylic Buffet NSF2 Certified breath guard, 12" clearance, 60"W x 39-1/2"D x 35"H, open storage base, 4-pan size, 6" deep stainless well, 1" drain, MTO-15 working days plus day for order entry, with locking casters, 120v/60/1-ph, NEMA 5-15P, UL, NSF, Made in USA, made to order, cannot be cancelled or returned	\$5,998.00	\$5,998.00
	2 ea	39960 2-Series Affordable Portable™ Tray Slide, 60"W, , fold-down/lift-off brackets, 300 series stainless (adds 5-1/2" to width of unit in folded position), made to order, cannot be cancelled or returned <b>Freight estimates can be requested when final selections are made.</b>	\$857.00	\$1,714.00
			<b>ITEM TOTAL:</b>	<b>\$7,712.00</b>
			Total	\$12,573.00

RECEIPT

# LEROY'S TREE SERVICE

FREE ESTIMATES • INSURED

402-767-0017

JOHN WEAVER



DATE MAY 5 2022

NAME Alma School

ADDRESS Alma W. R.

QUANTITY	DESCRIPTION	COST
	Trim & Remove all trees around school with stumps & cleanups including Football field	16000. <sup>00</sup>
	Will throw in trees to be removed for parking to the East For DONATION to the school.	TOTAL 16000. <sup>00</sup>

Thank You For Your Business

# High School Building & Trees approximately 1940



Now – 5/9/2022



Front trees: #1 Southside of sidewalk -



# Front Trees: #2 – Northside of sidewalk



# Front Trees 3<sup>rd</sup> Tree from the South in front of High School



# Front of School – Tree # 4



# Flowering Crap Apple Tree – Rootball pushing up – Front of commons



# North side of School – highway tree line



# East end of Football field – Branches on Fence



# Northeast of Football field



# Middle Practice Field



West side of practice field.



# West side of Practice Field



# Southwest corner of school



# Northwest corner of school



# Green House



# East of Parking Lot



# East Parking lot tree line



# North Side of tree line – East Parking lot



# East Parking Lot



Christensen Tree line – Plant similar trees  
North side of Football fence?





BUSINESS PROTECTION POLICY  
COMMON DECLARATIONS

POLICY PERIOD

FROM: SEE SECTION DECLARATIONS TO: 04/27/23  
12:01 A.M. STANDARD TIME  
AT YOUR MAILING ADDRESS SHOWN BELOW  
(UNLESS CHANGED ON THE SECTION DECLARATIONS)

\*-----\*  
\* ACCOUNT NUMBER \*  
\* 9X40489---23 \*  
\*-----\*

NAMED INSURED :

PRODUCER :

SCHOOL DISTRICT NO. 2 OF  
HARLAN COUNTY, NE.  
PO BOX 170  
ALMA NE 68920-0170

WAGGONER INSURANCE AGENCY INC  
PO BOX 499  
ALMA NE 68920-0499

AGENT: B 7745  
AGENT PHONE: (308)928-2448  
CLAIM REPORTING: (888)362-2255

INSURED IS: SCHOOL DISTRICT BUSINESS DESC: SCHOOL DISTRICT

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY. THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH A PREMIUM IS INDICATED. THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT. THE COMPANY AFFORDING COVERAGE IS DESIGNATED BY THE NAME IN THE DECLARATIONS OR INFORMATION PAGE FOR EACH SECTION OF THE POLICY.

SECTION	COVERAGE	PREMIUM
1	PROPERTY	\$ 47,590.00
2	LIABILITY	3,671.00
3	CRIME	242.00
4	INLAND MARINE	2,398.00
5	AUTOMOBILE	15,904.00
6	WORKERS' COMPENSATION	22,301.00
7	UMBRELLA	4,518.00
8	OTHER - LINEBACKER	2,847.00
	CYBERSOLUTIONS	444.00

ESTIMATED TOTAL POLICY PREMIUM \$ 99,915.00

FORMS APPLICABLE TO ALL SECTIONS EXCEPT:

- WORKERS' COMPENSATION

THE ADDRESS AND TELEPHONE NUMBER OF THE SERVICING COMPANY IS:

EMC INSURANCE COMPANIES PHONE: (402) 951-8300  
PO BOX 2070  
OMAHA, NE. 68103-2070

PLACE OF ISSUE: OMAHA, NE

DATE OF ISSUE: 04/19/22

COUNTERSIGNED BY:

FORM: IL7000A (ED. 09-02)

04/19/22

ZM

9X40489 23