

Ashland-Greenwood Public Schools  
Board Agenda  
Saunders County School District No. One  
Monday, August 3, 2009

Library, Ashland-Greenwood High School  
1842 Furnas Street, Ashland, NE 68003

Regular Meeting  
7:30 P.M.

Finance Committee of David Lutton, David Nygren and Randy Beranek will meet at 7:00 PM to discuss investment of bond proceeds.

If this agenda is not completed by 11:00 p.m., the meeting should be recessed to a later date.

1. Call to Order. Roll Call.
2. Acknowledgement of Open Meetings Law posting.
3. Recognition of public participation at the meeting, identification of speakers and determination of time limits on participation.
4. Approval of any changes in the mailed agenda and/or changes in the agenda order. (Note: All agenda action items must be submitted to the Superintendent of Schools at least 24 hours in advance of the meeting to be included on the agenda.)

5. Visitors and Communications from the Public

No visitors have requested time on the agenda at this time.

6. Administrative and Practitioners Reports

- A. Report on 1:1 Project including review of 1:1 Handbook
- B. Mr. Bentzen
- C. Ms. Bray
- D. Ms. Finkey
- E. Mr. Pease

7. Old Business

- A. Report by Paul Kelly of BCDM on Construction Progress.
- B. Consideration and action on policy 8232 related to Use of Public Resources and Policy 1332 related to Equal Access. Pages 1-4
- C. Consideration, discussion and any necessary action on 2009-10 collective bargaining contract with AGEA. (The Board may want to move this item to the end of the agenda and discuss in executive session.)
- D. Consideration and action to approve contract renewal for Amanda Stuthman for Speech Therapy services.

8. New Business

- A. Consideration and action on revised 403B TPA Services Agreement with MidAmerica Administrative and Retirement Solutions.
- B. Review of budget preparation, hearing dates and the board's budget goals.
- C. Consideration of Policies 5111.1 on Option Enrollment and 4112/8261 on Conflict of Interest. Pages 5-8
- D. Consideration and action on resolution to approve terms and conditions set forth in the NASB Medicaid Consortium Agreement, and the Articles and Bylaws of the NASB Medicaid Consortium.

9. Information Items

- A. There are no information items at this time.

10. Other items presented by Board members for future consideration.

11. The next meeting would normally fall on Monday, August 17<sup>th</sup> but since that is Back to School Night It is recommended that the Board consider moving the meeting to August 24<sup>th</sup>, 2009 at 7:30 p.m. in the High School Library at the Middle School/High School at 1842 Furnas Street in Ashland, NE.

*Notices:*

*COPY OF OPEN MEETINGS ACT: The Board of Education makes 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. The Act is posted on the North wall of the meeting room west of the main entrance.*

*INSTRUCTIONS FOR THOSE WHO WISH TO SPEAK DURING PUBLIC FORUM:*

*Getting Started: When it is your turn to speak during the public forum portion of the agenda, please come forward, sign your name and address on the sign-in sheet and state your name to the Board of Education.*

*Time Limit: You may speak only one time and must limit comments to 5 minutes or less.*

*Personnel or Student Topic: If you are planning to speak about a personnel or student matter involving an individual, please understand that our policies require that such concerns initially be directed to the administration for consideration. Board members will generally not respond to any questions you ask or comments you make about individual staff members or students. You are cautioned that slanderous comments are not protected just because they are made at a Board meeting.*

*General Rules: Please remember that this is a meeting of the Board of Education held in public for conducting the business of the Board of Education. Offensive language, personal attacks and hostile conduct will not be tolerated.*

Community Relations

Equal Access to Secondary School Facilities

Equal Access to Student Groups. In the event any of the secondary schools (grades 6-12) have a limited open forum as defined in the Equal Access Act, such school(s) shall not deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

In accordance with federal legislation related to limited open forums, non-curriculum related student groups may, with the written permission of the principal or the principal's designee, meet on the school premises at such times and places determined by the principal or the principal's designee, subject to the following:

1. The meeting will be held during non-instructional time.
2. Facilities are available to accommodate the meeting without interfering with other school activities.
3. The meeting is voluntary and student-initiated.
4. There is no sponsorship of the meeting by the school district or its employees or by any other governmental body or its employees.
5. Employees of the school district will be present only in a nonparticipating capacity.
6. The meeting will not materially and substantially interfere with the orderly conduct of educational activities within the school.
7. Persons who are not regularly enrolled students or employees of the district will not direct, conduct, control or regularly attend meetings held on the school premises.

For purposes of this policy:

1. "Limited Open Forum" means: the opportunity in secondary schools for non-curriculum related student groups to meet on school premises during the school day.
2. "Curriculum Related Student Groups" means: Any group approved by the board and sponsored by the district or by the individual school or to which the principal assigns a staff member as sponsor on either a payor non-pay basis. A curriculum related student group will not include any student group which has a religious or political affiliation or purpose.
3. "Non-Curriculum Related Students Groups" will mean: Any student group which is not approved by the board and is not a curriculum related student group.

Equal Access to Boy Scouts. If the District provides an opportunity for one or more outside youth or community groups to meet on school premises or in school facilities before or after school hours, the District shall not deny equal access or a fair opportunity to meet to, or discriminate against, any group officially affiliated with the Boy Scouts of America. The same principles apply to any other youth group listed in Title 36 of the United States Code as a "patriotic society." The administration shall in all respects maintain the District in compliance with the Boy Scouts of America Equal Access Act.

The use of school facilities for student meetings and Boy Scouts as provided above shall be subject to the same provisions as other community, non-school groups and may be required to complete a community use application as and to the same extent as other noncurriculum related student groups (in the case of student meetings) and other outside youth or community groups (in the case of the Boy Scouts).

Adopted: November 20, 1989

Revised: August 3, 2009

Legal Reference:       20 U.S.C. §§ 4071-4074 (Equal Access Act)  
                              20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act) & 34 CFR Part 108

Internal Board Policies/Personnel

Use of Public Resources by Board Members and Employees

Restrictions on Use

No Board member or employee of [Name] Public Schools shall use or authorize the use of his or her public office or any confidential information received through the holding of the public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.

No Board member or employee shall use or authorize the use of school district personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain.

No Board member or employee shall use or authorize the use of school resources 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. For purposes of this restriction, "school resources" means personnel, property, resources, or funds under the official care and control of the Board member or employee.

Authorized Uses

The uses described below are not authorized by employees, and violate this policy, where an employee's use: (1) interferes with the conduct of school business; (2) interferes with the performance of the employee's duties and responsibilities; (3) is contrary to another Board policy or a rule or directive set forth in an employee handbook or other employee communication device; (4) is contrary to a supervisor's directive; or (5) the use is for the employee's personal financial gain or potential for potential for personal financial gain.

*Incidental or De Minimis Use:* Use of school resources by a Board member or employee which is incidental or de minimis does not constitute a violation of this policy.

*Personal Use as Part of Compensation:* Use of school resources for personal purposes is authorized by this policy if:

1. the use of the resource for personal purposes is part of the employee's compensation provided in an employment contract or is consistent with this policy; and
2. the personal use of the resource as compensation is reported in accordance with the Internal Revenue Code of 1986, as amended, and taxes, if any, are paid by the affected employee.

Employees who engage in such personal use shall, upon request of the Board of Education or the administration, provide evidence to establish that the compensation has been reported and taxes paid as required by the Tax Code.

*School Vehicles:* Use of a school vehicle by a Board member or employee to travel to a designated location or the home of the Board member or employee is permissible when the primary purpose of the travel serves a school district purpose. Such use is authorized by this policy. No travel other than directly to the school-related trip destination shall occur, however, when students are in the vehicle or if the vehicle is a school bus.

*Communication Devices:* A Board member or employee may use a telecommunication system, a cellular telephone, an electronic handheld device, or a computer under the control of the school district for email, text messaging, a local call, or a long-distance call, to a child at home, a teacher, a doctor, a day care center, a baby-sitter, a family member, or any other person to inform any such person of an unexpected schedule change or for other essential personal business. Any such communication shall be kept to a minimum and shall not interfere with the conduct of school business or the performance of an employee's duties.

A Board member or employee shall be responsible for payment or reimbursement of charges (e.g. long distance charges), if any, that directly results from any such communication. The Board member or employee shall promptly report any such communication that results in an expense to the School District to the Superintendent or the Superintendent's designee. The Superintendent or the Superintendent's designee shall establish procedures for reimbursement of charges incurred as a result of such communications.

Use of the District's internet system for such communications shall not be permitted to the extent such use violates the terms of the E-Rate program, which restricts use of the internet system to "educational purposes."

*Election Issues:* A Board member or the Superintendent, in the normal course of his or her duties, may use school resources to research and prepare materials to assist the School Board in determining the effect of a ballot question on the School District.

Mass mailings, mass duplication, or other mass communications at school expense for the purpose of qualifying, supporting, or opposing a ballot question is not permitted. Mass communications does not include placing public records demonstrating the consequences of the passage or defeat of a ballot question affecting the School District on its existing websites.

A Board member or employee may campaign for or against the qualification, passage, or defeat of a ballot question or the nomination or election of a candidate when no school resources are used. An employee shall not engage in campaign activity for or against the qualification, passage, or defeat of a ballot question or the nomination or election of a candidate while on duty time.

A Board member or authorized employee may make school facilities available for campaign purposes if the identity of the candidate or the support for or opposition to the ballot question is not a factor in making the facilities available or a factor in determining the cost or conditions of use.

The School Board may discuss and vote upon a resolution supporting or opposing a ballot question.

A Board member may respond to specific inquiries by the press or the public as to his or her opinion regarding a ballot question or provide information in response to a request for information.

A Board member or employee may identify himself or herself by his or her official title when communicating about a ballot question. Employees who do so shall clearly communicate that their communication is their personal opinion and does not reflect the position or views of the Board of Education or the School District unless express authorization is given by the Board of Education or the Superintendent.

Legal Reference: Neb. Rev. Stat. §§49-14,101.01 and 49-14,101.02

Date of Adoption: August 3, 2009

Students

Option Enrollment

A. Process and Time Lines to Option In

For a student to attend Ashland-Greenwood Public Schools as an option enrollment student, the student's parent or legal guardian must submit an application to the Board of Education of the Ashland-Greenwood Public School District between September 1 and March 15 for enrollment during the following and subsequent school years (the "application period"). In the event a student relocates from the Ashland-Greenwood Public School District to a different school district and wishes to attend Ashland-Greenwood Public Schools as an option student, the application period is within thirty (30) days after the relocation. In the event the Ashland-Greenwood Public School District merges with another school district and a student wishes to attend Ashland-Greenwood Public Schools as an option student, the application period is within thirty (30) days after the effective date of the merger.

Upon receipt of an application, the Superintendent or the Superintendent's designee shall provide the resident school district with the name of the applicant on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission.

**Provisions for Waiver of Application Deadline:**

The application deadline will be waived by the School Board for applications to option into the Ashland-Greenwood Public School District, provided that the application contains a release approval from the resident district and satisfies any other requirements of law. Further, the application deadline shall not be waived if the application is for enrollment in any program, class, grade level or school building or in any special education programs operated by this School District which have been determined by the School Board to be at capacity in accordance with the capacity standards as set annually by the School Board, and no waiver of the deadline shall be made for such an application regardless of whether such capacity determinations are declared invalid for any reason.

B. Rejection of Applications; Reasons

1. Capacity: An option enrollment application shall be rejected in the event the capacity of a program, class, grade level, or school building or the availability of appropriate special education programs operated by the School District would be exceeded by acceptance of the application, and an option enrollment application shall be rejected in the event the application is for enrollment in a program, class, grade level, or school building which has been declared unavailable to option students due to lack of capacity.
2. Timeliness: An option enrollment application shall be rejected in the event the application is not filed on a timely basis and the filing deadline has not been waived.
3. Previous Option Enrollment: An option enrollment application shall be rejected in the event the student has previously filed an option enrollment application for enrollment in any School District and has had such application accepted, unless a statutory exception to the "one-time" rule is applicable to the student's circumstance.
4. Other Reasons: An option enrollment application may be rejected in the event the Superintendent, the Superintendent's designee, or the School Board determines: The application is not submitted on a form prescribed by the State Department of Education,

is not completely and accurately filled in, is not received within the time required by law, or any additional information requested to be supplied is not supplied to the School District within the time lines indicated; or in the event acceptance of the application is not required by law. Matters which are legally prohibited from being considered as standards for acceptance or rejection of applications (including "previous academic achievement, athletic or extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings" and further including, without limitation, race, national origin, and gender) shall not be considered as reasons for acceptance or rejection.

C. Priority of Acceptance

Priority shall be accorded in the following order: (1) first, to those applications required to be given priority by law, (2) second, to those with a sibling in attendance at Ashland-Greenwood Public Schools, with priority within this group being given to those who had earliest filed applications, and (3) third to those without an option student sibling in attendance at Ashland-Greenwood Public Schools, with priority to those within this group to those who had earliest filed applications.

Filing date determinations are made by the Superintendent, or the Superintendent's designee. In the event applications within a group are received at the same or substantially the same time, priority as between such same-date applications shall be determined on the basis of random drawing.

D. Determination of Capacity

The School Board will determine and set, on an annual basis, the maximum number of option enrollment applications the School District will accept in any program, class, grade level or school building or in any special education programs operated by this School District, based upon available staff, facilities, projected enrollment of resident students, projected number of students with which this School District will contract based on existing contractual arrangements, and availability of appropriate special education programs, and may declare a program, class or school unavailable to option students due to lack of capacity. The determination and declaration made for any school year shall continue in effect for the next and subsequent school years unless otherwise determined and/or declared.

E. Releases for Options Out

**Provisions for Release (Choose one or modify as desired):**

A request for release of a resident student of the Ashland-Greenwood Public School District who submits an enrollment option application after March 15 or any other statutory deadline will be granted unless the release shall not be granted if the administration is considering or has recommended expulsion of the student at the time the application is filed, and the administration determines it is appropriate to complete the expulsion process.

The Superintendent or the Superintendent's designee is hereby authorized to execute such releases on behalf of the School Board and the School District, subject to subsequent ratification by the School Board.

F. Notification of Acceptance or Rejection

In the case of an application to option enroll into the Ashland-Greenwood Public School District, the Superintendent or the Superintendent's designee shall notify, in writing, the parent or legal guardian of the student, the resident school district, and the State Department of Education whether the application is accepted or rejected on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission.

If an option enrollment application or a request for release is rejected by the Ashland-Greenwood



Public School District, the Superintendent or the Superintendent's designee shall provide written notification to the parent or guardian stating the reasons for the rejection and the process for appealing such rejection to the State Board of Education. Such notification shall be sent by certified mail.

G. Status of Option Student

A student who is admitted under the enrollment option program shall be treated as a resident student, and in such regard shall be required to provide such enrollment information and documentation as is required for enrollment of other students (e.g., certified birth certificate and evidence of physical examination, visual evaluation and immunization), shall be required to be enrolled on a full-time basis, and shall be required to adhere to student conduct rules. The building assignment for an option student, as well as classroom and grade level assignments, shall be determined by the administration.

An option student shall not be entitled to transportation except as required by law. The school district will allow option students to ride on school bus if the option student(s) meet the school bus at a designated stop that is on the established route for the bus for resident students provided that no option student will be provided transportation if the bus is at capacity as established and determined by the school district.

H. Information Regarding Schools, Programs, Policies and Procedures.

As part of the option enrollment program, the administration shall make information about the Ashland-Greenwood Public Schools and its school, programs, policies and procedures available to all interested persons and shall have a copy of the option enrollment policy and regulations available at each school building.

Legal Reference: Neb. Rev. Stat. §§ 79-232 to 79-246

Revised: August 17, 2009

Personnel

Conflict of Interest - Employment of Family Member of Board Member or Supervisor and Employment of Board Member

1. A member of the Board of Education or an administrator or other employee with supervisory responsibilities may employ or recommend or supervise the employment of an immediate family member if:
  - a. He or she does not abuse his or her official position (for this purpose, "abuse" means employing an immediate family member: who is not qualified for and able to perform the duties of the position; at an unreasonably high salary; or who is not required to perform the duties of the position);
  - b. He or she makes a full disclosure on the record to the Board of Education and a written disclosure to the Superintendent and/or Secretary of the Board; and,
  - c. The Board of Education approves the employment or supervisory position.
  
2. No immediate family member of a Board of Education or an administrator or other employee with supervisory responsibilities shall be employed by the School District:
  - a. Without first having made a reasonable solicitation and consideration of applications for such employment.
  - b. Who is not qualified for and able to perform the duties of the position.
  - c. For any unreasonably high salary.
  - d. Who is not required to perform the duties of the position.
  
3. Neither the Board of Education nor an administrator or other employee with supervisory responsibilities shall terminate the employment of another employee so as to make funds or a position available for the purpose of hiring an immediate family member.
  
4. This policy shall not apply to an immediate family member of a member of the Board of Education or an administrator or other employee with supervisory responsibilities who was previously employed in a position with the School District prior to the election or appointment of the Board member or employee. Prior to or as soon as reasonably possible after the official date a Board member takes office or an employee assumes his or her responsibilities, such Board member, administrator or other employee with supervisory responsibilities shall make a full disclosure of any immediate family member employed in a position subject to this policy.
  
5. A member of the Board of Education may not be engaged in a contract to teach with the Ashland-Greenwood Public School District. Nor shall a member of the Board of Education cast a vote in favor of the election of any employee when the Board member is related by blood or marriage to such employee.

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

Date of Adoption: August 17, 2009