

POWERS AND RESPONSIBILITIES OF THE BOARD

The board of the Neligh-Oakdale Public Schools, acting on behalf of the school district, shall have jurisdiction over school matters within the territory of the school district.

The board is empowered to make policy for its own governance, for employees, for students and for school district facilities. The board is also empowered to enforce its policies. The board may, through its quasi-judicial power, conduct hearings and rule on issues and disputes confronting the school district.

The board has these powers and all other powers expressly granted to it in federal and state law as well as the powers that can be reasonably implied from the express powers.

Because all powers of the Board lie in its action as a group, individual board members exercise their authority over district affairs only as they take action at a legal meeting of the Board. In other instances, an individual board member, including the chairman, shall have power only when the board, by vote, has delegated authority to him or her. It shall be the policy of the Board to make its members, the district staff, and the public aware that only the board has authority to take official action.

The board is authorized to govern the school district which it oversees. As the governing board of the school district, the board has three duties to perform: legislative duty, executive duty, and evaluative duty.

As a representative of the citizens of the school district, the board is responsible for legislating policy for the school district. As a policy making body, the board has jurisdiction to enact policy with the force and effect of law for the management and operation of the school district.

It is the responsibility of the board, under the board's executive duty, to select its chief executive officer, the superintendent, to operate the school district on the board's behalf. All references to "superintendent" in this policy manual shall mean the "superintendent or the superintendent's designee" unless otherwise stated in the board policy. The board delegates to the superintendent its authority to carry out board policy, to formulate and carry out rules and regulations and to handle the administrative details in a manner which supports and is consistent with board policy. The board may enter into certain contracts as permitted by law for periods not to exceed four years.

The board has a responsibility to review the education program's performance under its evaluative duty. The board regularly reviews the education program and associated support services. The review includes a careful study and examination of the facts, conditions and circumstances surrounding the amount of funds received or expended and the education program's ability to achieve the board's educational philosophy for the school district.

Operational Goals

In accordance with these principles, the Board through its mode of operating, should seek to achieve the following goals:

1. To concentrate the Board's collective effort on its policy making and planning responsibilities.
2. To formulate Board policies which best serve the educational interests of each student.
3. To provide the Superintendent with sufficient and adequate written guide lines for implementing Board policies.
4. To maintain effective communication with the public the Board serves and with staff and students in order to maintain awareness of attitudes, opinions, desires, and ideas.
5. To conduct Board business openly, soliciting and encouraging broadly based involvement in the Board's decision making process by public and staff.

Legal Reference: Neb. Statute 79-261 to 263
 79-501 to 524
 79-734
 NDE Rule 10.004.01

Cross Reference 102 Educational Philosophy of the District
 104 Educational and Operational Planning
 205 School Board Policy Process
 301.03 Succession of Authority to the Superintendent
 601 Goals and Objectives of Instructional Plan

BOARD MEMBERSHIP - ELECTIONS AND APPOINTMENTS

The biannual school election takes place on the first Tuesday after the first Monday in November. Terms shall be staggered so that at least three board members are elected at each general election. Members of the board will be elected at large.

Incumbents must file for election at the Office of the County Clerk, Antelope County, by February 15 prior to the date of the primary election. All other candidates must file for election by March 1 prior to the date of the primary election. In the event the number of candidates properly filed for nomination at the primary election does not exceed two for each vacancy to be filled, all those filed may be considered to be nominated and no primary election for their nomination shall be required.

If the name of a person is written in and voted for as the candidate for the Board of Education does not file or become a petition candidate for such nomination, such person shall not be entitled to a certificate of nomination of the state wide primary election or have his name placed on the general election ballot unless he shall receive not less than twenty per cent of the total votes cast for the candidate receiving the greatest number of votes at the primary election. In the case of a tie vote of any of the candidates in either the primary or the general election, the County Clerk will notify such candidates that on a given day and hour selection will be determined by lot before the County Canvassing Board and the certificate of nomination will be given accordingly.

If a vacancy occurs on the board it may be temporarily filled by appointment within 45 days of the vacancy by the remaining members of the board. The remainder of the unexpired term shall be filled by the normal board member election process in the next general election. If the board does not fill the vacancy by appointment, the vacancy may be filled by election at a special election or school district meeting called for that purpose. If a majority of the offices of the school board members are vacant, the Secretary of State will call a special school district election to fill the vacancies.

Legal Reference: Neb. Statute 32-501 et seq.

Approved 8-15-11 Reviewed 2-13-12/ 1-19-15/3-12-18 Revised _____

QUALIFICATIONS

Serving on the school board is an honor and privilege. Its rewards are respect from the community, students, and employees and the satisfaction from knowing each board member contributed to the success of the children in the school district community. Only those who are willing to put forth the effort to care and to make a difference should consider running for a position on the board.

Individuals who are willing to serve on the board should believe public education is important, support the democratic process, willingly devote time and energy to board work, respect educators and have the ability to examine the facts and make a decision. The board believes an individual considering a position on the school board should possess these characteristics.

Persons wanting to run for a position on the board must be a resident of the school district, an eligible elector of the district and free from a financial conflict of interest with the position. No member of a school board may be employed as a teacher by the school district on which board he or she serves.

Legal Reference: Neb. Statute 79-543, 544

Cross Reference: 201.01 Board Powers and Responsibilities
 201.06 Vacancies
 202.01 Board Member Conflict of Interest

Approved 8-15-11 Reviewed 2-13-12/ 1-19-15/3-12-18 Revised _____

OATH OF OFFICE

Board members are officials of the state. As a public official, each board member must pledge to uphold the Nebraska and the United States Constitution and carry out the responsibilities of the office to the best of the board member's ability.

Each newly elected school board member shall be given the following oath of office at the first meeting attended as an elected member prior to taking any action as a school official. The superintendent shall administer this oath of office.

"I, ...(name)..., do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely and without mental reservation or for purpose of evasion; and that I will faithfully and impartially perform the duties of the office of the Neligh Oakdale Public Schools Board of Education according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I 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 I am in this position I 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 me God."

Legal Reference: Neb. Statute 11-101

Cross Reference: 101 Legal Status of the School District
 201.01 Board Powers and Responsibilities
 201.02 Board Membership - Elections/Appointment
 202.01 Board Member Code of Ethics

Approved 8-15-11 Reviewed 2-13-12/ 1-19-15/3-12-18 Revised _____

TERM OF OFFICE

Board members nominated by primary election and elected by general election will serve for four years. Board members appointed to fill a vacant position will serve until the January following the next general election.

Being a board member is a unique opportunity for a citizen to participate on a governing board of the school district. Eligible board members are encouraged to consider running for more than one term.

Legal Reference: Neb. Statute 32-543

Cross Reference: 201.02 Board Membership - Elections/Appointment

Approved 8-15-11 Reviewed 2-13-12/ 1-19-15/3-12-18 Revised _____

VACANCIES AND THE FILLING OF VACANCIES

A vacancy occurs when a board member resigns, forfeits, or otherwise leaves the office. A vacancy also includes, but is not limited to, the following: failure to elect at an election when there is no incumbent to continue in office until his or her successor is elected and qualified, failure to reside in the school district or a continuous absence from the district of more than 60 calendar days, absence from more than 2 consecutive regular board meetings unless excused by a majority of the remaining members of the board, death of the incumbent, a court order declaring the seat vacant, conviction of a felony, or any public offense in violation of the oath of office.

All vacancies shall be filled as soon as possible by appointment by the remaining members of the School Board in accordance with state statute and established Board procedures.

Candidates for a vacancy on the School board shall be appointed at an open meeting. A majority vote shall be required for all appointments to the School Board.

The candidate appointed to the vacancy shall, pending acceptance of the appointment and filing the oath of office, be seated on the School Board.

Possible Procedure:

1. Within 10 calendar days of being informed of a vacancy on the School Board, the Board directs the Administration to publish a press release of the vacancy and to solicit letters of interest from citizens of the district. All letters of interest shall be received in the Superintendent's office no later than 12:00 noon, 10 calendar days following publication of the notice. Candidates may withdraw their letter of interest at any time during the selection/appointment process.
2. A special meeting of the Board will be scheduled for the purpose of interviewing candidates for the vacancy and making appointment decisions.
3. Candidates will be interviewed one at a time at the special meeting. All candidates will be interviewed in open session. Each Board member will ask one question of each candidate. Each Board member will ask the same question of each candidate.
4. If the situation exists where there is only one candidate who has applied for the open position, the Board may approve that one candidate during their regularly scheduled Board meeting without having to meet the conditions outlined in (2) and (3) above.
5. Following the interview process, motions will be in order for filling the vacancy. School Board members should accentuate the positive when supporting a "motion to appoint" and should refrain from proselytizing.

Approved 8-15-11 Reviewed 2-13-12/ 1-19-15/3-12-18 Revised: 5-12-2014

BOARD MEMBER LIABILITY

Board members shall not be held personally liable for actions taken in the performance of their duties and responsibilities vested in them by the laws of Nebraska and the members of the school district community. In carrying out the duties and responsibilities of their office, board members shall act in good faith.

The school district shall defend, save harmless and indemnify board members against tort claims or demands, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope of their official duties, unless it constitutes a willful or wanton act or omission. However, the school district shall not save harmless or indemnify board members for punitive damages.

Legal Reference: Neb. Statute 79-516

Cross Reference: 805.01 Insurance

Approved 8-15-11 Reviewed 2-13-12/ 1-19-15/3-12-18 Revised _____

BOARD MEMBER HEALTH INSURANCE

The School Board member may have the opportunity to purchase health insurance through the school system. The cost of any health insurance program shall be borne by the board member. Participation in the insurance health plan is not a contract with the school district, but rather, a contract between the insurance company and the board member.

Approved 8-15-11 Reviewed 2-13-12/ 1-19-15/3-12-18 Revised _____

BOARD MEMBER CODE OF ETHICS

Board members' actions, verbal and nonverbal, reflect the attitude and the beliefs of the school district. Therefore, board members must conduct themselves professionally and in a manner fitting to their position.

Each board member shall follow the code of ethics stated in this policy.

A. AS A SCHOOL BOARD MEMBER:

1. I will listen.
2. I will respect the opinion of others.
3. I will recognize the integrity of my predecessors and associates and the merit of their work.
4. I will be motivated by an earnest desire to serve my district and the children of my community in the best possible way.
5. I will not "play politics" nor consider a position on the school board as a "stepping stone" to political power.
6. I will not buy for personal use at "school prices".
7. I will not use the school or any part of the school program for my own personal advantage or for the advantage of my friends or supporters.
8. I will make no effort to secure a school position in my district for a member of my immediate family.
9. I will recognize that to promise in advance of a meeting how I will vote on any proposition which is to be considered is to close my mind and agree not to think through other facts and points of view which may be presented in the meetings.
10. I will expect, in board meetings, to spend more time on educational programs and procedures than on business details.
11. I will recognize that authority rests with the board in legal session, and not with individual members of the board except as authorized by law.
12. I will make no disparaging remarks, in or out of the board meeting about other members of the board or their opinions.

13. I will express my honest and most thoughtful opinions frankly in board meetings in an effort to have all decisions made for the best interests of the children and the school.
14. I will insist that all members of the Board participate fully in board action, and recommend that when special committees are appointed, they serve only in an investigating and advisory capacity.
15. I will abide by majority decisions of the board, once they are made, and will accept and fully support them, so long as I remain a member of the board.
16. I will carefully consider petitions, resolutions, and complaints, and will act upon them in the best interests of the schools.
17. I will not discuss the confidential business of the board in my home, on the street, or in my office; the place for such discussion being the meeting of the board.
18. I will endeavor to keep informed on all social, state, and national educational developments or significance so that I may become a better member of the board of education.

B. IN MEETINGS MY RESPONSIBILITY TO MY COMMUNITY:

1. I will consider myself a trustee of public education and will do my best to protect it, conserve it, and advance it; giving to the children of my community the educational facilities that are as complete and adequate as it is possible to provide.
2. I will consider it an important responsibility of the board to interpret the aims, methods, and attitudes of the schools to the community.
3. I will earnestly try to interpret the needs and attitudes of the community and do my best to translate them in the educational program of the schools.
4. I will attempt to procure adequate financial support: for the schools.
5. I will represent the entire district rather than individual electors, patrons, or groups.
6. I will not regard the schools as my own personal property but as the property of the people.

C. IN MY RELATIONSHIP WITH THE SUPERINTENDENT AND STAFF:

1. I will function, in meeting the legal responsibilities that are mine, as part of a legislative, policy forming body, not as an administrative officer.

2. I will recognize that it is my responsibility, together with that of my fellow board members, to see that the schools are properly run – not to run them myself.
3. I will expect the schools to be administered by the best trained technical and professional people it is possible to procure.
4. I will recognize the superintendent as the executive officer of the board.
5. I will work through the administrative employees of the board, not over and around them.
6. I will expect the superintendent to keep the board of education adequately informed at all times through oral and written reports.
7. I will participate in board legislation only after considering the recommendations of the superintendent, and then only after he/she has furnished complete information supporting his recommendations.
8. I will consider the recommendations of the superintendent in the election of school personnel.
9. I will insist that contracts be equally binding on the teacher and board of education.
10. I will give the superintendent power commensurate with his responsibility and will not in any way interfere with, or seek to undermine his authority.
11. I will give the superintendent friendly counsel and advise.
12. I will present any personal criticism of employees to the superintendent.
13. I will refer my complaints to the proper administrative officer or insist that they be presented to the board as a whole in writing.

D. TO COOPERATE WITH THE OTHER BOARDS OF EDUCATION:

1. I will not help to elect a superintendent, principal, or teacher who is already under contract with another school without first securing assurance from the proper authority will in advance of the positive action.
2. I will consider it unethical to bid for the services of a teacher or pursue any procedure calculated to embarrass neighboring board of education or superintendent.

3. I will not recommend a teacher for a position in another school unless I would employ said teacher under similar circumstances.
4. I will answer all questions about the standing and ability of a teacher to the best of my knowledge and ability, with complete frankness and directness, being careful not to over praise or be unduly critical.
5. I will associate myself with board members of other districts both personally and in conferences for the purpose of discussing school problems, and cooperating in the improvement of public school conditions, and in gaining better understanding of my own school, the schools of Nebraska, and the nation.

Legal Reference: Neb. Statute 79-526

Cross Reference: 201.01 Board Powers and Responsibilities

BOARD MEMBER CONFLICT OF INTEREST

It shall be the responsibility of each board member to be aware of an actual or potential conflict of interest. It shall also be the responsibility of each board member to take the action necessary to eliminate such a conflict of interest. Should a conflict of interest arise, a board member should not participate in any action relating to the issue from which the conflict arose.

No voting board member may have an interest in any contract to which the district, or anyone for its benefit, is party. The prohibition applies when the board member or the board member's immediate family is a partner, director, officer, or is a stockholder of closed corporation stock worth one thousand dollars or more at fair market value or which represents more than a five per cent equity interest, or is a stockholder of publicly traded stock worth ten thousand dollars or more at fair market value or which represents more than ten percent equity interest. An individual who occupies a confidential professional relationship protected by law is exempt from this policy. This policy does not apply to publicly traded stock under a trading account.

The above prohibition does not apply if the voting board member:

1. Supplies a written statement describing the matter up for decision and the nature of the conflict to the Nebraska Accountability and Disclosure Commission and to the board secretary. The secretary shall enter the statement onto the public records of the district.
2. The board member must take such action as the Commission advises to remove himself or herself from influence over the decision.
3. Does not vote on the matter of granting the contract, except 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 on the issue, then all members may vote on the matter and this action will be reported to the commission; and
4. Does not act for the district to inspect, supervise or determine the performance of contracts under which he or she has an interest.

A board member who is an employee of a business involved in a contract with the district and who has no ownership interest or will receive no direct fee or commission shall not be deemed to have an interest within the meaning of this policy. The receiving of deposits, cashing of checks and buying and selling of warrants and bonds of indebtedness of any school district by a financial institution will not be considered an interest in the contract under this policy.

If a board member's immediate family member is an employee of the school district, the member may vote on all issues of the contract which are generally applicable to all employees or all employees within a classification and do not single out his or her family member for special action.

Any contract entered into with an interested board member shall be subject to applicable competitive bidding requirements and shall be fair and reasonable to the school district.

A voting board member or district employee may employ, recommend the employment of, or supervise the employment of an immediate family member if he or she does not abuse his or her official position and makes a full disclosure of the relationship to the board and a written disclosure of the relationship to the board secretary. No board member or administrator shall employ an immediate family member without first having made a reasonable solicitation and consideration of applications for such employment. The family member must be qualified for, able to perform, and required to perform the duties of the position. The family member must not be paid an unreasonably high salary. No existing employee may be terminated for the purpose of making a position available to such a family member.

Any newly elected or appointed board member or administrator shall make a full disclosure of any immediate family member employed in a position subject to this policy as soon as reasonably possible after the date of taking office.

No board member or district employee shall use their position or any confidential information received through their position to obtain financial gain, other than compensation provided by law, for himself or herself, an immediate family member, or a business with which the individual is associated. No board member shall use or authorize the use of personnel, property, resources or funds under his or her official care for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage or defeat of a ballot question.

The superintendent shall keep a record for the district for every contract entered into by the district in which a board member has an interest. This information shall be kept for five years from the date of the board member's last day in office and will include the following:

1. Names of contracting parties;
2. The nature of the interest of the board member in question;
3. The date that the contract was approved by the district;
4. The amount of the contract; and
5. Basic terms of the contract.

The record kept by the superintendent shall be available for public inspection during the normal working hours of the superintendent's office.

An open account established by the district with a business in which a board member has an interest, shall be deemed a contract subject to the provisions of this policy. The superintendent shall maintain a running account of all amounts purchased in open accounts.

Contracts involving one hundred dollars or less in which a board member may have an interest are excluded from the provisions of this policy.

Legal Reference: Nebraska Statute 49-1493 to 14,103.7

Cross Reference: 201 Legal Status of the School Board
202.01 Board Member Code of Ethics
206.04 Board Member Compensation and Expenses
402.04 Nepotism

Approved 8-15-2011 Reviewed 3-12-2012/ 2-9-15/4-9-18 Revised

NEBRASKA
ACCOUNTABILITY AND
DISCLOSURE COMMISSION
11th Floor, State Capitol
P.O. Box 95086
Lincoln, NE 68509
(402) 471-2522

EMPLOYMENT OF IMMEDIATE FAMILY MEMBERS DISCLOSURE STATEMENT

NADC FORM C-4

POSTMARK
DATE

MICROFILM
NUMBER

OFFICE USE ONLY

BEFORE COMPLETING THIS FORM
READ THE FILING REQUIREMENTS
ON PAGE 3

- Public officials and employees employing, recommending employment, or supervising the employment of an immediate family member must disclose the employment either in writing or on the record to the governing body employing the immediate family member.
- File this form or other written disclosure with the person in charge of keeping records for the governing body employing the immediate family member.
- Person who fail to disclose the employment of immediate family members or who otherwise do not comply with the law are subject to penalties.

ITEM 1 NAME, ADDRESS AND TELEPHONE NUMBER OF PUBLIC OFFICIAL OR PUBLIC EMPLOYEE

Name _____ Telephone No. _____
Last First Middle
Address _____
STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE

ITEM 2 OFFICE OR POSITION, ADDRESS, TELEPHONE, TERM OF OFFICE

Office or Position: _____ Term: _____
Identify City, County, District, or State Agency: _____
Address: _____ Telephone _____

ITEM 3 MEMBER OF YOUR IMMEDIATE FAMILY WHOM YOU INTEND TO EMPLOY, RECOMMEND FOR EMPLOYMENT, OR SUPERVISE (Use ITEM 5 CONTINUATION, if necessary)

A. Name _____	Relationship _____
Position _____	Employer _____ (IDENTIFY CITY, COUNTY, DISTRICT OR STATE AGENCY)
B. Name _____	Relationship _____
Position _____	Employer _____ (IDENTIFY CITY, COUNTY, DISTRICT OR STATE AGENCY)
C. Name _____	Relationship _____
Position _____	Employer _____ (IDENTIFY CITY, COUNTY, DISTRICT OR STATE AGENCY)

ITEM 4 | FOR NEWLY ELECTED OR APPOINTED PUBLIC OFFICIALS AND EMPLOYEES

members of your immediate family who were employed before your election or appointment, or prior to July 17, 1986 and are now employed or supervised by you.

A. Name _____ Relationship _____
Position _____ Employer _____
(IDENTIFY CITY, COUNTY, DISTRICT OR STATE AGENCY)
Date Hired _____

B. Name _____ Relationship _____
Position _____ Employer _____
(IDENTIFY CITY, COUNTY, DISTRICT OR STATE AGENCY)
Date Hired _____

(Use ITEM 5, CONTINUATION, if necessary)

ITEM 5 | CONTINUATION

[Empty space for continuation text]

(Signature)

(Date)

General Information - Filing Requirements

A public official or public employee may employ, recommend employment of, or supervise the employment of an immediate family member if:

- 1) he or she does not abuse his or her official position; and
- 2) makes a written disclosure with the person in charge of keeping records for the governing body or a disclosure on the record to the governing body; and
- 3) he or she has first made a reasonable solicitation and consideration of applications for such employment:

NOTE: Examples of abuse of one's position could include, but are not limited to, (1) providing an unreasonably high salary, (2) not requiring the employee to actually perform the duties of his or her position, (3) terminating another employee to make a position available for an immediate family member, (4) hiring an immediate family member who is not qualified to hold the position.

I. Who Must File:

- A. Public officials and employees employing, recommending employment, or supervising the employment of an immediate family member must make a disclosure to the person in charge of keeping records for the governing body of the entity. Where applicable the disclosure may be made on the record to the governing body of the entity in lieu of a written disclosure.
- B. Public officials and employees who currently employ or supervise an immediate family member(s) employed prior to the election or appointment of the public official or public employee or prior to July 17, 1986.

II. When to File:

- A. Public officials and employees must file prior to employing, recommending employment, or supervising the employment of an immediate family member.

- B. Newly elected or appointed public officials or employees shall file prior to or as soon as reasonably possible after the official date of taking office.

III. Where to File:

This form or other written disclosure should be filed with the person in charge of keeping records for the governing body of the entity served. (i.e., state officials and employees file with the head of their agency or department; officials and employees of public power districts file with the district office; county officials and employees file with the county clerk; city or village officials or employees file with the city or village clerk; officials and employees of natural resource districts file with the office of the district manager; school district officials and employees file with the district superintendent or secretary of the school board. **Disclosure need not be made to the Nebraska Accountability and Disclosure Commission.**

Disclosure of Contractual Interests by Local Officers. If you are disclosing an interest in a contract to which a local governing body on which you serve is a party, use NADC Form C-3, Contractual Interest Statement.

Disclosure of Potential Conflict of Interest by State Executive Branch Officials, Employees, and Others Required to file Statements of Financial Interests. If you are disclosing a potential conflict of interest under section 49-1499 of the Accountability Act, use NADC Form C-2, Potential Conflict of Interest Statement.

Definitions

Governing body means the village board of a village, the city council of a city, the board of commissioners or board of supervisors of a county, the board of directors of a public power district, or any body with the ultimate power to determine the entity's policies and control its activities.

Immediate Family Member means a child residing in an individual's household, a spouse of an individual, or an individual claimed by the public official or employee or his or her spouse as a dependent for federal income tax purposes.

Public employee means an employee of the state or a political subdivision thereof.

Public official shall mean an official in the executive branch, an official in the legislative branch, or an elected or appointed official in the judicial branch of the state government or a political subdivision thereof; any elected or appointed members of a governing body of a state institution of high education.

Official in the executive branch means an official holding a state executive office as provided in Article IV, Constitution of Nebraska, including Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, Tax Commissioner, the heads of such other executive departments as set forth in the Constitution or as may be established by law, a deputy thereto, or a member of any state board or commission.

Official in the legislative branch means a member or member-elect of the Legislature, a member of an official body established by and responsible to the Legislature, or employee thereof other than an individual employed by the state in a clerical or nonpolicymaking capacity.

Statutory Authority: Section 49-1499.01 Revised Statutes of Nebraska.

NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION 11 th Floor, State Capitol P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522	POTENTIAL CONFLICT OF INTEREST STATEMENT	POSTMARK DATE	
		MICROFILM NUMBER	
NADC FORM C-2A (Village, City, School Officials Except Omaha and Lincoln Officials)		OFFICE USE ONLY	
BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3			

- An official of a village or city holding elective office or an official of a school district holding elective office must file this form if he or she has a potential conflict of interest.
- **Officials of the cities of Lincoln and Omaha** holding elective office with a potential conflict of interest **should not use this form.** Use Form C-2.
- This form should be filed with the person who normally keeps records for the school district, city or village. **There is no requirement to file this form with the Nebraska Accountability and Disclosure Commission.**
- Persons who fail to disclose a potential conflict of interest or who otherwise do not comply with the law are subject to penalties.

ITEM 1	NAME, ADDRESS AND TELEPHONE NUMBER
---------------	-------------------------------------------

Name _____ Telephone No. _____

Last First Middle

Address _____

STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE

ITEM 2	TITLE, AGENCY (City, Village, School), ADDRESS AND PHONE
---------------	-----------------------------------------------------------------

Your Title _____ Agency _____

Agency Address _____

Agency Phone _____

ITEM 3	DESCRIBE POTENTIAL CONFLICT OF INTEREST IN DETAIL (Use Item 6 Continuation, if necessary)
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Date action is to be taken or decision is to be made: _____

Description of Potential Conflict:

ITEM 4 | PERSONS WHO MAY RECEIVE FINANCIAL BENEFIT OR DETRIMENT

You
 Member of your Immediate Family: _____
NAME

Business With Which You
 Are Associated (See Definitions) _____
NAME OF BUSINESS

ITEM 5 | NATURE OF FINANCIAL BENEFIT OR DETRIMENT

ITEM 6 | CONTINUATION

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[Empty space for continuation text]

(NATURE)

(DATE)

General Information - Filing Requirements

I. What is a Potential Conflict of Interest? - A public official is a potential conflict of interest if he or she is faced with making an official action or making an official decision which may result in a financial benefit or a financial detriment to the public official; a member of his or her immediate family; or a business with which he or she is associated. The financial effect of the action or decision must be distinguishable from the financial effect on the general public or a broad segment of it.

II. Who Must File:

- A. An official of a city or village holding elective office who has a potential conflict of interest. An official of the cities of Lincoln or Omaha holding elective office who has a potential conflict of interest should not file this form, but instead should use Form C-2.
- B. An official of a school district holding elective office who has a potential conflict of interest.
- C. An elective office is a public office normally filled by an election. A person appointed to fill a vacancy in a public office normally filled by election holds an elective office.

III. When and Where to File:

- A. This form should be filed as soon as the person holding elective office is aware that he or she may have a potential conflict of interest and prior to the time that the action is to be taken or the decision made.

B. This form should be filed with the person who normally keeps records for the governing body of the official holding elective office. For example, the person who keeps records for a city or village may be the city clerk or village clerk. **This form does not need to be filed with the Commission.**

C. The person filing the form should abstain from participating in or voting on the matter in which he or she has a potential conflict of interest. However, if the person wants an opinion from the Commission as to whether he or she has an actual conflict of interest requiring abstention or non-participation, he or she may send a copy of the form to the Commission along with request for an opinion.

Disclosure of Contractual Interests by Local Officers. If you are a local elected official disclosing an interest in a contract or an open account in which a local governing body on which you serve is a party, use NADC Form C-3, Contractual Interest Statement.

Disclosure of the Employment of Immediate Family Members. If you are disclosing the employment of an immediate family member, use NADC Form C-4, Employment of Immediate Family Members Disclosure Statement.

Definitions

Immediate family shall mean a child residing in your household, your spouse or an individual claimed by you or your spouse as a dependent for federal income tax purposes.

Business shall mean any corporation, partnership, limited liability company, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint-stock company, receivership, trust, activity, or entity. NOTE: The definition includes for profit and non-profit entities.

Business with which you are associated shall mean a business: (1) of which you are the sole proprietor; (2) or in which you are a partner, director, or officer; (3) or in which you or a member of your immediate family is a stockholder of closed corporation stock worth \$1,000 or more at fair market value or which represents more than a 5 percent equity interest, or is a stockholder of publicly traded stock worth \$10,000 or more at fair market value or which represents more than a 10 percent equity interest.

Elective office shall mean a public office filled by an election, except for federal offices. A person who is appointed to fill a vacancy in a public office which is ordinarily elective holds an elective office.

Person means a business, individual, proprietorship, firm partnership, joint venture, syndicate, business trust, labor organization, company, corporation, association, committee, or any other organization or group of persons acting jointly.

Statutory Authority: Section 49-1499.03 Revised Statutes of Nebraska.

**NEBRASKA
ACCOUNTABILITY AND
DISCLOSURE COMMISSION**
11th Floor, State Capitol
P.O. Box 95086
Lincoln, NE 68509
(402) 471-2522

CONTRACTUAL INTEREST STATEMENT

NADC FORM C-3

POSTMARK DATE	
MICROFILM NUMBER	
OFFICE USE ONLY	

BEFORE COMPLETING THIS FORM
READ THE FILING REQUIREMENTS
ON PAGE 3

- A local officer with an interest in any contract to which his or her governing body or anyone for its benefit is a party must disclose the interest on the record of the governing body responsible for approving the contract, or in writing by filing this form.
- File with the person charged with keeping records for the governing body involved in the contract **prior** to official consideration of the contract.
- Persons who fail to disclose their interests or otherwise do not comply with the law are subject to penalties.

ITEM 1 | YOUR NAME ADDRESS AND PHONE NUMBER

Name _____ Telephone No. _____
Last First Middle

Address _____
STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE

ITEM 2 | OFFICE OR POSITION, ADDRESS, PHONE, TERM OF OFFICE

Office or Position: _____ Term: _____

Name of City, County, District, Village, etc: _____

Address _____ Phone _____

ITEM 3 | CONTRACT IN WHICH YOU HAVE AN INTEREST

A. Names of Contracting Parties: _____

B. Body Which Will Consider the Contract: _____

C. Date Set for Consideration: _____

D. Subject Matter and Basic Terms: _____

ITEM 4 | **NATURE AND EXTENT OF YOUR INTEREST IN THE CONTRACT AND AMOUNT OF CONTRACT (Use ITEM 5, CONTINUATION, if necessary)**

ITEM 5 | **CONTINUATION**

(Signature)

(Date)

General Information - Filing Requirements

I. Who Must File:

A local officer with an interest in a contract to which his or her governing body or anyone for its benefit is a party must disclose the interest on the record of the body responsible for approving the contract, or in writing by filing this form.

II When to File:

An officer must declare his or her interest in a contract and the nature and extent of the interest prior to official consideration of the contract. The information concerning the contract listed in ITEM 3 of this form must be provided to the person in charge of keeping records of the governing body within 10 days after the contract is signed by both parties.

III. Where to File:

File with the person charged with keeping records for the governing body involved in the contract. For example, members of a County Board of Commissioners file with the County Clerk.

Disclosure of Potential Conflict of Interest by State Executive Branch Officials, Employees, and Others required to file Statements of Financial Interest. If you are disclosing a potential conflict of interest under section 49-1499 of the Accountability Act, use NADC Form C-2, Potential Conflict of Interest Statement.

Disclosure of the Employment of Immediate Family Members. If you are disclosing the employment of an immediate family member, use NADC Form C-4, Employment of Immediate Family Members Disclosure Statement.

Officer means a member of the board of directors of a natural resources district, a member of any board or commission of any county, school district, city or village which spends and administers its own funds, who is dealing with a contract made by such board or commission, and any elected county, school district, educational service unit, city, or village official, and a member of any board of directors or trustees of a district hospital as provided by the Nebraska Local Hospital District Act or a county hospital as provided by sections 23-343 to 23-343.19. Officer shall not mean volunteer firefighters or ambulance drivers with respect to their duties as firefighters or ambulance drivers.

Governing Body means the board of directors of a natural resources district, the board of supervisors or the board of commissioners of any county, a school district board, the board of an educational service unit, the city council of a city, the village board of a village, the board of directors or trustees of a district hospital as provided by the Nebraska Local Hospital District Act, sections 23-343.20 to 23-343.47, or a county hospital as provided by sections 23-343 to 23-343.19, or any board or commission of any county, school district, city or village which spends and administers its own funds.

An officer has an **interest** in a contract when the officer or his or her spouse, parent, or child: (a) has a business association as defined in sections 49-1408 and 49-14,103.01(5) with the business involved in the contract, or (b) will receive a direct pecuniary fee or commission as a result of the contract. An officer interested in a contract with his or her governing body may not: (1) vote on the matter of granting the contract, or (2) act for the governing body as to inspection or performance under the contract.

An **open account** established for the benefit of any governing body with a business in which an officer has an interest is considered a contract subject to disclosure requirements.

For purposes of contractual interest conflicts, as covered by section 49-14,103.01, ownership of less than five percent of the outstanding shares of a corporation shall not constitute an interest subject to disclosure.

Receiving deposits, cashing checks, and buying and selling warrants and bonds of indebtedness of a governing body by a financial institution is **not** considered a contract.

Any governing body as defined below may prohibit officers from having an interest in contracts over a specific dollar amount. A governing body may also exempt from disclosure requirements contracts for one hundred dollars or less in which an officer of the body has an interest.

Definitions

Business means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, activity or entity.

Business with which you are associated means a business: (1) in which you are a partner, director or officer; or (2) in which you or a member of your immediate family is a stockholder of closed corporation stock worth \$1,000 or more at fair market value or which represents more than a 5 percent equity interest, or is a stockholder of publicly traded stock worth \$10,000 or more at fair market value or which represents more than a 10 percent equity interest.

For purposes of contractual interest conflicts, as covered by section 49-14,103.01, ownership of less than five percent of the outstanding shares of a corporation shall not constitute an interest subject to disclosure.

Statutory Authority: Section 49-14,103.01 R.S. Supp., 1987, and sections 49-14,103.02 to 49-14,103.07 R.S. Supp., 1986.

Violation of Board Ethics

The board of education is responsible for enforcing the code of ethics of its members. If any member of the board commits a serious or repeated violation of the code, the board may take any of the following steps:

1. The board president may confer with the board member who has violated the code of ethics in order to:
 - a. Identify the provision of the code that the member has violated;
 - b. Propose how the member can remedy the violation;
 - c. If the board member who violated the code is the board president, the vice president is empowered to confer with the president about the violation.
2. The board may discuss the violation as an agenda item at a meeting to confront the offending board member. However, the board will not enter closed session to hold the discussion of the ethics violation unless the Open Meetings Act authorizes a closed session.
3. The board may vote to publicly censure any board member who commits a serious or repeated violation of the code. The board will pass a censure motion to inform the community that an individual member of the board is not fulfilling the responsibilities for which he or she was elected.

Adopted on: 06-11-2018

Revised on: _____

Reviewed on: 06-11-18, 07-09-18

BOARD ORGANIZATIONAL MEETING

An annual organizational board meeting shall be held at which all newly elected board members will assume their duties and take the oath of office. At the annual meeting, the board shall appoint all necessary board officers and committees.

The order of business shall be for the current President to open the meeting and preside over the roll call, payment of claims, approval of bids, personnel adjustments, and acceptance of the Treasurer's report. A motion will then be made to adjourn the Board sine die of the preceding year and appoint the Superintendent for the purpose of administering the oath of office to new Board members and presiding during the election of the new Board President. When a President is elected he shall take over the meeting. A Vice President will then be elected. Regular action and information items will follow and the prescribed Board agenda will prevail for the remainder of the meeting.

The board shall also appoint the superintendent or another qualified employee as the district's Non-discrimination Compliance Coordinator for the year to meet federal Equal Employment Opportunity requirements.

Legal Reference: Neb. Statute 79-724
 84-712
 84-1413

Cross Reference: 201.01 Board Powers and Responsibilities
 201.02 Board Membership - Elections/Appointment

Approved 8-15-2011 Reviewed 4-16-2012/3-9-2015/5-14-18 Revised 5-11-2015

VICE PRESIDENT

If the board president is unable or unwilling to carry out the duties required, it shall be the responsibility of the vice president of the board to carry out the duties of the president. If the president is unable or unwilling to complete the term of office, the vice president shall serve as president for the balance of the president's term of office, and a new vice president shall be elected.

The vice president of the board shall be elected by a majority vote at the organizational meeting each year to serve a one-year term of office.

The vice president shall accept control of the meeting from the president when the president wishes to make or second a motion. The vice president shall take an active role in board decisions by discussing and voting on matters before the board in the same manner as other board members.

Legal Reference: Neb. Statute 79-564
 79-569 et seq.
 79-593

Cross Reference: 201.01 Board Powers and Responsibilities

Approved 8-15-11 Reviewed 4-16-12/3-9-15/5-14-18 Revised _____

SECRETARY

It shall be the responsibility of the board to annually appoint a board secretary. The secretary shall take the oath of office.

A board secretary may be appointed from employees, from the public or from among board members at the annual board organizational meeting.

It shall be the responsibility of the board secretary, as custodian of school district records, to preserve and maintain the records and documents pertaining to the business of the board; to keep complete minutes of special and regular board meetings; to cause the meeting minutes and a list of all approved claims to be published; to keep a record of the results of regular and special elections; to keep an accurate account of school funds; to sign warrants drawn on the school funds after board approval; and to complete and maintain the annual school census. The board secretary is also responsible for filing the required reports with the Nebraska Department of Education.

Legal Reference: Neb. Statute 79-528
 79-564
 79-576 to 580

Cross Reference: 104.01 Annual School Census
 201.01 Board Powers and Responsibilities
 203.01 Board Organizational Meeting
 203.05 Treasurer
 204.11 Meeting Minutes

TREASURER

It shall be the responsibility of the board to annually appoint a board treasurer.

It shall be the responsibility of the treasurer to receive the funds collected for the district by the county treasurer, to pay out the funds for expenses approved by the board, to maintain accurate accounting records for each fund, to manage district's investments for the maximum benefit to the district, to report monthly and annually the status of all district funds and investments, and to file required reports with the appropriate state agencies and other entities.

The treasurer will work with the secretary to coordinate the recording, preserving and reporting of financial records, reports, cash flow needs and district investments.

If the treasurer is unable or unwilling to carry out the duties required, it shall be the responsibility of the superintendent (or other person designated at that time) to carry out the duties of the treasurer.

The treasurer shall do one of the following within ten days after election to the position:

1. Give bond in an amount set by the board of not less than \$500 and not more than double the amount of money to come into his/her hands as treasurer at any one time.
2. Give evidence of an equal amount of insurance coverage by the district.

The cost of the bond or insurance coverage will be paid by the school district.

Legal Reference: Neb. Statute 79-586 to 590

Cross Reference: 201.01 Board Powers and Responsibilities
 203.01 Board Organizational Meeting
 203.04 Secretary
 700 Business Operation

Approved 8-15-11 Reviewed 4-16-12/3-9-15/5-14-18 Revised _____

BOARD COMMITTEES

Committees will be appointed by the president of the board. These committees are created for specific tasks of seeking information or investigation and will report back to the board for its consideration and action. Committee action is considered to be fact-finding, deliberative, and advisory only. Each committee will have a chairperson appointed by the president.

Standing committees may be appointed by the president, to serve for no longer than the ensuing organizational meeting of the Board unless re-appointed.

Although subject to revision each calendar year, the following standing committees are currently structured to provide assistance in the deliberations of Board actions:

1. Committee on Americanism, Instruction, and Technology. It will be the purpose of this sub-committee to meet the statutory responsibilities of Nebraska School Law (79-724). This committee is charged with considering administrative recommendations concerning appropriate textbooks, recommendations for the establishment of curriculum, and all matters as appropriate which affect the curriculum and instruction of this school district. This committee will develop and implement recommendations to the Board on all matters associated with short and long term technology needs of the district.
2. Building, Grounds, and Transportation. It will be the purpose of this subcommittee to develop and implement recommendations and to review and evaluate major projects that involved the school district's buildings and grounds and the movement of students.
3. Budget and Finance/Negotiations and Personnel. It will be the purpose of this subcommittee to monitor and evaluate all matters concerning the budget and finances of the district. The committee will assist the superintendent of schools with short and long range planning of the district budget and financial operations. The committee will develop and implement recommendations to the Board on terms and conditions of employment (negotiations), for certified and non-certified staff.
4. Strategic Planning. It will be the purpose of this subcommittee to develop and implement recommendations to the Board on all matters of short and long range goals for the district. The committee will work with the superintendent of schools to plan and coordinate an annual strategic planning meeting. This committee will be made up of the chairs of the Budget and Finance; Americanism, Instruction, and Technology; and Building, Grounds, and Transportation committees.
5. Legislative and Policy Review. It will be the purpose of this subcommittee to evaluate legislative issues that may impact matters before the Board. This committee will also

review and update all policies in the Board policy manual on a continuous three year rotation.

Legal Reference: Neb. Statute 79-724

Cross Reference: 201.01 Board Powers and Responsibilities
 203.01 Board Organizational Meeting

Organization of the Board

1. Membership, Term and Election

- a. The Board of Education shall be comprised of six members who will be elected at large.
- b. Those who wish to serve on the board shall file, be elected, and serve terms of office on the board according to law.

2. Internal Organization

a. President

- i. At the regular January meeting, the board shall elect from among its members a president who shall serve in that capacity for one year.
- ii. The president shall preside at all board meetings, and shall perform such other duties as may be prescribed by law or by action of the board.

b. Vice President

- i. At the regular January meeting, the board shall elect from among its members a vice president who shall serve in that capacity for one year.
- ii. The vice president shall preside in the absence of the president, and shall perform such other duties as are assigned by the board.

c. Secretary

- i. At the regular January meeting, the board shall elect a secretary who need not be a member of the board. The secretary shall serve in that capacity for one year. If the secretary is a member of the board, an assistant secretary may be named and his or her duties and compensation set by the board.
- ii. The secretary shall see that an accurate record of the proceedings of the board is kept, that a copy of the proceedings is provided to each board member and to the superintendent, and that a concise summary of each month=s meeting is published along with a list of all approved claims. The secretary shall perform such other duties as are prescribed by law and assigned by the board.

d. Treasurer

- i. A treasurer from the board will be designated on a year-to-year basis.
- ii. The treasurer will sign checks and certain other documents. The treasurer is the custodian of the monies of the district.
- iii. The treasurer shall give bond or equivalent insurance coverage payable to the district as prescribed by law with the cost of the bond being paid by the district.

- iv. The treasurer shall issue no warrant of payment of claim against the district until such claim has been duly authorized by the board and has been duly countersigned by the president.
- v. The vice president or secretary may sign any warrant in the absence of either the president or the treasurer.

3. Committees

- a. The board shall authorize such special committees as it deems necessary. The board president shall appoint members to the committee, and designate its function, tasks it is to perform, and a completion date for its work.
- b. On or before the beginning of each school year, the board shall appoint three members to form a Committee on Americanism. The committee's duties shall be those prescribed by Nebraska statutes.

4. Vacancies

- a. A vacancy on the board of education shall exist when any one of the following occurs:
 - i. A member submits his or her formal resignation from the board.
 - ii. A member removes himself or herself from the district or is absent from the district for a continuous period of sixty days.
 - iii. A member misses more than two consecutive regular board meetings unless excused by a majority of the remaining members.
 - iv. Such other reasons as are set forth in Nebraska statutes.
- b. The board shall make note the vacancy in its minutes and shall give notice of the date the vacancy occurred, the office vacated, and the length of the unexpired term to (1) the election commissioner or county clerk, and (2) the public by published notice in a newspaper of general circulation in the district.
- c. Vacancies shall be filled in the manner set forth in Nebraska statutes.

SCHOOL BOARD LEGAL COUNSEL

It shall be the responsibility of the board to employ legal counsel to assist the board and the administration in carrying out their duties with respect to the numerous legal issues confronting the school district. The board may appoint legal counsel on an annual basis.

The superintendent and board president shall have the authority to contact the board's legal counsel on behalf of the board when the superintendent or board president believes it is necessary for the management of the school district. The board's legal counsel may attend regular or special school board meetings upon the request of the board or the superintendent. Other board members may contact legal counsel upon approval of a majority of the board. It shall be the responsibility of each board member to pay the legal fees, if any, of an attorney the board member consulted regarding matters of the school district unless the board has authorized the board member to consult an attorney on the matter in accordance with this policy.

It shall be the responsibility of the superintendent to keep the board informed of matters for which legal counsel was consulted if the legal services will involve unusual expense for the school district.

Legal Reference: Neb. Statute 79-513

Cross Reference: 201.01 Board Powers and Responsibilities

Approved 8-15-11 Reviewed 4-16-12/3-9-15/5-14-18 Revised _____

REGULAR BOARD MEETINGS

The regular meeting time and date shall be set by the board at its organizational meeting. The regular meetings of the board will be held on the second Monday of each month.

The board shall generally adhere to its regular date and time unless the board requires additional meetings or, due to circumstances beyond the board's control, the meeting cannot be held on the regular meeting date, and the meeting will be re-scheduled at the board's convenience. Public notice of the meetings shall be given.

The board shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

Legal Reference: Neb. Statute 79-554
 79-560
 79-561
 84-1412

Cross Reference: 203.01 Board Organizational Meeting

Approved 8-15-11 Reviewed 5-14-12/4-20-15/6-11-18 Revised _____

SPECIAL BOARD MEETINGS

Special meetings may be called by the superintendent, the president of the board or any two board members. Should a special meeting be called, public notice shall be given and the meeting shall be conducted in accordance with the open meetings laws.

If the special meeting called is an emergency meeting and the board cannot give public notice in its usual manner, the board shall give public notice of the meeting as soon as practical and possible in light of the situation. The reason for the emergency meeting and why notice in its usual manner could not be given shall be stated in the minutes. Minutes of the emergency meeting must be made available to the public by no later than the end of the next regular business day.

Only the purpose or issue for which the special meeting was called may be discussed and decided in the special meeting. The board shall strictly adhere to the agenda for the special meeting and action on other issues shall be reserved for the next regular or special board meeting.

Legal Reference: Neb. Statute 79-554
 79-555
 84-712
 84-1408 to 1414

Approved 8-15-11 Reviewed 5-14-12/4-20-15/6-11-18 Revised _____

PROCEDURES FOR PERSONNEL HEARINGS

The board meeting is called to order by the president of the board. A motion is made by a member of the board for the board to move into executive session for the purpose of discussing personnel matters. There should be an affirmative vote by the majority of the majority of the board.

In the executive session the Board President calls the meeting to order for the purpose of a personnel hearing for (name of teacher).

There should be legal counsel sitting with the board and legal counsel sitting with the administration. These two lawyers should not be from the same firm. There should be a court reporter or some reliable mechanical device to take accurate testimony.

The administration acts as the prosecution and presents the case. The President conducts the hearing and the board sits as the jury. The President is in control. This is an administrative hearing and the rules of court do not apply; however, witnesses should be sworn in.

Any member of the board has the right to ask questions. The teacher, or his/her representative, has the right to examine and cross-examine witnesses. The administration has the right to examine and cross-examine witnesses.

A majority vote of the board is necessary to make a decision to terminate, non-renewal or to modify a contract. The decision must be based on the facts presented at the hearing that are evident in the transcript.

Approved 8-15-11 Reviewed 5-14-12/4-20-15/6-11-18 Revised _____

PUBLIC HEARINGS

Public notice of a public hearing shall be in the same manner as for a board meeting and shall be given at least two days before the hearing is to be held.

At public hearings, citizens of the district who register to speak will be allowed to speak only on the issue for which the public hearing is being held. Speakers are asked to keep their remarks as brief as possible. Prior to the beginning of the hearing, speakers and spectators will be apprised of the rules of order to be followed regarding time limitations, questions, remarks and rebuttals. In no event will a speaker be allowed to take the time of another speaker.

The board shall conduct public hearings in an orderly fashion. At the beginning of the hearing statements, background materials and public hearing rules and procedures will be presented by the board president or administrators. The board president will recognize the speakers. A board member may ask questions of the speakers after receiving permission from the board president. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the board or the proceedings shall be asked to leave.

Legal Reference: Neb. Statute 84-1408 et seq.

Cross Reference: 702.03 Budget Adoption Process
1005.03 Parental Involvement in the Schools

Approved 8-15-11 Reviewed 5-14-12/4-20-15/6-11-18 Revised _____

OPEN MEETINGS

A gathering of a majority of board members for the purposes of briefing, discussion of board business, formation of policy or taking formal action is a board meeting. Meetings of the board shall be conducted in a meeting open to the public unless the board is temporarily convened in a closed session.

Chance or social gatherings, attendance at or travel to conventions or workshops or other occasions when there is no discussion of or action on any matter within the board's supervision, control, jurisdiction, or advisory power will not constitute a meeting.

Legal Reference: Neb. Statute 84-1408 to 1410

Approved 8-15-11 Reviewed 5-14-12/4-20-15/6-11-18 Revised _____

CLOSED SESSIONS

A closed, or executive, session will take place as part of an open meeting of the board. The item for discussion in the closed session shall be listed as part of the tentative agenda on the public notice. The motion for a closed session, including its subject matter and the reason necessitating the closed session, shall be made and seconded during the open meeting, and approved by a majority of the voting members. The minutes shall state the entire motion for the closed session, the roll call vote to enter closed session, and the time the closed session began and ended. Following approval of the motion to close, the presiding officer shall restate on the record the limitation of the subject matter of the closed session immediately prior to the closed session.

The board shall restrict its considerations to only those matters set forth in the minutes as the reason for the closed session. Reasons for the board entering into a closed session from an open meeting include, but are not limited to, the following:

1. Strategy sessions with respect to collective bargaining, real estate purchases, or litigation;
2. Discussion regarding the use of security personnel or devices;
3. Investigative proceedings regarding allegations of criminal misconduct;
4. Evaluations of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if that person has not requested a public meeting.

No formal action may be taken until the board has reconvened in open session.

Any board member may challenge the continuation of a closed session if he or she believes the session has exceeded the reason stated in the motion to hold the closed session. A majority vote of the board is required in order to overrule the challenge. The challenge and its disposition shall be recorded in the meeting minutes.

Legal Reference: Neb. Statute 84-1410

Approved 8-15-11 Reviewed 5-14-12/4-20-15/6-11-18 Revised _____

MEETING NOTICE

Reasonable advance public notice shall be given for meetings and work sessions held by the board by a method designated and recorded in the board minutes. Public notice shall indicate the time, place, date and tentative agenda of board meetings. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. The notice shall be transmitted in the Antelope County News newspaper or online edition, posted in the Oakdale and Neligh Post Offices, and at the main entrance of the school door, with a copy kept readily available for public inspection at the district office. Except for items of an emergency nature the agenda shall not be altered later than 24 hours before the meeting.

A copy of the public notice will be provided to those who have filed a request for notice with the superintendent. These requests for notice must be in writing. A copy of the public notice will also be accessible to employees and students.

In the case of special meetings, public notice shall be given in the same manner as for a regular meeting unless it is an emergency meeting. Public notice of emergency meetings shall be given as soon as practical and possible in light of the situation. Reasonable efforts shall be made to notify news media who have requested notification of meetings.

It shall be the responsibility of the superintendent to give public notice of board meetings. The superintendent shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification of the time and place of each meeting and the subjects to be discussed.

Legal Reference: Neb. Statute 84-1408 to 1414
 79-554
 79-560
 79-561

5-14-12/4-20-15/6-11-18

Approved 8-15-11 Reviewed 10-15-2019 Revised 10-15-19

QUORUM

Action by the board regarding the business of the school district may be taken only when a quorum, a majority of the board members, is in attendance at the board meeting.

While board members are encouraged to attend board meetings, a simple majority of the members shall constitute a quorum and are a sufficient number to transact business of the school corporation. The adjournment of a meeting may be executed without a quorum.

An affirmative vote of a majority of the votes cast shall be sufficient to pass a motion or take action unless law or board policy specifically requires a vote of a greater number. It is the responsibility of each board member to attend board meetings.

Legal Reference: Neb. Statute 79-554
 79-562

Approved 8-15-11 Reviewed 5-14-12/4-20-15/6-11-18 Revised _____

RULES OF ORDER

It shall be the responsibility of each board member to follow the rules of order stated in this policy at each meeting, and it shall be the responsibility of the presiding officer to conduct the board meeting within these rules.

Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session. The record shall state how each member voted or if the member was absent or not voting.

The board shall follow Robert's Rules of Order, Revised latest edition as modified by this policy and subsequent rule.

The purposes of modified rules adopted by the board are:

- To establish guidelines by which the business of the governing board can be conducted in a regular and internally consistent manner;
- To organize the meetings so all necessary matters can be brought to the board and decisions of the board can be made in an orderly and reasonable manner;
- To ensure members of the board, concentrating on the substantive issues at hand, have the necessary information to make decisions, and to ensure adequate discussion of decisions to be made; and,
- To ensure meetings and actions of the board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

Legal Reference: Neb. Statute 84-1408 to 1414
 79-570, 571

Approved 8-15-11 Reviewed 5-14-12/4-20-15/6-11-18 Revised _____

AGENDA

The tentative agenda for each board meeting shall state the topics for discussion and action at the board meeting. The agenda is part of the public notice of the board meeting and will be posted and distributed.

Persons requesting to place an item on the agenda must make a request to the superintendent prior to the drafting of the tentative agenda. The person making the request must state the person's name, purpose of the presentation, action desired and pertinent background information. Adding such requests will be at the discretion of the superintendent after consultation with the board president.

The tentative agenda and supporting documents shall generally be sent to the board members 3 days prior to the scheduled board meeting. These documents are the private property of the board member. Persons wishing to view the tentative agenda and supporting documents may do so at the principle office of the district.

The board shall take action only on the items listed on the tentative agenda posted with the public notice. Items added to the agenda may be discussed or taken under advisement by the board. If an added item is acted upon, the minutes of the board meeting shall state the reason justifying the immediate action. Only items of an emergency nature may be added to the agenda later than twenty-four hours before the scheduled meeting.

It shall be the responsibility of the board president and superintendent to develop the agenda for each board meeting.

A consent agenda may be presented by the president at the beginning of a meeting and used by the board for noncontroversial business. The consent agenda will consist of routine business that requires action but not necessarily discussion. These items may all be approved at the same time. A board member may ask that any item be removed from the consent agenda. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the board.

Legal Reference: Neb. Statute 84-712
 84-1408 to 1414

Cross Reference: 203 Organization of the School Board
 403.05 Public Complaints about Employees
 503 Student Rights and Responsibilities
 1003 Public Examination of District Records

Approved 8-15-11 Reviewed 5-14-12/4-20-15/6-11-18 Revised _____

MEETING MINUTES

The board shall keep and maintain permanent records of the board including, but not limited to, records of the minutes of board meetings, documentation received or disclosed in open session of the meetings, and other required records of the board.

It shall be the responsibility of the board secretary to keep the minutes of the board meetings. The minutes of each board meeting shall include as a minimum the following items: a record of the date, time, place, members present, action taken and the vote of each member, and the schedule of bills allowed shall be attached. The minutes shall also include all required information regarding any closed sessions as stated in policy 204.06. This information shall be available within 10 days of the board meeting or prior to the next convened meeting, if earlier. Minutes shall be forwarded to the newspaper designated as the official newspaper for publication. The schedule of bills allowed may be published on a once monthly basis in lieu of publication with the minutes. The permanent records of the board minutes may include more detail than is required for the publication of the minutes.

Minutes awaiting approval at the next board meeting will be available for inspection at the central office of the district after the office transcribes the notes into a document which has been proofread for errors and corrected.

Legal Reference: Neb. Statute 79-577
 79-580
 84-712
 84-1408 to 1414

Cross Reference: 203 Organization of the School Board
 1003 Public Examination of District Records
 1004 Press, Radio and Television News Media

Approved 8-15-11 Reviewed 5-14-12/4-20-15/6-11-18 Revised _____

PUBLIC PARTICIPATION IN BOARD MEETINGS

The public shall have the right to attend and the right to speak at meetings of the Board of Education. The public further has the right to videotape, televise, photograph, broadcast, or record all or any part of a meeting of a Board of Education by means of a tape recorder, camera, video equipment, or other means of pictorial or sonic reproduction or in writing. The Board of Education may make and enforce reasonable rules and regulations, in addition to this policy, regarding the conduct of the persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. The Board of Education is not required to allow citizens to speak at each meeting, but the Board of Education shall not forbid public participation at all meetings.

The Board of Education shall not require members of the public to identify themselves as a condition for admission to a Board meeting. The Board may, however, require any member of the public desiring to address the Board to identify himself or herself.

Normally, the Board of Education shall hold its regular and special meetings in the library, located in the high school building. Upon request, the Board of Education shall make reasonable efforts to accommodate the public's right to hear the discussion and testimony presented at a Board meeting.

PROCEDURES FOR ADDRESSING THE BOARD OF EDUCATION

WHO MAY ADDRESS THE BOARD

1. Residents of the district
2. Members of the staff or student body
3. Parents of students enrolled in the district
4. Individuals who have been requested by the superintendent or board to present a given subject
5. Nonresidents of the district who have requested and received the permission of the superintendent in the prescribed manner

ITEMS OF DISCUSSION

Only items on the written board agenda will be discussed at any meeting unless the board, by a majority action, agrees to place additional items on the agenda at the request of the superintendent or a board member.

TO PLACE AN ITEM ON THE AGENDA

An applicant may place an item on the agenda by filing a written request with the superintendent at least one week prior to the regularly scheduled board meeting. The written request should include the name, address, and telephone number of the person making the request; the name of the organization or group represented, if any; a statement of action to be requested of the board; any pertinent background information leading to the request.

TIME AND PLACEMENT ON THE AGENDA

The superintendent, upon receipt of a properly executed request, shall set a date for inclusion of the requested item on the agenda as soon as practicable, bearing in mind such considerations as allowing time to gather pertinent information, to assemble members of the staff who have knowledge of the subject, etc. The superintendent shall notify the individual or group of the date, time, and place of the meeting at which the item will be considered.

TO SPEAK TO AN ITEM ON THE AGENDA

1. Stand during the visitors' period (agenda item 5) and be recognized by the presiding officer.
2. State your name and address.
3. State the subject about which you wish to speak.
4. Your name will be placed under that subject on the agenda and you will be called upon when that subject comes up for discussion.

TO SPEAK TO AN ITEM NOT ON THE AGENDA

1. Stand during the visitors' period and be recognized by the presiding officer.
2. State your name and address.
3. No action will be taken by the board on items brought up during the visitors' period. If action is desired the subject should be placed on the agenda of a future meeting in the manner described in the third section of this document.

TIME LIMIT FOR SPEAKERS

A time limit of five minutes per speaker will be allowed. Not more than a total of twenty minutes will be allowed for the presentation of any specific topic. These time limits may be changed by a majority of the board members voting to extend the time for a specific topic or speaker.

CONDUCT AND REMARKS OUT OF ORDER

Undue interruption or other interference with the orderly conduct of business cannot be allowed. Defamatory or abusive remarks are always out of order. A speaker's privilege of address may be terminated if he persists in improper conduct or remarks.

QUESTIONS AND COMMENTS BY THE BOARD AND SUPERINTENDENT

Members of the board of education and the superintendent may question a speaker or make comments in response to the speakers remarks. Board members and the superintendent are not subject to questioning by speakers.

Individuals who have a complaint about employees or students who have complaints shall follow policies 403.05 and 504.01 respectively. The board will follow policy 1005.01 in handling public complaints. Individuals wishing to challenge instructional materials shall follow policy 606.03.

Any written or printed materials to be circulated for a meeting of the school board must be submitted to the superintendent by the Wednesday preceding a Monday night meeting. This material will be transmitted to the members of the board for their consideration.

Legal Reference: Nebraska Statute 84-1408 to 1414
Cross Reference: 201.07 Board Member Liability
403.05 Public Complaints about Employees

Approved 8-15-2011 Reviewed 5-14-2012/4-20-2015/6-11-18
Revised 5-14-2012

POLICY DEVELOPMENT

The board has jurisdiction to determine the policies which will govern the operations of the school district with the force and effect of law.

The written policy statements contained in this manual provide guidelines and goals to the citizens, administration, employees and students in the school district community. The policy statements shall be the basis for the formulation of regulations by the administration. The board shall determine the effectiveness of the policy statements by evaluating periodic reports from the administration.

Policy statements may be proposed by a board member, administrator, employee, student or member of the school district community. Proposed policy statements or ideas shall be submitted to the superintendent's office for possible placement on the board agenda. It shall be the responsibility of the superintendent to bring these proposals to the attention of the board.

Legal Reference: Neb. Statute 79-526
 79-532
 79-539
 NDE Rule 10.004.01A1

Cross Reference: 102 Educational Philosophy of the District
 201.01 Board Powers and Responsibilities

Approved 8-15-12 Reviewed 6-11-12/5-11-15/7-9-18 Revised _____

POLICY ADOPTION

The board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two regular board meetings. The proposed policy changes shall be distributed and public comment will be allowed at each meeting prior to final board action. This notice procedure shall be required except for emergency situations. If the board adopts a policy in an emergency situation, a statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The board shall have complete discretion to determine what constitutes an emergency situation.

The final action taken to adopt the proposed policy may be approved by a simple majority vote of the board at the second regular meeting. The policy will be effective on the later of the date of passage or the date stated in the motion.

In the case of an emergency, a new or changed policy may be adopted by a majority vote of a quorum of the board. The emergency policy shall expire at the close of the *third* regular meeting following the emergency action, unless the policy adoption procedure stated above is followed and the policy is reaffirmed.

Legal Reference: Neb. Statute 79-520
 79-526
 84-712 et seq.
 NDE Rule 10.004.01A1

Cross Reference: 201.01 Board Powers and Responsibilities

Approved 1-16-2012 Reviewed 1-16-2012/5-11-15,8/14/17/9-11-17/7-9-18 Revised
8/14/17, 8/16/18

Creation, Amendment, and Distribution of Board of Education Policies

Each of these policies shall become the official policy of the school district when the board has approved it by majority vote of the members present at any lawfully convened meeting of the board.

It shall generally be the practice of the board to adopt or amend any policy after a single reading at any regular or special board meeting. However, the board may, in its discretion, review policies at multiple meetings prior to taking action.

Each policy shall bear the date when it was adopted, revised or reviewed.

The superintendent shall distribute copies of these policies to all members of the board, maintain a master copy in the central office, and see to it that the policies are maintained on the school district's web site.

Annual Review

Nebraska statutes require an annual review and/or hearing to solicit public comment on these specific policies:

Parental Involvement Policy

Title I Parental Involvement Policy

(Note: These first two are distinct parental involvement policies, and both must be reviewed annually.)

Student Fees Policy

Bullying

Multicultural Education

Student Assessment

Teacher Evaluation

Student Academic Performance

Safety and Security Committee

Attendance and Excessive Absenteeism

The board may update or add policies as needed. The board shall determine the number of copies of policies to be made and their copy of the policies in the main administrative office. Unless otherwise directed by the board, the master copy shall be considered the official district policy manual.

Adopted: 7/10/17 Reviewed: 7/10/17 Revised

POLICY REVIEW AND REVISION

The board will periodically review, update and approve the board's policy manual.

It shall be the responsibility of the superintendent to keep the board informed as to legal changes at both the federal and state levels. The superintendent shall also be responsible for bringing proposed policy statement revisions to the board's attention.

If a policy is revised because of a legal change over which the board has no control or a change which is minor, the policy may be approved at one meeting at the discretion of the board.

Legal Reference: Neb. Statute 79-526
 79-532
 79-539
 NDE Rule 10.012.01A

Cross Reference: 102 Educational Philosophy of the District
 201.01 Board Powers and Responsibilities

Approved 8-15-12 Reviewed 6-11-12/5-11-15/7-9-18 Revised _____

POLICY SUSPENSION

It shall be within the discretion or amendment of the board to suspend a policy. Policies of the board may be immediately amended or temporarily suspended by a majority vote of board members present at an official meeting of the board if the board determines that an emergency exists. This does not apply to any section of board policies established by law or by contract. Reasons for amendment or suspension of board policy shall be documented in board minutes.

Legal Reference: Nebraska Statute 79-526

Cross Reference: 201.01 Board Powers and Responsibilities

Approved 8-15-12 Reviewed 6-11-12/5-11-15/7-9-18 Revised _____

ADMINISTRATION IN THE ABSENCE OF POLICY

When there is no board policy in existence to provide guidance on a matter, the superintendent is authorized to act appropriately, keeping in mind the educational philosophy and financial condition of the school district.

It shall be the responsibility of the superintendent to document the action taken and to inform the board of the situation. If needed, the superintendent shall draft a proposed policy for the board to consider.

Legal Reference: Nebraska Statute 79-526

Cross Reference: 302.04 Superintendent Duties

Approved 8-15-12 Reviewed 6-11-12/5-11-15/7-9-18 Revised _____

NEW BOARD MEMBER ORIENTATION

Each new board member shall be given an orientation program under the direction of the superintendent. This briefing shall include a current copy of the board policy manual, the budget, the latest annual report and such other documents as the superintendent may include to foster an understanding of the operation of the district. The superintendent shall set aside such time as is necessary to answer any questions arising from the study of these documents, and shall cooperate fully in assisting the new member to become an informed and active board member.

Cross Reference: 201.02 Board Membership - Elections/Appointment
 202 School Board Member Conduct

Approved 8-15-12 Reviewed 6-11-12/5-11-15/7-9-18 Revised _____

BOARD ASSOCIATION MEMBERSHIP

Participation in board member associations is beneficial to the board. The board shall maintain an active membership in the Nebraska Association of School Boards and in organizations the board determines will be of benefit to the board and the school district. A majority vote of the board of education is required when joining professional organizations.

Legal Reference: Neb. Statute 79-512

Cross Reference: 206.03 Board Member Development Opportunities

Approved 8-15-12 Reviewed 6-11-12/5-11-15/7-9-18 Revised _____

BOARD MEMBER DEVELOPMENT OPPORTUNITIES

The school board faces a difficult set of challenges. It must fashion a quality educational program to prepare children for an unpredictable tomorrow. It must decide complex issues of policy and principle. It must oversee the prudent management of our community's extensive school system. It is right and proper for the public to expect its elected board members to demonstrate high qualities of leadership as they deal with affairs of the public schools. It is also wise and proper for a school board to expect public support for its efforts to enlarge the horizons and abilities of its members.

The Board of Education places a high priority on the importance of a planned and continuing program of in service education for its members. The central purpose of the program is to enhance the quality of the effectiveness of public school government in our community. The Board shall plan specific in service activities designed to assist Board members in their efforts to improve their skills as members of a policy making body; to expand their knowledge about trends, issues, and new ideas affecting the continued welfare of our local schools; and to deepen their insights in the nature of leadership in a modern democratic society.

Funds shall be budgeted annually to support the program, individual Board members shall be reimbursed for out of pocket costs accrued during participation in approved activities. The public shall be kept informed about the Board's continuing in service education and about programs anticipated for short and long range benefits to our schools.

The Board regards the following as the kinds of activities and services appropriate for implementing this policy:

1. Participation in school board conferences, workshops, and conventions held by the State and National School Boards Associations.
2. District sponsored training sessions for Board members.
3. Subscriptions to publications addressed to the concerns of Board members.

Cross Reference: 206.02 Board Association Membership

Approved 8-15-12 Reviewed 6-11-12/5-11-15/7-9-18 Revised _____

BOARD MEMBER COMPENSATION AND EXPENSES

As an elected public official, the board member is a public servant who serves without compensation. Board members shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

Prior to reimbursement of actual and necessary expenses, the board member must submit a detailed receipt indicating the date, purpose and nature of the expense for each claim item. A credit card receipt is generally not considered a detailed receipt. Failure to provide a detailed receipt shall make the expense nonreimbursable. Personal expenses shall be reimbursed by the board member to the school district within 10 working days of the next regular meeting of the board. In exceptional circumstances, the board may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances shall be maintained as part of the school district's record of the claim.

It shall be the responsibility of the superintendent to compile the expenses of board members and bring them to the board for audit and approval in the same manner as other claims of the school district. It shall be the responsibility of the board to determine through the audit and approval process of the board whether the expenses incurred by a board member are actual and necessary expenses incurred in the performance of their official duties.

Legal Reference: Neb. Statute 13-2201 et seq.
79-546
81-1174 to 1177

Cross Reference: 202.02 Board Member Conflict of Interest
402.08 Employee Travel Compensation
402.11 Credit Cards

Approved 8-15-12 Reviewed 6-11-12/5-11-15/7-9-18 Revised _____