

Board of Education Regular Meeting

Monday, January 12, 2015 5:30 PM

1. CALL TO ORDER

2. OPEN MEETINGS ACT

3. ROLL CALL

4. OATH OF OFFICE FOR MOST RECENTLY ELECTED BOARD MEMBERS

5. ELECTION OF OFFICERS OF THE BOARD

5.1. Election of President

Nomination of Denise Ourada as president Passed with a motion by John Worthing and a second by Lynette Mitchell.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

Cease nominations Passed with a motion by JC Ourada and a second by Lynette Mitchell.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

5.2. Election of Vice-president

Nomination of Morgan Meier Passed with a motion by JC Ourada and a second by John Worthing.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

Cease nominations Passed with a motion by John Worthing and a second by Denise Ourada.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

5.3. Election of Secretary

Nomination of Lynette Mitchell Passed with a motion by Jeff Meads and a second by Morgan Meier.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

Cease nomination Passed with a motion by JC Ourada and a second by John Worthing.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

5.4. Election of Treasurer

Nomination of JC Ourada Passed with a motion by John Worthing and a second by Denise Ourada.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

Cease nominations Passed with a motion by Morgan Meier and a second by Jeff Meads.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

6. APPOINTMENTS, DESIGNATIONS, AND AUTHORIZATIONS FOR 2015

Approve all appointments with the exception of 6E Passed with a motion by John Worthing and a second by Denise Ourada.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

6.1. Appoint Dean Tickle as district financial officer

6.2. Authorize Dean Tickle to be the official district representative for all local, state, and federal programs.

6.3. Appoint Dean Tickle and Jason Sullivan as federal program officers.

6.4. Designate The Beacon Observer as the official district newspaper

6.5. Designate First Tier Bank as depository of district funds.

Motion to appoint First Tier Bank as official bank Passed with a motion by John Worthing and a second by JC Ourada.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

6.6. Designate Greg Perry and Perry, Guthery, Haase, and Gessford as legal counsel for the District.

7. 2015 COMMITTEE APPOINTMENTS

7.1. Building and Grounds

7.2. Negotiations

7.3. Transportation

7.4. Finance and Curriculum/Technology

7.5. Americanism

8. APPROVAL OF CURRENT BOARD POLICIES AND REGULATIONS

Policy review to include three sections per year and then repeat. We will start with the 9000 in february and approve all current policies Passed with a motion by Lynette Mitchell and a second by Morgan Meier.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

9. Annual Policy Review Schedule - one section per month, beginning with the month of February.

10. DISSEMINATION TO BOARD MEMBERS OF THE CONFLICT OF INTEREST STATUTES AND POLICIES.

11. ADJOURNMENT

adjournment at 5:53 PM Passed with a motion by John Worthing and a second by Morgan Meier.

Jeff Meads: Yea, Morgan Meier: Yea, Lynette Mitchell: Yea, Denise Ourada: Yea, JC Ourada: Yea, John Worthing: Yea

OATH OF OFFICE

Do you solemnly swear that you will support the Constitution of the United States and the Constitution of the State of Nebraska against all enemies, foreign and domestic; that you will bear the faith and allegiance to the same; that you take this obligation freely and without mental reservation or for purpose of evasion; and that you will faithfully and impartially perform the duties of the office of Elm Creek Public Schools Board of Education according to law and to the best of you ability? And, do you further swear that you do not advocate, nor are you a member of, any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence and that, during such time as you are in this position, you will not advocate, nor become a member of, any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence? So help you God? Please answer by saying I will.

Name _____

Date: January 12, 2015

Internal Board PoliciesConflict of Interest - Employment of Family Member of Board Member or Supervisor and Employment of Board Member

1. A member of the Board of Education or an administrator or other employee with supervisory responsibilities may employ or recommend or supervise the employment of an immediate family member if:

- a. He or she does not abuse his or her official position (for this purpose, “abuse” means employing an immediate family member: who is not qualified for and able to perform the duties of the position; at an unreasonably high salary; or who is not required to perform the duties of the position);
- b. He or she makes a full disclosure on the record to the Board of Education and a written disclosure to the Superintendent and/or Secretary of the Board; and,
- c. The Board of Education approves the employment or supervisory position.

2. No immediate family member of a Board of Education or an administrator or other employee with supervisory responsibilities shall be employed by the School District:

- a. Without first having made a reasonable solicitation and consideration of applications for such employment.
- b. Who is not qualified for and able to perform the duties of the position.
- c. For any unreasonably high salary.
- d. Who is not required to perform the duties of the position.

3. Neither the Board of Education nor an administrator or other employee with supervisory responsibilities shall terminate the employment of another employee so as to make funds or a position available for the purpose of hiring an immediate family member.

4. This policy shall not apply to an immediate family member of a member of the Board of Education or an administrator or other employee with supervisory responsibilities who was previously employed in a position with the School District prior to the election or appointment of the Board member or employee. Prior to or as soon as reasonably possible after the official date a Board member takes office or an employee assumes his or her responsibilities, such Board member, administrator or other employee with supervisory responsibilities shall make a full disclosure of any immediate family member employed in a position subject to this policy.

5. A member of the Board of Education may not be engaged in a contract to teach with the Elm Creek Public School District. Nor shall a member of the Board of Education cast a vote in favor of the election of any employee when the Board member is related by blood or marriage to such employee.

Legal Reference: Neb. Rev. Stat. §§ 49-1499.04; §49-1499.05; 79-544; and 79-818

Date of Adoption: May 13, 2013

Internal Board Policies - Board MembersConflict of Interest/Contracts

It shall be the policy of Elm Creek Public Schools that any contract whether oral or written, formal or informal, which is entered into by the school district and in which a member of the Board of Education is directly or indirectly interested, is voidable unless certain reporting, disclosure and abstention requirements are met. The school district is authorized to enter into a contract in which a member of the Board of Education is directly or indirectly interested so long as:

1. The Board member makes a declaration on the record regarding the nature of his/her interest prior to official consideration of the contract.
2. The affected Board member does not participate in consideration or discussion of the contract.
3. The Board member does not vote on the granting of the contract except that if the number of members of the Board declaring an interest in the contract would prevent the Board with all members present from securing a quorum in the issue, then all members may vote on the matter.
4. The Board member does not in any way participate in the inspection, operation, administration or performance under the contract on the part of the district.

It shall further be the policy of Elm Creek Public Schools that the above provisions apply not only to formal contracts but also to open accounts.

Legal Reference: Neb. Rev. Stat. § 49-14,103.01

Date of Adoption: May 13, 2013

Internal Board PoliciesConflict of Interest—Other Than Contracts or Employment

1. Members of the Board of Education of this School District shall abstain from voting on matters on which they may have a conflict of interest. Any Board member who would be required to take any action or make any decision in the discharge of his or her duties that may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business with which he or she is associated, which is distinguishable from the effects of such action on the public generally or a broad segment of the public, shall take the following actions as soon as he or she is aware of such potential conflict or should reasonably be aware of such potential conflict, whichever is sooner:

- (a) Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict; and,
- (b) Deliver a copy of the statement to the Political Accountability and Disclosure Commission and to the Superintendent and Secretary of the Board of Education who shall enter the statement into the public records of the School District.

The Board member shall take such action as the Commission shall advise or prescribe to remove himself or herself from influence over the action or decision in the matter.

2. The provisions of paragraph 1 above shall not prevent a Board member from making or participating in the making of a School District-related decision to the extent that the individual's participation is legally required for the action or decision to be made. In such event, the Board member shall report the occurrence to the Commission.

3. Except as defined in Nebraska statute and this policy, conflict of interest of a Board member shall not prevent a Board member from serving on the Board or restrict the hiring or purchasing practices of this School District.

4. The Superintendent, or the Superintendent's designee, shall provide:

(A) Each Board member with copies of state statutes of Nebraska pertaining to conflicts of interest at the organizational meeting of the Board of Education held before the regular School Board meeting in January of each year. In addition, any newly appointed or elected Board member shall be provided such statutes.

(B) When possible, provide each Board member with a list of financial matters on the agenda to come before the Board of Education at the next regular meeting in sufficient detail to allow the Board member to identify potential conflicts of interest and report and receive advice from the Commission.

5. For purposes of this policy, immediate family member shall be defined as a child residing in the Board member's household, a Board member's spouse or an individual claimed by that Board member or the Board member's spouse as a dependent for federal income tax purposes.

Legal Reference: Neb. Rev. Stat. § 49-1425; § 49-14,101; § 49-14,102; § 49-14,103; § 49-14,103.01; § 49-14,103.02; § 49-14,103.03; § 49-14,103.04; § 49-14,103.05; § 49-14,103.06; § 79-818; § 79-544 and § 49-1499.

Date of Adoption: May 13, 2013