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Nebraska Open Meetings Law and Policy

The School Board Secretary

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Nebraska Open Meetings Law
Chapter 84. State Officers/Article 14. Public Meetings
Current through the 2012 Legislative Session

§ 84-1408. Declaration of intent; meetings open to public

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

§ 84-1409. Terms, defined

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section [81-15,175](#) are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

§ 84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

(b) Discussion regarding deployment of security personnel or devices;

(c) Investigative proceedings regarding allegations of criminal misconduct;

(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; or

(e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or

(f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms-length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a

closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1) (a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

§ 84-1411. [Effective Until 7/19/2012] Meetings of public body; notice; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body

(1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes. Such notice shall be transmitted to all members of the public body and to the public. Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or

(b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than fifty counties in this state, of a board of an educational service unit, or of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

(a) Reasonable advance publicized notice is given;

(b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;

(c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;

(d) At least one member of the state entity, advisory committee, board, or governing body is present at each site of the videoconference or telephone conference; and

(e) No more than one-half of the state entity's, advisory committees, board's, or governing body's meetings in a calendar year are held by videoconference or telephone conference.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, or of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act may be held by telephone conference call if:

(a) The territory represented by the educational service unit or member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given which identifies each telephone conference location at which an educational service unit board member or a member of the entity's or pool's governing body will be present;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board or entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit board or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice;

(g) The telephone conference call lasts no more than one hour; and

(h) No more than one-half of the board's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that a governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the

meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

§ 84-1411. [Effective 7/19/2012] Meetings of public body; notice; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body

(1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes. Such notice shall be transmitted to all members of the public body and to the public. Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or (b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, or of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

(a) Reasonable advance publicized notice is given;

(b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;

(c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;

(d) At least one member of the state entity, advisory committee, board, or governing body is present at each site of the videoconference or telephone conference; and

(e) No more than one-half of the state entity's, advisory committees, board's, or governing body's meetings in a calendar year are held by videoconference or telephone conference.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, or of the governing body of a public power and irrigation district may be held by telephone conference call if:

(a) The territory represented by the educational service unit, community college board of governors, public power district, public power and irrigation district, or member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given which identifies each telephone conference location at which an educational service unit board member, a member of a community college board of governors, a member of the governing body of a public power district, a member of the governing body of a public power and irrigation district, or a member of the entity's or pool's governing body will be present;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, or entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit boards, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice;

(g) The telephone conference call lasts no more than one hour; and

(h) No more than one-half of the board's, governing body's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that a governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

§ 84-1412. Meetings of public body; rights of public; public body; powers and duties

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed,

broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an instate location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act;

(f) Reasonable arrangements are made to provide viewing at other instate locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and

(g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the in-state location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies 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.

§ 84-1413. Meetings; minutes; roll call vote; secret ballot; when

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a municipality, a county, a learning community, a joint entity created pursuant to the Interlocal Cooperation Act, a joint public agency created pursuant to the Joint Public Agency Act, or an agency formed under the Municipal Cooperative Financing Act which utilizes an electronic voting device which allows the yeas and nays of each member of such city council, village board, county board, or governing body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

§ 84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Meeting Notice

Notice of Regular Meeting

Nebraskaland School District

Board of Education

November 15, 2012 – 10:15 a.m.

1311 Stockwell Street/Nebraskaland, Nebraska

The mission of the Nebraskaland Public School District, in cooperation with our community, is to strive to provide a quality education for all children to ensure that they are prepared to succeed as global citizens and life-long learners.

The Nebraskaland School District Board of Education will convene in a regular meeting at 10:15 a.m. on Thursday, November 15, 2012 in the Central Office Board Room.

The agenda for this meeting, which shall be kept continually current, shall be readily available for public inspection at the Nebraskaland School District Central Office, located at 1311 Stockwell Street, Nebraskaland, Nebraska, and on the district website www.neland@web.org

Posted this 8th day of November 2012.

(Signature)

(Name of Superintendent)

Superintendent of Schools

The Board Meeting Agenda

Developing the agenda. The superintendent will follow the board adopted annual calendar and bring forth matters, which require board discussion and/or action. The superintendent is responsible to develop the draft agenda to discuss/present to the board president for review prior to distribution to the full board.

The board president will review the agenda with the superintendent. This process ensures that the president has the opportunity to ask questions or request changes before the agenda is final and the meeting notice is posted.

Upon the review of the agenda, the board president should consider the inclusion of these essential items:

- Number of items on the agenda. A two-hour meeting should provide sufficient time to conduct board business.
- Policy governance items. A responsibility of the president or superintendent is to ensure items placed on the agenda are supported with sufficient information for the board to discuss and deliberate. Surprises are not permissible by the board or by the superintendent. Note: To follow best practices, the board will not take action on an item on the agenda that has not previously been discussed and/or deliberated based upon all available information.
- Agenda items should be categorized as discussion/action and should reflect sufficient information for the board, staff, and community to understand the issue under consideration.
- Public comment is required by law and important to the board's process. The agenda must provide for public comment that typically occurs early on the agenda. Board policy defines in detail the parameters for how long an individual has to speak and/or the timeframe for this item on the agenda.
- "Future Agenda Items" brings closure to the meeting and permits a board member to place an item on the next agenda. Board policy also identifies proper procedures for placing an item on the agenda.

The successful progression of a meeting is predetermined by the act of scheduling items requiring extended discussion, deliberation, and analysis by board members early in the meeting. Consider balancing controversial items with routine business to aid in the flow of the meeting. Do not overlook the importance of staff reports and staff/student presentations. As president, ensure the meeting agenda is observed and followed. Fellow board members respect the leader who conducts an efficient and orderly meeting.

As you define your expectations as board president, commit to the review of the draft agenda as a monthly routine. Actively participate in review of the agenda with the superintendent, this enables you to ask questions or request changes before the agenda is final and the meeting notice is posted.

**Nebraskaland School District
Board of Education
Thursday, November 15, 2012 – 3:15 p.m.
Nebraskaland, Nebraska**

(District Mission Statement)

*See Sequence of Agenda.

I. Opening the Meeting

A. Call to Order: The regular November meeting of the Nebraskaland School District Board of Education was called to order on Thursday, November 15, 2012 at 3:15 P.M, in the Central Office Board Room, Nebraskaland, Nebraska.

B. Open Meetings Act

C. Publication of Meeting

D. Roll Call:

Brown, Davis, Jones, Miller, Smith, and Wilson

Excused/Unexcused: _____

_____ / _____ to excuse Board Member (name).

| | Yes | No | | Yes | No |
|---|-----|-----|--------|-----|-----|
| Brown | ___ | ___ | Davis | ___ | ___ |
| Jones | ___ | ___ | Miller | ___ | ___ |
| Smith | ___ | ___ | Wilson | ___ | ___ |
| Motion Carried / Failed: ___ Yes ___ No | | | | | |

E. Pledge of Allegiance

II. Approval of Agenda

_____ / _____ to approve the agenda.

| | Yes | No | | Yes | No |
|---|-----|-----|--------|-----|-----|
| Brown | ___ | ___ | Davis | ___ | ___ |
| Jones | ___ | ___ | Miller | ___ | ___ |
| Smith | ___ | ___ | Wilson | ___ | ___ |
| Motion Carried / Failed: ___ Yes ___ No | | | | | |

III. Staff and Student Presentations

IV. Recognition of Visitors/Communication with the Public

V. Reports

- A. Building/District Administrators
- B. Superintendent
- C. Board Members
- D. Board Committees
- E. Other School Personnel
- F. District Goals Update

VI. Action Items

A. Consent Agenda

_____ / _____ *to approve the consent agenda.*

- 1. **Example: Minutes of Previous Meeting(s)**
- 2. **Example: Treasurer’s/Financial Report**
- 3. **Example: Claims**
- 4. **Example: Certificated/Classified Hire(s)/Reassignment(s)/Resignation(s)**
- 5. **Example: Adopted Board Policy No. 1099**
- 6. **Example: 2013-2014 Milk Bids**

| | Yes | No | | Yes | No |
|---|-----|-----|--------|-----|-----|
| Brown | ___ | ___ | Davis | ___ | ___ |
| Jones | ___ | ___ | Miller | ___ | ___ |
| Smith | ___ | ___ | Wilson | ___ | ___ |
| Motion Carried / Failed: ___ Yes ___ No | | | | | |

VII. Discussion Items

- A. Example: Replacement of High School score board(s)
- B. Example: First Reading Board Policy No. 1100
- C. K-6 Reading Curriculum

VIII. Adjournment

The (name) Board of Education reserves the right to convene a Closed Session for purposes in accordance with § 84-1410(1).

*Sequence of Agenda: The sequence of agenda topics is subject to change at the discretion of the board. Please arrive at the beginning of the meeting.

Public Comment

This policy reflects typical practice. Boards may make and enforce reasonable rules and regulations regarding the conduct of persons attending its meetings and regarding their privilege to speak. A board need not allow citizens to speak at each meeting, but it may not forbid public participation at all meetings. Boards that follow other practices or other time limits on public comment should amend this policy accordingly. Boards may not require that the name of a member of the public be placed on the agenda prior to the meeting in order to speak about items on the agenda.

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 each agenda item]*. 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. Discussion on unrelated matters will be discouraged.

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.

Citizens wishing to address the board on a certain agenda item should 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.

Approved _____ Reviewed _____ Revised _____

Legal Reference: Nebraska Statute 84-1408 to 1414

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

Public Comment Statement/Request Card

Welcome to the (name) Public Schools Board of Education Meeting. The Board welcomes citizens to attend board meetings to become acquainted with the programs and operations of the district. Members of the public are also encouraged to share their ideas and opinions with the Board during the agenda item labeled "Public Comment". Comments or questions from the audience at any other time during the meeting except for the agenda item "Public Comment" will be declared out of order.

During this agenda item "Public Comment" we ask that you abide by the following rules:

Public Comment Protocol and Procedures

- 1) Anyone wishing to speak to the board on specific agenda items or on other topics relevant to board business must complete a Public Comment Request Card and submit it to the Board President prior to the opening of the meeting. The public will only be recognized and their comments heard at Item "Public Comment" on the board agenda. The total time allotted for the public comment will not exceed thirty minutes and each member of the public will be allotted not more than five minutes to address the Board. If a group wishes to speak, please designate one spokesperson for the group.
- 2) Please state your name and the topic you are addressing before you begin.
- 3) Speakers are asked to direct their questions and comments to the chair. If a member of the Board of Education or Superintendent may direct clarifying questions to the chair, but will not under any circumstance enter into a debate with any the member of the public.
- 4) Speakers may offer objective criticism of district operations and programs, but the Board encourages members of the public to address complaints concerning individual district personnel through the proper chain of command. The chair may direct the member of the public to the appropriate means to address concerns brought before the Board; however, the board will not respond with action but will take comments under advisement and direct the comments to the appropriate staff member to address outside of the board meeting.
- 5) As stated in **NEB. REV. STAT. § 79-570 Class I, II, III, IV, or VI school district; president; meetings; maintenance of order.**

If any district meeting of a Class I, II, III, IV, or VI school district any person conducts himself or herself in a disorderly manner and persists in such conduct after notice by the president or person presiding, the president or person presiding may order such person to withdraw from the meeting and, if the person refuses, may order any person or persons to take such person into custody until the meeting is adjourned.

- 6) As stated in **NEB. REV. STAT. § 79-571 Class I, II, III, IV, or VI school district; meetings; disorderly conduct; penalty.**

Any person who refuses to withdraw from such meeting on being so ordered as provided in section 79-570 or who willfully disturbs such meeting shall be guilty of a Class V misdemeanor.

(name) School District—Board of Education

Public Comment Request Card

Name: _____

District Resident ___ Yes ___ No

Address: _____

City/State/ZipCode: _____

Organization represented (if any): _____

Agenda Item or topic to be addressed:

Signature

Date

The critical and most important facet of the public comment period is to ensure that the president follows procedures and treats each individual fairly. The president must remain cognizant of the time limit and enforce the time limit appropriately by alerting the speaker. For example, alert the individual when 30 seconds of time is remaining so they may summarize and/or conclude their comments. It is also wise to prepare for the speaker that fails to follow the rules as presented at the opening of Public Comment period and whose temper flares when asked to cease their comments. In the event this occurs, the board president should always be prepared with how to respond such a situation. The situation could be addressed by either recessing the meeting immediately for five minutes to regain control. No matter how the situation is addressed, the president should remain calm, respectful, and consistent.

The Nebraska Open Meetings Act prevents the board from speaking to a matter that is not on the agenda. The president may wish to clarify in the opening comments that it is not permissible for the board to comment on items not listed for the protection of the public's right to know and participate in the discussion of items that do come before the board and stated appropriately in the meeting agenda. Note: It should not be the assumption of the board or public that if an item is addressed in the Public Comment item of the agenda, that this item will be added to next month's agenda for discussion. It is rare that an issue addressed in the Public Comment item appears on or becomes an issue before the board. The speaker's need to

comment is to pose a question to the board, validate hearsay or an event that has occurred or may occur, and/or to state their position on a matter. If in fact, the speaker would present an issue the board identifies as in need of imperative action, the president will defer the matter to the superintendent who will address the matter or direct appropriate staff to handle either immediately (i.e., during the meeting, but outside of the board room) or handle as soon as possible and follow up with the speaker to address the matter. (Townsend, Brown, Buster 2005 p. 104)

Board Meeting Rules of Order

To aid the work of the board during the course of a meeting, consider adopting Board Meeting Rules of Order to define and guide board member behavior and expectations.

Board Meeting Rules of Order

As a public elected member of the (district name) Board of Education, I will honor the oath of office and abide by the Board Meeting Rules of Order in respect and support of the superintendent, staff, public, students, and my fellow board members. Therefore,

- I will listen
- I will respect the opinion of others
- I will seek recognition from the president if I wish to comment on a topic that is on the floor for discussion
- I will not dominate board discussions
- I will not conduct or participate in private discussions during the board meeting
- I will refrain from directing derogatory remarks at others
- I will address to the president, not to the other board members, all remarks in disagreement with another member
- I will recognize and respect the integrity of my predecessors and administrators and the merit of their work
- I will be motivated only by an sincere desire to serve the district and all students in the best way possible
- I will recognize that all matters before the board are dealt with in a fair, equitable, impartial and just manner based on what is in the best interest of all students and the school district
- I will reveal actual or perceived conflicts of interest and recuse myself from board

decision-making when appropriate

- I will accept responsibility and accountability for the decisions made by the board, regardless of personal opinion
- I will not use the school district or a district program for my own personal advantage or for the advantage of my colleagues or supporters
- 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
- 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
- I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board while abiding by majority decisions of the board
- I will expect, in board meetings, to spend more time on educational programs and procedures than on business details
- 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
- I will make no disparaging remarks, in or out of the board meeting, about other members of the board or their opinions
- I will only participate in deliberations directly related to items listed on the agenda for the meeting and express my honest and most thoughtful opinions frankly in an effort to have all decisions made for the best interest of all students and the school district
- I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends
- I will insist that all members of the board participate fully in board action, and recommend that when sub-committees are appointed, they serve only in an advisory capacity
- I will carefully consider petitions, resolutions, and complaints, and will act upon them in the best interest of the schools
- I will maintain confidentiality of confidential documents, information, and general board matters
- I will refrain from using electronic media, devices (i.e., smart phones, iPods, iPads, tablets, laptops, etc.) and/or communication components (all social media, texting, email, etc.) to communicate during board functions (i.e., regular board

meetings, work sessions, committee meetings, etc.) or for any purpose not directly related to the meeting and that may violate the Nebraska Open Meetings Act

Signed by: _____

Date: _____

Member of the Board of Education

Filling a Board Vacancy

From time to time, the board may be faced with a vacancy during the midst of a term. A vacancy is described in NEB. REV. STAT. § 32-560:

[Elective office; vacancy; when. Every elective office shall be vacant, except as provided in section 32-561, upon the happening of any one of the following events at any time before the expiration of the term of such office: (1) Resignation of the incumbent; (2) Death of the incumbent; (3) Removal of the incumbent from office; (4) Decision of a competent tribunal declaring the office of the incumbent vacant; (5) Incumbent ceasing to be a resident of the state, district, county, township, or precinct in which the duties of his or her office are exercised or for which he or she may have been elected; (6) Failure to elect at an election when there is no incumbent to continue in office until his or her successor is elected and qualified; (7) The candidate who received the highest number of votes is ineligible, disqualified, deceased, or for any other reason unable to assume the office for which he or she was a candidate; (8) Forfeiture of office as provided by law; (9) Conviction of a felony or of any public offense involving the violation of the oath of office of the incumbent; or (10) Incumbent of a high elective office assuming another elective office as provided in subsections (2) through (4) of section 32-604.

Please reference Nebraska Education Laws § 32-561 Elective officer; military or naval service; § 32-562 Resignations; how made.

The vacancy will warrant board action. State Statute directs the board as follows: § 32-570.

[School board; vacancy; how filled. (1) A vacancy in the membership of a school board shall occur as set forth in section 32-560 or in the case of absences, unless excused by a majority of the remaining members of the board, when a member is absent from the district for a continuous period of sixty days at one time or from more than two consecutive regular meetings of the board. 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 school board shall give notice of the date the vacancy occurred, and the office vacated, and the

length of the unexpired term (a) in writing to the election commissioner or county clerk and (b) by a notice published in a newspaper of general circulation in the school district... (3) ...a vacancy in the membership of a school board of a Class II, III, IV, V, or VI school district resulting from any cause other than the expiration of a term shall be filled by appointment of a qualified registered voter by the remaining members of the board. ... If the vacancy occurs in a Class III, IV, V, or VI school district prior to February 1 preceding the general election in the middle of the vacated term, the appointee shall serve until a registered voter is nominated at the next primary election and elected at the following general election for the remainder of the unexpired term. If the vacancy occurs on or after the applicable deadline, the appointment shall be for the remainder of the unexpired term. If the vacancy occurs on or after the applicable deadline, the appointment shall be for the remainder of the unexpired term. A registered voter appointed or elected pursuant to this subsection shall meet the same requirements as the member whose office is vacant...(5) If any school board fails to fill a vacancy on the board, the vacancy may be filled by election at a special election or school district meeting called for that purpose. Such election or meeting shall be called in the same manner and subject to the same procedures as other special elections or school district meetings. (6) If there are vacancies in the offices of a majority of the members of a school board, the Secretary of State shall conduct a special school district election to fill such vacancies.]

To carry out the appointment process as described in law, the board may appoint someone to fill the vacancy and/or, open the process to applications by the board president/superintendent issuing a notice of vacancy to the Election Commissioner’s office and local news media. The board then issues a request and accepts applications from interested and qualified registered voters of the district and/or ward of the vacancy. The notice should reflect an appropriate deadline for applications to be submitted to the board, and a timeline and description of how the vacancy will be filled. The Association provides the following sample application for the board’s use in this process:

BOARD OF EDUCATION APPLICATION

(Name of School District/ESU)

Name:

Mailing Address:

Street Address (if different from above):

Home Phone:

Work Phone:

Cell Phone:

E-mail Address:

Employer:

Briefly describe your reasons for seeking this position, and the qualities that you would bring to the Board:

Interviewing the Applicants

The board will interview the applicants during a regularly advertised meeting of the board. The interviews will be conducted in open session. § 84140.

[Closed session; when; purpose reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops. "...(1)(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting. Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body."] Forward a copy of each application to board members prior to the meeting in the agenda packet for their personal review. During the interview each applicant responds to a set of questions predetermined by the board. The Association provides a sample of candidate questions for the board's consideration.

Board Candidate Questionnaire

1. Briefly describe your reasons for seeking this position, and the qualities that you would bring to the position.
2. What is your vision for this school district in the next five years?
3. What do you feel will be the main issues facing this school board in the next four years?
4. What educational experience should a public school system provide? Why?
5. What public service have you provided to the community, such as teaching, coaching, church groups, scouts, volunteering, etc.
6. What experience have you had serving on the school board or a board of directors of other organizations?
7. What has been your past experience with: personal, public or corporate financial matters?
8. What is your feeling regarding the tax structure in this school district?
9. What is your prior management experience?
10. What experience do you have in labor negotiations?
11. Do you believe you will have sufficient time to dedicate to the work of the board?
12. How should the board go about finding out and knowing what the parents and patrons in the district are thinking?
13. In what ways do you find out what employees are thinking?

14. In the development of a budget, what goals and objectives would guide your decision-making?
15. Describe the kind of relationship you want to have with your fellow board members.
16. What do you believe should be your relationship to local, city and county officials? How should the board achieve this?
17. What would you intend that your major contributions would be as a school board member?
18. What is the most important job of the superintendent?
19. Describe your most effective communication skills?
20. How important is it for the board to have a trusting relationship with the superintendent? (If important) How would you help to achieve this?
21. Legislation establishes state policy regarding public education. To what extent would you like to be involved in legislative activity?
22. What do you believe are the best ways for a district to monitor student achievement and progress?
23. What is your view of employee/employer relations? How should the board approach and deal with employee relations?
24. How could you help the board to become more effective?
25. What questions do you have?

The board may wish to select the questions that will help the board understand the qualities and characteristics each candidate will bring to the board based upon how they respond to the candidate interview. Ultimately, it is critical that the board understand each individual's motivation for wishing to serve the district as a board member.

When filling the vacancy, the board may not vote by ballot. Once the board has completed the interviews, begin discussion of the candidates by accentuating the positive attributes each individual brings to the table through the interview questions. The transparency the board desires to ensure is supported through open and honest discussion of the qualities each candidate brings to the board. Through this format, the board is only discussing positive characteristics, thus allowing the candidate of choice to surface.

Once the board has selected the applicant to fill the vacancy, notify the Election Commissioner's office of the appointment, as well as, the Association. Notification to the Association can be done through email and/or update of the NASB Membership Portal. The Association highly encourages the board to carry out a new board member orientation as soon as possible.

Meeting Minutes

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

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

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

Legal Reference: Neb. Statute 79-577; 79-580; 84-712; 84-1408 to 1414
Cross Reference: 203 Organization of the School Board
1003 Public Examination of District Records
1004 Press, Radio, and Television News Media
Approved _____ Reviewed _____ Revised _____

Board Meeting Minutes

NEB.REV.STAT. § 84-1413. Meetings; minutes; roll call vote; secret ballot; when.

- (1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

The school board can transact business or take official action only by majority vote at a legal meeting of the board. The meeting minutes document and assure the board that the official taken during the meeting is now of public record. The minutes validate the action of the board and serve more than a historical record they represent the evidence that a board has in fact met their legal responsibility as a public body according to the law.

NEB.REV.STAT. § 79-577. Class I,II,III, IV, or VI school district; secretary; books, records, and reports; duty to preserve.; minutes;

The secretary of a Class I, II, III, IV, or VI school district shall (1) record all proceedings of the District in a book furnished by the district to be kept for that purpose, (2) preserve

copies of all reports, and (3) safely preserve and keep all books and papers belonging to the office.

The secretary of the board who may be either a serving member of the board and/or an appointed staff member is directed to keep a record of all official action as the meeting transpires. The minutes then serve as a point of reference and evidence of record. A draft of the minutes must be made available and published (insert language) following the meeting. It is important to note the minutes do not become official until the board has taken appropriate action to approve.

The content of the minutes is not specified in state statute, nor does the law specify the details in which the minutes are to be taken. The board must record a summary of the discussion on all matters proposed, deliberated, or decided. The Association is aware that practices vary from one school board to another across Nebraska. Thus our advice is that it is not necessary to record meeting discussion word for word. A brief summary is important to provide a clear and accurate record of each board action, a concise summary of lengthy discussions may suffice, but motions and resolutions must be carefully worded and appear in the record exactly as the board acted upon them. Documents that the board acts upon, such as the budget, written plans, and/or resolutions, do not need to be repeated in the minutes. The documents may be filed with the minutes or they may be incorporated in the official minutes by reference to a clearly distinguished title and/or index. It is critically important to that the documents are kept on file in order to make the record of the board's action complete.

Roll Call Vote/Secret Ballot. NEB. REV. STAT. § 84-1413 states

“...(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a municipality, a county, a learning community, a joint entity created pursuant to the Interlocal Cooperation Act, a joint public agency formed under the Municipal Cooperative Financing Act which utilizes an electronic voting device which allows the yeas and nays of each member of such city council, village board, county board, or governing body to be readily seen by the public.”

Minutes should include. The meeting minutes of all meetings, should include:

- 1) The date, time, and location of the meeting;
- 2) The identity of the school board by district name, number, and county;
- 3) School board members recorded as either present or absent;
- 4) A statement by the president declaring a quorum present following the list of members as present or absent;

- 5) A statement that a meeting was called to order by whom, the hour and whether the meeting was a regular, reconvened, special, or emergency meeting;

(Note: If it is a reconvened meeting, the original meeting date should be noted. If it is a special or emergency meeting, a copy of the official notice and agenda should be included or referenced. This provides record to the public should the meeting be challenged as a violation of the Nebraska Open Meetings Law;
- 6) A statement that the meeting was advertised according to the Nebraska Open Meetings Law, the agenda was kept current and available to the public, and the Law is referenced for location in the room and available to the public for review;
- 7) Notation of any board members who arrive late or leave early, including a record of the time;
- 8) Notation of presentations from the public who have oral communications or petitions to present, along with a record of any actions by the board referring such matters to committees or to the superintendent for study;
- 9) Statement of written communications or oral presentations from service clubs, parent teacher groups, teacher organizations, student groups, or individuals, and a record of any subsequent action. Each document should be dated;
- 10) Record of reports from committees and members of the board;
- 11) Record of reports requested from administrative staff, such as the business manager, the architect, the athletic director, principals, etc. If written, the reports may be filed as documents and reference made to them in the minutes by file and document number;
- 12) Record of reports from the superintendent;
- 13) A summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
- 14) The “yeas” and the “nays” of each board member should be recorded on all matters requiring a roll call vote;
- 15) The motions should include the names of the board member making the motion and the second (if needed);
- 16) The vote of each board member present when a vote is taken to hold a closed session and the reason for the closed session;
- 17) Record of any motion to close the meeting to the public and the votes of individual members of the board on the motion; record of the times at which the meeting was closed and resumed to open session;
- 18) Record of the motion to adjourn;

19) The time and place of the adjourned meeting if the meeting is adjourned to another date.

Financial Statements. The board must be kept informed regularly of the current financial status of the school district, a financial statement should be presented each month together with the agenda. The statement should include, but not be limited to, the following information:

- 1) Amount budgeted
- 2) Amount expended to date
- 3) Current bills
- 4) Unexpended balance for each of the major budgetary funds and extra-curricular activity accounts.

Although board action usually is not called for, all finance reports should be referenced in the minutes and available if requested.

Current bills. The bills often times are embedded under the consent agenda motion; however, a list of the audited invoices submitted for board approval must be included in the minutes. Where invoices are too numerous to list individually in the minutes, the total amount approved can be recorded with a reference to a separate itemized list which can be available if requested. The record must show each itemized amount, to whom paid, for what purpose, and the budgetary item debited.

Current payroll. School board action approving payroll disbursements also must be recorded in the minutes, along with a roll call vote. In some districts, there may be votes on itemized amounts; in some districts, there will be a vote on total payroll amount.

Special business. The board will frequently adopt resolutions to support district business. These resolutions must be embedded in the minutes directly or by reference. It is good practice to introduce each resolution with a formal motion and to record the “yeas” and “nays” vote of each member. Resolutions brought before the board may follow under the following area of business:

- 1) Authorize the issuance and sale of tax anticipation warrants, interest bearing orders, bonds or other obligations against the district. The board may wish to seek the advice of the school attorney prior to entering into legal obligations created as a result of a resolution.
- 2) Adoption of the annual budget requires action following a public hearing, notice of which has been given at least ___ days preceding the hearing.
- 3) Authorization of the tax levy.

- 4) Approval and/or acceptance of bids. \Ratifying teacher contracts. This is required in the employment of new teachers and the approval of the negotiated agreement with organized associations.
- 5) Authorizing a leave of absence of an employee.
- 6) Approving the district place a referendum before the public. When the board calls for an election, whether to vote on building a new school or increasing the tax rate or any other matter that must be submitted to a referendum of the voters, the minutes must show a meeting of the board and its order or resolution calling the election. When certifying the public question to the election office (county clerk or election commission), the certification must include the form of the public question, a copy of the board's resolution, and the date on which the resolution was adopted.
- 7) Ratifying/approving the superintendent's contract.

Amendments to minutes. A board may amend the minutes at any time to conform to what in fact occurred at a given meeting; however, amends to previously adopted minutes should not be made with the advice of the board's school attorney. Amendments may be made to the minutes even though the membership of the board has changed and a long period of time has elapsed. However, the board may not amend its minutes so as to change the action taken. It may only change the record for such action in order that the record may correctly reflect what transpired at the meeting.

Board Meeting Assessment

The assessment allows the board to determine the extent to which proper protocol, procedures and governance is present during a regular school board meeting. The content of the assessment provides a framework for observation through guiding questions and essential elements of responsible school board governance.

Board members will complete an assessment of observations noted during a regular meeting of the board.

Meeting Date:

Meeting Location:

Meeting Start time: Planned _____ Actual _____

Meeting End time: Estimation _____ Actual _____

Number of board members present: ___ of 6/9

Board met quorum requirements: Yes / No

Number of other individuals attending the meeting: _____

Number of students attending the meeting: _____

Is there an official meeting agenda? Yes / No

Minutes were taken by or on behalf of the board? Yes / No

Individual Board Member Governance

___ of 6/9 Board Members consistently attend board meetings

___ of 6/9 Board Members participate actively in discussion

___ of 6/9 Board Members engage in thoughtful questioning and debate

___ of 6/9 Board Members keep the district's mission and strategic priorities in mind
when making decisions

___ of 6/9 Board Members publicly support board decisions

Board Meeting Standard 1:

The board conducts the meeting in a fair, respectful, and responsible manner, including
but not limited to:

Guide: Y – Yes, no improvement needed.

U – Uncertain, could be better.

N – No, improvement needed.

___ The meeting is conducted in a business-like manner and follows policy
procedures and rules for board meetings

___ The agenda is received by board members with sufficient time to study and
prepare for the board meeting

___ The agenda was available in advance for public review

___ The time spent on each agenda item is appropriate to the importance and impact
on student learning and achievement

___ The agenda, presentations, and/or discussion provide information so those attending
can understand issues addressed and the decisions made

___ The interaction between board members is civil and appropriate

- ___ The interaction between board members and superintendent is civil and appropriate
- ___ The board members and the superintendent are prepared for each agenda item
- ___ The board president maintains order and control of the meeting
- ___ The location and setting of the meeting is comfortable and conducive for conducting board business

Board Meeting Standard 2:

The board meeting is open to the public and includes the opportunity for public comment:

Guide: Y – Yes, no improvement needed.
 U – Uncertain, could be better.
 N – No, improvement needed.

- ___ The meeting complies with the Nebraska Open Meetings Law
- ___ The meeting is accessible to the public (the public was notified of the time and location of the meeting)
- ___ The public is encouraged to attend the meeting
- ___ The agenda includes an opportunity for public comment
- ___ The policy for public input is explained at each board meeting by the board chair and is followed to maintain order
- ___ The public had access to pertinent information prior to the meeting
- ___ Board members ensure the public understands board roles and responsibilities
- ___ Board members provide or explain information or processes to the public

Board Meeting Standard 3:

The board meeting promotes communication, collaboration, and trust

Guide: Y – Yes, no improvement needed.
 U – Uncertain could be better.
 N – No, improvement needed.

- ___ The interaction among board members and the superintendent is collaborative
- ___ Board members respect the roles and responsibilities of the superintendent and staff
- ___ Board members consider recommendations of the superintendent and staff
- ___ The board invites staff and/or students to make presentations at board meetings
- ___ Board members treat each other, staff, and community members with respect
- ___ The interaction between the board and superintendent and/or staff is kept positive
- ___ Communications are supportive, inspiring, motivating and/or empowering
- ___ The meeting includes opportunities for board members to learn from others
- ___ Board members receive explanations when appropriate and details of when and how the staff will report if an explanation is not available at the time of the meeting
- ___ The board consistently requests additional materials on board agenda items
- ___ Board members display good listening skills, a willingness to compromise when issues arise, and work to achieve unity
- ___ Board members vote their conscience, but supports the majority
- ___ The board follows their role as a policy body and refrains from becoming involved in making administrative decisions at board meetings

Board Meeting Standard 4:

Board meeting agenda items are driven by a focus on student learning and achievement.

Guide: Y – Yes, no improvement needed.

U – Uncertain could be better.

N – No, improvement needed.

- ___ Board discussion is focused on what is necessary for high achievement for all students
- ___ Meeting discussion reflects a belief that all students can achieve
- ___ Meeting discussion reflects high expectations for all students
- ___ The board engages the community in developing and sustaining the belief that all students can achieve

- ___ Reports and presentations from committees, board members, staff members, and guests are relevant to student outcomes
- ___ Board members understand improving student learning is their primary responsibility

Board Meeting Standard 5:

Board meeting content and activities build accountability for high expectations for student learning.

Guide: Y – Yes, no improvement needed.
U – Uncertain could be better.
N – No, improvement needed.

- ___ Board members recognize efforts of individuals and/or schools for improving student learning
- ___ Board members use data to monitor student achievement and/or student progress (i.e, board members are knowledgeable of what data documents they should receive and monitor to understand progress of student achievement)
- ___ Board members refer to criteria, assessment tools, or other methods to measure student achievement and performance
- ___ Board members examine disaggregated data
- ___ Board members evaluate/adjust resources or strategies for closing achievement gaps
- ___ The board meeting includes presentations or reports on the progress and status of student achievement
- ___ The meeting includes presentation or reports of program monitoring

Board Meeting Standard 6:

Board meeting content and activities align with the district goals (mission, vision, long-term planning, school improvement goals, etc.)

Guide: Y – Yes, no improvement needed.
U – Uncertain could be better.
N – No, improvement needed.

- ___ Board members use a current plan with goals and outcomes to guide the agenda

- ___ Board members are aware of the district’s school improvement goals and/or specific goals related to improved student learning and achievement
- ___ Discussion and presentations of policy development, decision-making, and budget are directly linked to district goals
- ___ The Board members use the plan and vision to evaluate district operations and progress
- ___ Other attendees (i.e., staff, students, families, public) are aware of the district goals
- ___ Board members are familiar with the district school improvement plan
- ___ The meeting incorporates educational research, local issues, and/or educational legislative initiatives

Board Meeting Standard 7:

The board meeting addresses school conditions that support high quality instruction, administration, and staff performance.

Guide: Y – Yes, no improvement needed.

U – Uncertain could be better.

N – No, improvement needed.

- ___ The meeting activities support and promote staff development and mentoring
- ___ The meeting includes celebrations or publicly recognizing student and staff success
- ___ Presentations or discussion include research, data, and /or issues, trends or policies relevant to student outcomes and school improvement
- ___ Board members receive professional development to improve their knowledge of student learning, education, and school administration

Board Meeting Standard 8:

The board meeting addresses conditions that support high quality student learning and achievement

Guide: Y – Yes, no improvement needed.

U – Uncertain could be better.

N – No, improvement needed.

- ___ Curriculum and supplemental materials are evaluated
- ___ There are reviews of facilities and long-term facilities plan to maintain and improve the district learning environment
- ___ The meeting addresses the use integrated technology for learning and instruction
- ___ There are presentations or discussions of state/district learning standards
- ___ There are presentations and/or discussion of instruction or rigor
- ___ There is an expectation that effective instructional resources and strategies are used in all classrooms