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**HAY SPRINGS SCHOOL  
BOARD POLICY MANUAL**

**Section 200  
School Board**

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## POWERS AND RESPONSIBILITIES OF THE BOARD

The board of the **HAY SPRINGS** School District, 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.

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.

Approved 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

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 biennial 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, SHERIDIAN 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.

If a vacancy occurs on the board it may be filled within 45 days by appointment of a qualified registered voter by the remaining members of the board for the remainder of the unexpired term. 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.

It is prohibited to meet in closed session for discussion of the appointment or election of a new board member.

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

Approved 6/29/2020 Reviewed Mr. L May 2020 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 engaged in a contract to teach 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 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_



## OATH OF OFFICE

Board members are public officials, and as such they may wish to 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 school board member before entering upon their respective duties may be given the following oath of office at the first meeting attended as an elected member. 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 **HAY SPRINGS** School District 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  
  Frans v. Young, Nebraska (1890)

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 6/29/2020 Reviewed Mr. L May 2020 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 for the remainder of the unexpired term.

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, 570

Cross Reference: 201.02 Board Membership - Elections/Appointment

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## 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 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.

The resignation of a member or any other reason for a vacancy shall be made a part of the minutes of the school board. The board shall give notice of the date the vacancy occurred, the office vacated, and the length of the unexpired term in writing to the election commissioner or county clerk, and by a notice published in a newspaper of general circulation in the school district.

It is prohibited to meet in closed session for discussion of the appointment or election of a new board member.

Legal Reference:                   Neb. Statute 32-560 et seq.  
  32-1308  
  84-1410(1)(d)

Cross Reference:                201.02 Board Membership - Elections/Appointment  
  201.03 Qualifications

## 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 6/29/2020 Reviewed Mr. L May 2020 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.

### 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 only by an earnest desire to serve my school district and the children of my school district community in the best possible way.
5. I will not use the school district or any part of the school district program for my own personal advantage or for the advantage of my friends or supporters.
6. I will vote for a closed session of the board if the situation requires it, but I will consider "secret" sessions of board members unethical.
7. 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 meeting.
8. I will expect, in board meetings, to spend more time on education programs and procedures than on business details.
9. 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.
10. I will make no disparaging remarks, in or out of the board meeting, about other members of the board or their opinions.
11. I will express my honest and most thoughtful opinions frankly in board meetings in an effort to have decisions made for the best interests of the children and the education program.
12. I will insist that the members of the board participate fully in board action and recommend that when special committees are appointed, they serve only in an investigative and advisory capacity.
13. I will abide by majority decisions of the board.
14. I will carefully consider petitions, resolutions and complaints and will act in the best interests of the school district.
15. 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 is the board meeting.
16. I will endeavor to keep informed on local, state and national educational developments of significance so I may become a better board member.

IN MEETING MY RESPONSIBILITY TO MY SCHOOL DISTRICT 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 school district 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 school district to the community.
3. I will earnestly try to interpret the needs and attitudes of the school district community and do my best to translate them into the education program of the school district.
4. I will attempt to procure adequate financial support for the school district.
5. I will represent the entire school district rather than individual electors, patrons or groups.
6. I will not regard the school district facilities as my own private property but as the property of the people.

IN MY RELATIONSHIP WITH THE SUPERINTENDENT AND EMPLOYEES:

1. I will function, in meeting the legal responsibility that is 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 the school district is properly run and not to run them myself.
3. I will expect the school district to be administered by the best-trained technical and professional people it is possible to procure within the financial resources of the school district.
4. I will recognize the superintendent as executive officer of the board.
5. I will work through the administrative employees of the board, not over or around them.
6. I will expect the superintendent to keep the board adequately informed through oral and written reports.
7. I will vote to hire employees only after the recommendation of the superintendent has been received.
8. I will insist that contracts be equally binding on teachers and board.
9. I will give the superintendent power commensurate with the superintendent's responsibility and will not in any way interfere with, or seek to undermine, the superintendent's authority.
10. I will give the superintendent friendly counsel and advice.
11. I will present any personal criticism of employees to the superintendent.
12. I will refer complaints to the proper administrative officer.

TO COOPERATE WITH OTHER SCHOOL BOARDS:

1. I will not employ a superintendent, principal or teacher who is already under contract with another school district without first securing assurance from the proper authority that the person can be released from contract.
2. I will consider it unethical to pursue any procedure calculated to embarrass a neighboring board or its representatives.
3. I will not recommend an employee for a position in another school district unless I would employ the individual under similar circumstances.
4. I will answer all inquiries about the standing and ability of an employee to the best of my knowledge and judgement, with complete frankness.
5. I will associate myself with board members of other school districts for the purpose of discussing school district issues and cooperating in the improvement of the education program.

Legal Reference:                      Neb. Statute 79-526

Cross Reference:                      201.01 Board Powers and Responsibilities  
   202.02 Board Member Conflict of Interest

## 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.

Approved 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_



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.

All board members and district employees are responsible for obeying all final rulings or appeals of the Accountability and Disclosure Commission. If a case is contested before the Commission by the district, the superintendent shall ensure that the district is represented at the hearing. If a case is contested by a board member, that member shall be responsible for his/her own representation and shall be responsible for any Commission fines or penalties.

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 49-14,103.07

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

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

- 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.

<b>ITEM 1</b>	<b>NAME, ADDRESS AND TELEPHONE NUMBER</b>
---------------	---

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

<b>ITEM 2</b>	<b>TITLE, AGENCY (City, Village, School), ADDRESS AND PHONE</b>
---------------	---

Your Title _____	Agency _____
Agency Address _____	
Agency Phone _____	

<b>ITEM 3</b>	<b>DESCRIBE POTENTIAL CONFLICT OF INTEREST IN DETAIL (Use Item 6 Continuation, if necessary)</b>
---------------	--

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**

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(DATE)

## General Information - Filing Requirements

**I. What is a Potential Conflict of Interest?** - A public official has a potential conflict of interest if he or she is faced with taking 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.

<b>NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION</b> 11 <sup>th</sup> Floor, State Capitol P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522	<b>EMPLOYMENT OF IMMEDIATE FAMILY MEMBERS DISCLOSURE STATEMENT</b>  <b>NADC FORM C-4</b>	POSTMARK DATE	
		MICROFILM NUMBER	
BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3		OFFICE USE ONLY	

- 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.

<b>ITEM 1</b>	<b>NAME, ADDRESS AND TELEPHONE NUMBER OF PUBLIC OFFICIAL OR PUBLIC EMPLOYEE</b>
---------------	---

Name \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Last First Middle

Address \_\_\_\_\_  
STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE

<b>ITEM 2</b>	<b>OFFICE OR POSITION, ADDRESS, TELEPHONE, TERM OF OFFICE</b>
---------------	---

Office or Position: \_\_\_\_\_ Term: \_\_\_\_\_

Identify City, County, District, or State Agency: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone \_\_\_\_\_

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

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**

List 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**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

## General Information - Filing Requirements

A public official or public employee may employ, recommend the 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.





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.

## BOARD SELF-EVALUATION

The primary purpose for board self-evaluation is for the improvement of school board leadership. In evaluating the board's functions and roles, the board may focus attention to the following:

1. Evaluation shall be conducted annually at a scheduled time and place;
2. The evaluation should be a composite of the individual board members' opinions;
3. The evaluation should include a constructive discussion of strengths and weaknesses; and
4. The board should be free to comment on any area related to its function of governing the district.

The board and superintendent will cooperatively develop an evaluation plan that annually evaluates the various aspects of the board's functions, duties, and roles. The evaluation will include the following items:

1. The evaluation instrument shall define and describe the standards against which the board evaluates its performance.
2. The evaluation shall include the establishment of objectives and strategies for improving board performance.
3. The evaluation shall analyze progress toward existing board goals and examine the need to establish new or revised goals.

Legal Reference: Neb. Statute 79-526

Cross Reference: 102 Educational Philosophy of the District  
104 Educational and Operational Planning  
201.01 Board Powers and Responsibilities  
702.02 Budget Planning, Preparation and Schedules  
902.01 Buildings and Sites Long Range Planning  
1001 Principles and Objectives for Community Relations

Approved 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## ETHICS VIOLATIONS

The board believes serious violations of its Code of Ethics by members of the board may be extremely damaging to the school district's reputation or to its ability to function effectively. The board of education bears sole responsibility for remediation and may take the following steps whenever a majority of the board has expressed its concerns about a violation of ethics to the officers:

1. The board as a whole will review its adopted Code of Ethics during a regularly scheduled meeting or work session and use that opportunity to discuss the consequences of ethics violations.
2. One member of the board—preferably the board president—will visit informally with the identified member, identifying the specific instances in which that person has behaved unethically and describing the negative impact of those actions on his or her fellow board members or on the school as a whole. Alternatively, the board as a whole will go into executive session during a regular meeting to confront the individual's unethical behavior and to discuss the negative impact.
3. The board may invite its attorney to participate in an executive session to explain the potential legal ramifications that may arise from certain violations such as disclosing confidential information to the public.
4. The board may make a motion to “censure” the individual for his or her unethical behavior. Because the board's motions are published as part of the minutes, the motion for censure should specifically identify the Code of Ethics violations and the negative impact on the effectiveness of the board or the district. In this way, the board is able to alert the community to the fact that an individual member of the board is not properly fulfilling the responsibilities for which he or she was elected.
5. In order to assure responsible school leadership, board members may actively recruit competent individuals to run for election to board service. Board members shall not utilize any district resources in the effort, but may legally recruit and campaign for others to run for the board of education.

Legal Reference: Neb. Statute 79-526

Cross Reference: 102 Educational Philosophy of the District  
201.01 Board Powers and Responsibilities  
202.01 Board Member Code of Ethics  
1001 Principles and Objectives for Community Relations

Approved 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## 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 for a term of one year or until the election of their successors.

The superintendent shall assume chairmanship of the meeting for the purpose of electing a board president. Ballots for officers may be cast in secret but the total vote for each candidate shall be recorded by the secretary.

- If a tie occurs in selecting a President and it is not broken after two ballots, the highest returning officer from the previous board in order of President, Vice President, Secretary, and Treasurer shall assume the position of President until or unless a different board member is chosen as Board President at some future date. A vote of the board will then officially confirm the selection of the President under this method.

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.

The board shall pass a resolution for re-adoption of all existing policies, regulations, and handbooks for the governance of the district.

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 7/12/2021

Reviewed 7/12/2021

Revised 7/12/2021

**PRESIDENT**

It shall be the responsibility of the board president to lead a well-organized board in an efficient and effective manner. The board president shall set the tone of the board meetings and, as the representative of the consensus of the board, speak on behalf of the board to the public.

The 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 or until the election of a successor.

The president, in addition to presiding at the board meetings, shall take an active role in board decisions by discussing and voting on each motion before the board in the same manner as other board members.

The board president has the authority to call special meetings of the board. Prior to board meetings, the board president shall consult with the superintendent on the development of the agenda for the meeting.

The board president, as the chief officer of the school district, shall sign employment contracts and sign other contracts and school district warrants approved by the board and appear on behalf, or cause a designee to appear on behalf, of the school corporation in causes of action involving the school district.

It is the responsibility of the president to appoint all committees whose appointment is not otherwise determined.

Legal Reference:                   Neb. Statute 79-564  
   79-566 to 574

Cross Reference:                201.01 Board Powers and Responsibilities

## 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



## 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, to work in conjunction with the school bookkeeper/accountant to be the 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  
  204.11 Meeting Minutes

Approved 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## TREASURER

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

It shall be the responsibility of the treasurer to work in conjunction with the school bookkeeper/accountant 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 by board policy 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  
700     Business Operation

## **BOARD STANDING COMMITTEES**

### **Americanism Committee**

It shall be the policy of Hay Springs Public Schools that the Americanism committee shall consist of three members appointed at the January board meeting by the board president.

The duties of the Americanism Committee are those set forward by state statute:

1. To carefully examine, inspect, and approve all textbooks used in the teaching of American history and civil government in the school;
2. To assure themselves as to the character of all teachers employed, and the knowledge and acceptance of the American form of government;
3. Take all steps to assure the carrying out of the provisions of statute 79- 724 which address the development and teaching of citizenship, patriotism, and knowledge of American history.

Legal Reference: Neb. Statute 79-724

Cross Reference: 201.01 Board Powers and Responsibilities

203.01 Board Organizational Meeting

### **Curriculum, Instruction and Technology**

It shall be the policy of Hay Springs Public Schools that the Committee on Curriculum, Instruction and Technology shall consist of three members appointed at the January board meeting by the Board President. Two of these members will serve as the board's representatives on the School Improvement Committee. The responsibilities of the curriculum, instruction and technology committee will be:

1. To review and examine recommended textbooks in social studies, language arts, math and science in regard to state standards
2. Report findings based on this examination to other members of the Board of Education.
3. Review all major proposals prepared by the superintendent of schools and instructional staff for:
  - a. adoption of new textbooks,
  - b. development of new instructional programs,
  - c. revision of existing instructional programs,
  - d. modification of established graduation requirements,
  - e. other related matters.
  - f. make recommendations to the full Board of Education about approval or adoption of the matter under consideration.
4. Represent the board on the School Improvement Committee

Date of Adoption 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

### **Facilities and Transportation**

It shall be the policy of Hay Springs Public Schools that the Facilities/Transportation committee shall consist of three members appointed at the January board meeting by the Board President. Two of these members will also serve on the Lister-Sage Foundation Board.

The main three main responsibilities of the facilities and transportation committee will be:

#### **Building and Grounds:**

1. To conduct an annual review of the buildings and grounds and in cooperation with the administration make recommendations to the full board as to recommended facilities improvement projects and utilization of facilities.
2. Serve as the Board of Education's representative on the Lister-Sage Foundation Board.

#### **Transportation:**

1. To conduct an annual review of the transportation vehicles of the district and in cooperation with the administration make recommendations to the entire board in regards to sale and purchase of new or used transportation vehicles.

## ADVISORY BOARD COMMITTEES

Whenever the board considers it necessary, the board may appoint a committee composed of patrons, students, staff, administrators and board members.

An advisory committee is formed by board resolution which shall outline the duties and purpose of the committee. The committee is advisory in nature and has no duty or responsibility other than that specifically stated in the board resolution. The committee shall automatically dissolve upon the delivery of its final recommendation to the board or upon completion of the duties outlined in the board resolution. The board will receive the report of the committee for consideration. The board retains the authority to make a final decision on the issue. The committee will conduct its meetings as open meetings and a record of committee members present will be kept.

The method for selection of committee members shall be stated in the board resolution. When possible, and when the necessary expertise required allows, the committee members will be representative of the school district community and shall consider the various viewpoints on the issue. The board may designate a specific board member and administrator to serve on an advisory committee. The committee will select its own chairperson, unless the board designates otherwise.

Legal Reference:                   Neb. Statute 84-1408 to 1414

Cross Reference:                104    Educational and Operational Planning  
  204.05 Open Meetings  
  204.06 Closed Sessions  
  1001   Principles and Objectives for Community Relations

Approved 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## 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 believe 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, particularly 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

## 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 unless otherwise scheduled by the board.

The board shall generally adhere to this meeting date 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.

All actions taken by the board shall occur in open session by a roll call vote of the board with a record of the voting kept for the minutes. The voting requirements may be met by using an electronic voting device which allows the vote of each board member to be readily seen by the public.

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

Cross Reference:                203.01 Board Organizational Meeting

Approved 6/29/2020 Reviewed Mr. L May 2020 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 emergency meeting was called may be discussed and decided in the emergency meeting. The board shall strictly adhere to the agenda for the emergency meeting and action on other issues shall be reserved for the next regular or special board meeting. Emergency meetings may be held by means of electronic or telecommunication equipment

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

Approved August 10<sup>th</sup> 2020    Reviewed Mr. L July 2020    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 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## WORK SESSIONS AND RETREATS

The board may, as needed or desired, schedule work sessions and retreats in order to provide its members and the administration with the opportunity to conduct planning, research, and thoughtful discussion without taking immediate action. The board has the authority to hire an outside facilitator to assist them in these work sessions.

Topics for discussion and study will be announced publicly, and work sessions and retreats will be conducted in open session. However, no board action will take place at the work session.

Legal Reference:                   Neb. Statute 84-1408 to 1414

Approved 6/29/2020 Reviewed Mr. L May 2020 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 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## CLOSED SESSIONS

A closed, or executive, session may 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. A closed session may be held (1) if it is clearly necessary for the protection of the public interest or (2) for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Specific 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.

In personnel matters, the person or people to be talked about in closed session must be notified in advance. That person or those people may request that the discussion be held in open session thereby restricting the ability of the board to go into closed session. It is beneficial to get a statement of notice and preference in writing.

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 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## MEETING NOTICE

Reasonable advance public notice shall be given for meetings and work sessions held by the board by posting the notice in the Sheridan County Journal Star in Gordon, Nebraska, and the Hip Hop newspaper in Hay Springs, Nebraska. The notice will also be posted in the school office and on the school website. The public notice shall indicate the time, place, and date of board meetings and include a statement that the agenda shall be readily available for public inspection at the district office.

A tentative agenda will be kept continuously current in the district office and posted on the website. 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 to the public and 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 posted in the US Post Office, the Security First Bank, and the Silver Dollar in Hay Springs, Nebraska. The notice will also be posted in the school office and on the school website 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 and work sessions. 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

Approved 6/29/2020 Reviewed Mr. L July 2020 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.

The board will use Robert's Rules of Order, Revised latest edition as a general guide and 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. The Rules of Order are followed generally to produce efficient productive meetings and are not intended as a technicality for overturning the work of the board.

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

Approved 6/29/2020 Reviewed Mr. L May 2020    Revised \_\_\_\_\_

## AGENDA

The tentative agenda for each board meeting shall state the topics for discussion and action at the board meeting. It shall be kept continuously current and shall be readily available for public inspection at the district office during normal business hours and website.

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 should, if possible, be sent to the board members three 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 principal's office of the district.

The board shall take action only on the items listed on the tentative agenda made available at the time of the public notice. All action items need to be on the agenda, but all agenda items do not need to be action items. 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 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 6/29/2020 Reviewed Mr. L May 2020 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. The minutes may be kept as an electronic record.

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 and posted on the school website. 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 and posted on the school website, 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 7/12/21    Reviewed 7/12/21    Revised 7/12/21

## PUBLIC COMMENT IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the board shall set time aside for public comment, at a specific time during the meeting and prior to the discussion of agenda items. If the pressure of business or other circumstances dictate, the board president may decide to eliminate this practice at a particular meeting and will announce that decision at the beginning of the meeting. The orderly process of the board meeting shall not be interfered with or disrupted. Subjects for comment should involve areas within the board's proper responsibility.

The board has the discretion to limit the amount of time set aside for public comment. The board president shall specify the total amount of time available for public comment prior to opening the public comment period. If public comment is allowed prior to individual agenda items, that limit on the total comment period should also be defined. Individual comments will be limited to 5 minutes for each participant. The board president will recognize these individuals to make their comments at the appropriate time. Only those speakers recognized by the board president shall be allowed to speak. Comments by others are out of order. If disruptive, the individual making the comments or another individual causing disruption may be asked to leave the board meeting.

It is helpful if citizens wishing to address the board on a certain agenda item will notify the superintendent prior to the board meeting. Citizens wishing to present petitions to the board relating to that item may do so at this time. However, the board will only receive the petitions and will not act upon them or their contents.

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.

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. Adding such information to the agenda packet will be at the discretion of the superintendent after consultation with the board president.

Legal Reference: Nebraska Statute 84-1408 to 1414

Cross Reference: 201.07 Board Member Liability  
403.05 Public Complaints about Employees

Approved 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## PROCEDURES FOR PUBLIC COMMENT IN BOARD MEETINGS

In order to assure that citizens who wish to appear before the School Board may be heard, and, at the same time, conduct its meetings properly and efficiently, the following procedures have been adopted:

1. Any individual who desires to speak about an item on the agenda, is asked to present the “request to speak” to the superintendent or the School Board President. The request may be communicated orally prior to the meeting or in written form or by a raised hand during the meeting.
2. Persons who wish to speak about an item that is not on the agenda are asked to present such request to the superintendent or the School Board President prior to the beginning of the meeting. Persons who present such a request will be allowed to speak about the topic before the meeting is adjourned.
3. Citizens, who desire School Board action on an item not on the agenda, will submit the item to the superintendent’s office, at least 10 days prior to the meeting of the School Board, at which they wish the item to be considered.
4. Presentations should be as brief as possible. Unless an extension of time is granted, a speaker will be limited to five minutes.
5. Conduct shall comply with the policy on Public Conduct on School Property.

Approved August 10<sup>th</sup> 2020

## 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

## 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.

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.

If a majority of all the members of the board of education vote to do so, the requirement to consider a proposal at two scheduled meetings may be waived to permit specific action to be taken after one reading of the proposal if notice of the pending action has appeared in the published agenda.

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

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## 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 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

POLICY COMMUNICATION

A board policy manual shall be housed in each school attendance center and in the central administration office. Each board member shall have a personal copy of the board policy manual if they so desire. The board’s policy manual is a public record and shall be open for inspection at the administrative offices of the district. The Board Policy shall also be posted on the school website to include updates to policy changes.

It shall be the responsibility of the superintendent to ensure copies of new and revised policy statements are distributed to the custodians of board policy manuals no later than the first regular board meeting following the policy’s adoption. Copies of changes in board policy shall also be included in or attached to the minutes of the meetings in which the final action was taken to adopt the new or changed policy.

If board members request a paper copy of the board policy manual, it shall be the responsibility of each board member, during the board member’s term of office, to keep the manual current and up-to-date and to surrender the manual to the board secretary at the conclusion of the board member’s term of office.

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

Cross Reference:                      302.04 Superintendent Duties

## POLICY SUSPENSION

It shall be within the discretion or amendment of the board to suspend a policy. Policies of the board may be temporarily amended or suspended by a majority vote of board members present at an official meeting of the board if the board determines its necessity. 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 6/29/2020 Reviewed Mr. L May 2020 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 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## REVIEW OF ADMINISTRATIVE REGULATIONS

The Superintendent has responsibility for carrying out the policies established by the board.

When necessary, it shall be the responsibility of the Superintendent to develop administrative regulations to implement the board policies. The regulations, including handbooks, will be reviewed and adopted by the board when specific state or federal laws require the board to do so or when the board or superintendent considers such approval desirable.

The administrative regulations will be available no later than the first regular board meeting after the adoption of the board policy unless the board directs otherwise.

Legal Reference:                      Neb. Statute 79-526

Cross Reference:                      201.01 Board Powers and Responsibilities  
   302.04 Superintendent Duties

Approved 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## NEW BOARD MEMBER ORIENTATION

Each new board member shall be given an orientation program prior to the new member's first scheduled board meeting. The orientation will consist of two parts:

The first session will be conducted 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.

The second session will be conducted by experienced members of the local board. This briefing shall focus on issues of local board ethics, conflict of interest and the superintendent evaluation process. Copies of related board policies, the board calendar and the superintendent evaluation form should be at hand to facilitate the discussion. The experienced local board members should review current-year superintendent goals and discuss their relationship to current district goals. Members shall also review the district's policies regarding training in boardsmanship and provide information on upcoming opportunities for the new board member to gain additional training.

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

Approved 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## BOARD ASSOCIATION MEMBERSHIP

Participation in board member associations are 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.

Legal Reference:                   Neb. Statute 79-512

Cross Reference:                 206.03 Board Member Development Opportunities

Approved 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_

## BOARD MEMBER DEVELOPMENT OPPORTUNITIES

The board may participate in conferences sponsored by educational associations and agencies in addition to its own in-service programs and work sessions.

The board shall encourage its members to attend training and development programs with the purpose of improving members' leadership skills, increasing their knowledge of educational issues and better representing the interests of the school district.

Cross Reference:                    206.02 Board Association Membership

Approved 6/29/2020 Reviewed Mr. L May 2020 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 6/29/2020 Reviewed Mr. L May 2020 Revised \_\_\_\_\_