## EDUCATIONAL SERVICE UNIT

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ORGANIZATION AND COMMUNITY RELATIONS

Organization and Communication with the Public

The legal name of this educational service unit is “Educational Service Unit No. 18 of the State of Nebraska.” It may also be referred to as “ESU 18,” either with or without a number designation (No. or #). ESU 18 is a political subdivision created under the Educational Service Units Act. Since Lancaster County School District No. 001, a/k/a Lincoln Public Schools (“LPS”), is a class IV school district and is the only school district located within its boundaries, ESU 18 is a single school district service unit. Its boundaries are generally coterminous with LPS, and its governing body is the Board of Education of LPS. ESU 18 and LPS have entered into numerous agreements under the Interlocal Cooperation Act to make the most efficient use of their taxing authority and powers.

The principal offices of ESU 18 are currently located in the LPS Administration building at 5905 ‘O’ Street in Lincoln, Nebraska. To the extent they are not inconsistent with these policies, rules and regulations, ESU 18 hereby adopts all LPS policies, rules and regulations.

ESU No. 18 is committed to the principle of open, honest, responsible, two-way communication with its internal and external publics. In line with this commitment, the Board directs the Unit Administrator, in conjunction with the Lincoln Public Schools, to conduct a comprehensive and ongoing community engagement public relations program.

The community engagement public relations program should be designed to disseminate the information needed to educate the public regarding the status and needs of ESU No. 18.

Policies Available for Review

The written policies of ESU No. 18 are available for review upon request at the administrative offices of ESU No. 18 at 5905 ‘O’ Street, Lincoln, Nebraska. The Board may act to suspend policies for a specified purpose and limited time by a majority vote of the Board.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference: Sections 79-1201 to 79-1249
MISSION

The mission of ESU No. 18 is to provide exemplary innovation, leadership and services and serve as leaders in the statewide network of educational service support.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: 
Legal Reference: 
ORGANIZATION AND COMMUNITY RELATIONS

Statutory Role

The statutory role of ESU No. 18 is to serve as an educational service provider for LPS and, as appropriate, to other ESUs or school districts in Nebraska’s system of elementary and secondary education. ESU No. 18 shall:

1. Act primarily as a service agency in providing core services and services identified and requested by its member school district;
2. Provide for economy, efficiency and cost-effectiveness in the cooperative delivery of educational services;
3. Provide educational services through leadership, research and development in elementary and secondary education;
4. Act in a cooperative and supportive role with the State Department of Education and LPS in development and implementation of long-range plans, strategies and goals for the enhancement of educational opportunities in elementary and secondary education;
5. Serve, when appropriate and as funds become available, as a repository, clearinghouse and administrator of federal, state and private funds on behalf of LPS when it chooses to participate in special programs, projects or grants in order to enhance the quality of education in LPS and, where appropriate, in other Nebraska schools.
6. Provide core services as appropriate to LPS:
   a. In order of priority, the core services are: (i) staff development which shall include access to staff development related to improving the achievement of students in poverty and students with diverse backgrounds; (ii) technology, including distance education services; and (iii) instructional materials services;
   b. Core services shall improve teaching and student learning by focusing on enhancing school improvement efforts, meeting statewide requirements and achieving statewide goals in the state’s system of elementary and secondary education;
   c. Core services shall provide schools with access to services that: (i) ESU No. 18 and LPS have identified as necessary services; (ii) are difficult, if not impossible, for most individual school districts to effectively and efficiently provide with their own personnel and financial resources; (iii) can be efficiently provided by ESU No. 18 to LPS; and (iv) can be adequately funded to ensure that the service is provided equitably to LPS schools.
   d. Core services shall be designed so that the effectiveness and efficiency of the service can be evaluated on a statewide basis; and
   e. Core services shall be provided by ESU No. 18 in a manner that minimizes the costs of administration or service delivery to LPS.
7. Meet minimum accreditation standards set by the State Board of Education.
ORGANIZATION AND COMMUNITY RELATIONS

Statutory Role (Continued)

8. In fulfilling its role and mission, ESU No. 18 may contract to provide services to:
   a. Nonmember public school districts;
   b. Nonpublic school systems;
   c. Other educational service units; and
   d. Other political subdivisions under the Interlocal Cooperation Act and the Joint Public Agency Act.
9. ESU No. 18 will not regulate LPS unless specifically provided pursuant to law.

Original Adoption: 2018-06-26
Related Policies and Regulations: Sections 79-1204; NDE Rule 84.003.05
Legal Reference: Sections 79-1204; NDE Rule 84.003.05
ORGANIZATION AND COMMUNITY RELATIONS

Duties and Functions of the Board

The Unit Board functions as a policy-forming and legislative body and in some circumstances, as a quasi-judicial body. The general duties and functions of the Unit Board are as follows:

1. **Policies**: Adopt policies governing the organization and operation of the ESU that are appropriate to serve the role and mission of ESU No. 18 and meet requirements of law. The Board policies will be available for review upon request at the principal office of the ESU. The Board may act to suspend policies for a specified purpose and limited time by a majority vote of the Board.

2. **Personnel**: Appoint and fix the compensation and duties of the Administrator and evaluate the Administrator’s performance. The method for selecting the Administrator shall be determined by the Board and may include the use of Administrator Selection Services or committee(s) created by the Board for the sole purpose of identifying candidates for the position. With the advice of the Administrator, the Board shall also employ and fix the compensation and duties of professional and classified staff. The Board shall be responsible for taking action on certain personnel grievances and personnel contracts required pursuant to law or Board policy.

3. **Budget**: Provide for the preparation and adoption of the annual budget for the operations of the ESU, which shall include an itemized list of contemplated expenditures and expected revenue.

4. **Services**: Exercise final authority with regard to the determination of services to be provided to LPS and contracted services to be provided to other schools or entities. The Board shall determine the participation of the ESU in providing supplementary educational services.

5. **Purchases and Contracts**: Approve purchases and contracts for which Board action is required pursuant to law or Board policy.

6. **Audit**: Cause a complete and comprehensive annual audit to be made of the books, accounts, records, and affairs of the ESU. The audits shall be conducted annually, except that the Auditor of Public Accounts may determine an audit of less frequency to be appropriate but not less than once in any three-year period. The Board may contract with the Auditor of Public Accounts or select a licensed public accountant or certified public accountant or firm of such accountants to conduct the audit and shall be responsible for the cost of the audit pursuant to the contract. Such audit shall be conducted in the same manner as audits of county officers. The original copy of the audit shall be filed in the office of the Auditor of Public Accounts.
7. **Fulfill Mission:** Take any other lawful and appropriate action to fulfill the ESU’s mission.

Original Adoption: 2018-06-26
Related Policies and Regulations: Sections §§ 79-1217 to 79-1224, § 79-1229, NDE Rule 84, section 3.05
ORGANIZATION AND COMMUNITY RELATIONS

Annual Reporting

The Unit Board shall cause to be published by November 1 of each year a brief report of the yearly activities of the Unit Board. The report shall include the amount of revenue received and expenditures itemized by categories. This report shall be for one-time publication in a newspaper of general circulation distributed in Lancaster County. A copy of the report shall be distributed to LPS by November 1 of each year.

The annual report shall include other information about ESU No. 18 as determined by the Unit Administrator or designee.

On or before January 31 of each year, the Administrator shall submit to the Commissioner of Education a report described as the annual financial report showing (a) the amount of money received from all sources during the year and the amount of money expended by the educational service unit during the year, (b) other information as necessary to fulfill the requirements of section 79-1241.03, and (c) such other information as the commissioner directs.

Original Adoption: 2018-06-26
Related Policies and Regulations: 79-1228
Legal Reference: 79-1228
COMMUNITY RELATIONS

Advance Notice and Coverage of Board Meetings

Representatives of the news media are encouraged to attend meetings of the ESU Board. Meeting announcements, agendas, summaries of the minutes for each meeting and other related supporting documents will be furnished to news media representatives upon request.

Reasonable advance publicized notice of the time and place of each meeting shall be given by means of a public notice in the Lincoln Journal Star or Omaha World Herald newspapers or posting on the Unit website https://home.lps.org/esu18/ or on the bulletin board in the entry of the ESU No. 18 at the LPS Administrative and District Office building at 5905 ‘O’ Street, Lincoln, Nebraska, and by delivery of the notice to news media reporters.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
ORGANIZATION AND COMMUNITY RELATIONS

Educational Service Unit No. 18 Board Meetings

Meetings Open to Public and Press

All meetings of ESU No. 18 are open to the public except for closed sessions as permitted by law.

All Unit Board committee meetings are open to the public except for closed sessions at the discretion of the committee.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: 
Legal Reference: 84-1410
ORIGINZATION AND COMMUNITY RELATIONS

Citizen Ad Hoc and Other Committees to Board or Unit Administrator

Citizen ad hoc or other committees may be appointed by the Board President or Board only when there is a definite function to be performed.

Specific topics for study or well-defined areas of activity shall be assigned in writing to each committee immediately following its appointment.

Upon completing its assignment, each committee either shall be given new assignments or shall be dissolved promptly. No committee shall be allowed to continue for prolonged periods without a definite assignment.

The Unit Administrator may appoint committees, as appropriate, who shall report to the Unit Administrator.
ORGANIZATION AND COMMUNITY RELATIONS

Relations with Colleges and Universities

The ESU No. 18 will cooperate with post-secondary institutions in areas which have the potential to increase the effectiveness of teacher preparation or staff development or which directly improve service unit purposes or the local instructional program.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
ORGANIZATION AND COMMUNITY RELATIONS

Cooperative Arrangements with Other Schools and Service Units

The ESU No. 18 will work cooperatively with other service units or school districts in selected programs which can be better carried out in cooperation than by single units or school districts acting alone or as may be permitted or required by law.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: 
Legal Reference:
ADMINISTRATION

Concept of Administration

The administration of the ESU No. 18 is responsible for the direction, coordination and management of all service unit business and staff, if any, in their efforts to reach educational goals adopted by the Board within the guidelines established by Board policy, law and employee agreements.

To demonstrate leadership, to resolve the inevitable problems, and to overcome obstacles which will arise both inside the service unit and in its relations with the community, the Board expects the administration to specialize in

1. decision making and communication.

2. strategic planning, organizing, implementing and evaluating.

3. coordinating and guiding the various centers of authority and responsibility within the service unit and the community so as to comply with law, advance service unit purposes and enable people to do things together for education that they might not be able to do separately.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
ADMINISTRATION

Unit Administration

ESU No. 18 shall have a chief executive and administrative officer, referred to as the Unit Administrator. A Lincoln Public Schools employee may be assigned as the Unit Administrator, and if such is the case, the ESU No. 18 Board hereby accepts such assignment. The Board further authorizes the Unit Administrator to handle and complete all day-to-day business for and on behalf of the service unit and directs the Unit Administrator to organize an administrative and supervisory team as necessary to provide effective and efficient administration of service unit purposes and of the policies, rules and regulations of the Board.

The Unit Administrator may delegate to staff members or others any of the powers and duties that the Board has entrusted to him/her. However, he/she is responsible to the Board for proper execution of matters and cannot delegate responsibility.

The Unit Administrator shall have authority to implement his/her responsibility through:

1. requiring reports from staff members or others as necessary.
2. assigning or transferring staff members in accordance with Board policies, rules and regulations, laws and/or contracted agreements.
3. forming committees or task forces to make plans or recommend procedures.
4. directing the work of staff members or others in accordance with the law and, as appropriate, any organizational plan.

Administrative and supervisory positions in the service unit, if any, may be assigned as recommended by the Unit Administrator or as approved by the Board. In addition, some positions may be required by state law. It is the intent of the Board to activate a sufficient number of such assignments or positions to promote the attainment of the service unit’s goals and provide for the effective management of the service unit.

The ESU No. 18 Board may, in conjunction with Lincoln Public Schools, maintain a set of qualifications and job descriptions for service unit assignments or positions.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
ADMINISTRATION

Unit Administrator

The administration of the ESU No. 18 in all of its aspects, except as otherwise provided by law, is delegated to the Unit Administrator who shall carry out the executive and administrative functions in accordance with the laws, policies and any rules and regulations adopted by the Unit Board or as may be provided by applicable policies, rules and regulations of Lincoln Public Schools. The execution of all decisions made by the Unit Board concerning the internal operation of the service unit shall be delegated to the Unit Administrator.

The Unit Administrator, in cooperation with any other administrative staff, shall prepare in detail, where applicable, the rules and regulations for implementing the approved policies. In a situation demanding a decision not covered by existing policy, the Unit Administrator or his/her designee is hereby delegated the authority and is authorized to make such decisions as deemed in the best interest of the ESU. In such situations, the Unit Board shall be informed of the decision promptly.

The Unit Administrator is responsible for the preparation of the ESU budget and submission to the proper authorities in accordance with Nebraska statute.

The Unit Board also requires the Unit Administrator to organize the appointed or assigned staff in a manner to ensure effective operation of the ESU. The Unit Administrator, each employee, and student is responsible for following the approved policies and regulations until modified.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
ADMINISTRATION

Appointment of Unit Administrator

It shall be the responsibility of the Unit Board to authorize, accept and/or appoint the Unit Administrator who shall represent the Board in carrying out the policies of the Board. Historically, the Unit Administrator is an individual employed by Lincoln Public Schools assigned to such position. The Unit Administrator, at all times, shall be subject to the control and decisions of the Unit Board and shall act as executive officer of the Unit Board.

The Unit Administrator is authorized and appointed by the Unit Board to a term of office as determined by the Board annually.
ADMINISTRATION

Unit Administrator’s Executive Committee

The Unit Administrator is authorized to form an Executive Committee for the purpose of providing the Unit Administrator with advice and counsel. The Lincoln Public Schools Executive Committee may serve as such committee.

The Unit Administrator will generally be authorized and/or appointed from among the members of the Lincoln Public Schools Executive Committee.

Original Adoption: 2018-06-26
Related Policies and Regulations:
Legal Reference:
ADMINISTRATION

Unit Administrator’s Staff

The Unit Administrator may authorize and/or appoint, assign or accept staff assignments from Lincoln Public Schools, as appropriate, for staff to perform the duties and responsibilities associated with operation of the service unit.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: 2120
Legal Reference:
ADMINISTRATION

Unit Administrator, ESU No. 18

General Description

Responsible for planning, coordinating and supervising the work of ESU No. 18 as required by law or as assigned by the Unit Board.
ADMINISTRATION

External Consultants

The ESU encourages the use of consultants as a means of providing the Unit with specialized services not normally required.

Original Adoption: 2018-06-26
Related Policies and Regulations:
Legal Reference:
ADMINISTRATION

Consultants

Consultative services to the Unit Board are provided in the following areas:

Legal Counsel

Unless otherwise agreed or determined by the Unit Board, the Lincoln Public Schools legal firm shall advise and represent the ESU in all legal matters as requested under the same terms of service as the legal firm represents Lincoln Public Schools unless otherwise determined or agreed.

At times, it may become necessary for the ESU to obtain alternate or additional legal assistance. Either the Unit Board or the Unit Administrator is authorized to determine the terms of service and make appropriate arrangements for alternate or additional legal services.

Architectural Services

An architect shall be appointed separately for each construction project as necessary.

Auditing Service

An auditing firm shall be appointed on an annual or other agreed-upon basis.

Management Consultation

Management consultation and other consultative services shall be sought on an ad hoc rather than continuous basis, as needed.

Last Revision: 2018-06-26
Related Policies and Regulations:
Legal Reference:
ADMINISTRATION

Educational Equity

The ESU No. 18 Unit Board is committed to the concept of educational equity for students, staff and patrons of ESU No. 18. In all programs conducted by the Service Unit, the dignity and worth of all human beings will be recognized. Such recognition shall be extended regardless of a person’s economic status, race, ethnic background, culture, religion, sex, pregnancy, childbirth or related medical condition, sexual orientation, age or mental, physical or linguistic ability.
ADMINISTRATION

Services to Lincoln Public Schools and Other Educational Entities

Services of ESU No. 18 are available to Lincoln Public Schools under mutual agreements. A request is made annually to ESU No. 18 for such core or supplementary services as may be mutually agreeable between Lincoln Public Schools and ESU No. 18. Costs of such services are calculated on an “actual cost” basis unless otherwise mutually agreed. ESU No. 18 may also provide services to other service units, school districts or entities as permitted or required by law and/or Rule 84.

- The process by which ESU No. 18 shall provide services and calculate the cost for same shall be based on ESU and member or nonmember school needs and uniform accounting methods in conformance with best business practice and existing guides from the Nebraska Department of Education as determined by the ESU Board or Administrator from time to time, and/or on an “actual cost” basis unless otherwise mutually agreed.

- The process by which member and nonmember schools request and pay for services shall be upon written request(s) to and approval(s) by the ESU Administrator with all payments for such services being due within 30 days of delivery of such service, unless otherwise mutually agreed.

- ESU No. 18 shall coordinate and collaborate with member and any nonmember schools being served to assure that in-service is provided to such school staff that is aligned and consistent with the ESUs continuous improvement process to promote quality learning, equity, and accountability as provided by Nebraska Department of Education rules.

Evaluation of Employees

ESU No. 18 has no ESU employees serving on the instructional or service faculty of a school to supervise, assign, and/or evaluate. All persons involved in the delivery of any ESU No. 18 services are either member or nonmember school employees, and are governed, supervised, assigned and evaluated by such institutions.

ESU No. 18 has no certificated employees to evaluate. All certificated persons involved in the delivery of any ESU No. 18 services are either member or nonmember school employees and as such, are governed, supervised, assigned and evaluated by such institution’s policies and procedures that are filed with the Department and approved by the Commissioner or his or her designee.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: NDE Rule 84
Legal Reference: NDE Rule 84

ESU NO. 18
LINCOLN, NEBRASKA
ADMINISTRATION

Line of Responsibility

The main operational line of organization for the ESU No. 18 runs from the Unit Administrator’s office through an administrative chain of command. As a single school district ESU, the administrative chain of command is as set forth below.

If for any reason it is necessary to define an order of rank or administrative chain of command in the absence of the Unit Administrator, then the following order shall prevail:

The Superintendent of Lincoln Public Schools

The Associate Superintendent of Instruction for Lincoln Public Schools

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
ADMINISTRATION

Control and Communication Systems

The Unit Administrator of the ESU is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Unit Board and the administrative rules and regulations needed to put them into effect.
ADMINISTRATION

Research, Evaluation, Planning

The Unit Board expects the Unit Administrator to implement a process of long-range planning involving the Unit Board, staff, students and the public as appropriate.
BUSINESS

Business Affairs

The Unit Board expects business affairs of the Unit to be managed effectively and efficiently by the Unit Administrator with the assistance of the Lincoln Public Schools Business Affairs office.

Business affairs-related services may include, but are not necessarily limited to, the following:

1. Maintenance of physical plant and grounds, and support for the construction program.
2. Facilities planning.
4. Purchasing and procurement of supplies, equipment and services.
5. Budgeting, accounting and investments, staffing and compensation of employees.
6. Transportation of students to and from school and school-sponsored activities.
7. Nutrition services.
8. Internal auditing and the coordination of all external audits.
BUSINESS

Fiscal Year

Unless modified by state statutes or Nebraska Department of Education Rule, the fiscal year for Educational Service Unit No. 18 shall be the same as Lincoln Public Schools and shall commence on September 1 in each year and end on August 31 of the following year.

Original Adoption: 2018-06-26
Related Policies and Regulations: 79-1091
Legal Reference: 79-1091
BUSINESS

Budget Document

The Unit Administrator of the ESU is responsible for assembling the annual budget document. The budget document shall be prepared on printed forms as provided by the Nebraska Department of Education and the auditor of public accounts and shall be submitted to the proper authorities in accordance with Nebraska statute.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1996-02-27
Related Policies and Regulations:
Legal Reference: § 13-503; § 13-506; § 79-1226; § 79-1227
BUSINESS

Budget Document

Format of Budget

The Unit Administrator advises the Unit Board on the appropriate format for the budget document. It must:

1. Conform to accepted accounting procedures.
2. Be consistent with prescribed uniform school budget practice.
3. Be easily understood.
4. Provide meaningful year-to-year comparisons.
5. Promote the concepts of program budgeting.
6. Provide for the preparation of required fiscal reports.
BUSINESS

Public Review of Budget

At a legally constituted meeting of the Unit Board, the Unit Board shall hold a public hearing on the budget subsequent to publication.

Notice of place and time of a public hearing, a summary of the proposed budget statement and distribution of the information through general circulation media will be made as prescribed by law.

Short forms or summaries of the budget document will be available to the public from the time of the official notice of the hearing until and including the hearing itself.

The proposed annual budget statement shall be presented to the public with recommended expenditures and anticipated receipts and a summary of significant changes from the previous budget. The public shall be given an opportunity to comment on the proposed budget.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1996-02-27
Related Policies and Regulations: 79-1225 through 79-1228

Legal Reference: 79-1225 through 79-1228
BUSINESS

Budget Adoption

At a legally constituted meeting of the Unit Board and after the public hearing, the proposed annual budget document shall be adopted, or amended and adopted as amended, in accordance with applicable law.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1996-02-27
Related Policies and Regulations: 
Legal Reference: 13-506
BUSINESS

Budget Administration

The ESU’s annual budget, as approved, shall become the spending plan for ESU No. 18. The Unit Administrator is authorized to commit expenditures as approved by the Unit Board policies, regulations and procedures; and in accordance with the adopted budget document. The Unit Administrator is authorized to sign necessary documents in the exercise of the necessary course of business activities.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1996-02-27
Related Policies and Regulations:
Legal Reference:
BUSINESS

Special Funds

The ESU may enter into interlocal agreements and create special funds as allowed by statutes and regulations, when appropriate, for the pursuit of service unit purposes or goals.

Original Adoption: 2018-06-26
Related Policies and Regulations:
Legal Reference:
BUSINESS

Grants and Contracts

All special grants (federal, state or nonprofit agencies) requiring monitoring or reporting to a designated agency will be cleared through the Office of the Unit Administrator.

The Unit Administrator is responsible for establishing and maintaining financial records to ensure all grant requirements and accounting, ESU No. 18 or Lincoln Public Schools district business practices are followed. It shall be the responsibility of the Lincoln Public Schools Business Affairs Office to provide support to the Unit Administrator through financial guidelines necessary to ensure:

* All financial records are documented and a complete audit trail is maintained.

* All district payroll and accounting reports are submitted properly.

* The ESU is requesting and receiving all the funds approved under the grant and that all financial reports are completed and submitted to the appropriate agency in a timely manner.

The Administrator is responsible for carrying out the program in accordance with the guidelines accompanying the special grant as well as all program reports.

Additional requirements shall be:

* All governmental grants shall be reviewed by the Director of Federal Programs.

* All exclusive building grants shall be administered by the building principal following accounting, ESU No. 18 or Lincoln Public Schools district guidelines.

Grants in excess of $5,000 will be submitted to the Unit Board for approval and will include a fiscal statement which shall define all service unit current and future obligations as a recipient of the grant.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1996-02-27
Related Policies and Regulations:
Legal Reference:
BUSINESS

Services and Fees

Fees are assessed in these areas: evaluation, assessment center and Heritage School. Unit costs are reviewed annually and rates are established for each specific area, including but not limited to the following:

1. **Evaluation Services**: Fees for evaluation services will be an hourly rate as determined by the total cost of the salary and fringe of the evaluation section divided by the total annual hours.

2. **Assessment Services**: Fees for assessment services will be an hourly rate as determined by the total cost of the program divided by the total hours for the number of personnel assigned.

3. **Heritage School Services**: Fees for the use of Heritage School are determined by the total cost to operate the facility on an annual basis. A daily fee is assessed for each class that uses this facility.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BUSINESS

Funds Management

The Unit Board is responsible for the control of all funds of the ESU.

Funds available to the Unit Board shall be managed to ensure that they are expended for the purposes for which they were appropriated and that the Unit receives a reasonable return for its expenditures.

All receipts shall be accounted for in accordance with standard accounting procedures and reported regularly to the Unit Board.

Financial reports shall be provided to the Lincoln Public Schools/Unit Board monthly.

The Associate Superintendent for Business Affairs of Lincoln Public Schools will generally serve as treasurer of ESU No. 18 and shall be responsible for assuring the use of accounts designed to provide general management information for accounting and budgeting, and also reporting accounting information related to the use of ESU No. 18 funds.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
Business

Funds Management

The Unit Administrator shall expend funds only as authorized and as within the budget.

The Unit Administrator has the designated authority to make transfers of funds between funds or categories as permitted by law or with Unit Board approval.

The Unit Administrator, in conjunction with the Lincoln Public Schools Division of Business Affairs, will administer and/or account for all ESU No. 18 funds.
BUSINESS

Financial Report

It is the responsibility of the treasurer to gather relevant data and present reports to the Lincoln Public Schools/Unit Board monthly.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1996-02-27
Related Policies and Regulations:
Legal Reference:
BUSINESS

Depository

The treasurer of ESU No. 18 shall deposit funds in depositories designated from time to time by the Unit Board or the Lincoln Public Schools Board of Education in accordance with state statutes.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1996-02-27
Related Policies and Regulations: 77-2350 through 77-2352
Legal Reference:
Business

Investing

Funds not needed for immediate obligations shall be invested in accordance with state statutes. Authorized investments include: collateralized local bank certificates of deposit, treasuries, government agency securities, Nebraska School District Liquid Asset Fund, Nebraska Public Agency Investment Trust, commercial paper graded A1 by Standard and Poor’s or P1 by Moody’s, and trusts which invest in U.S. government or agency securities or interests in guaranteed student loans and certificates of deposit insured by the Federal Deposit Insurance Corporation (FDIC).
BUSINESS

Annual Financial Report

The Nebraska Department of Education annual financial report and all other financial reports shall be implemented, prepared and filed according to state statute.
BUSINESS

Periodic Audit

A complete and comprehensive audit shall be made of the books, accounts, records and affairs of the ESU. The audits shall be conducted annually, unless the Auditor of Public Accounts determines an audit of less frequency to be appropriate.

The ESU Board may contract with the Auditor of Public Accounts or select a licensed public accountant, or certified public accountant, or firm of such accountants to conduct the audit. The auditor shall meet the minimum competency standards established by the Auditor of Public Accounts. The audit shall be completed in accordance with law and the standards established by the Auditor of Public Accounts.

The original copy of the audit shall be filed in the office of the Auditor of Public Accounts within six months of the end of each fiscal year or such earlier time as may be established by law. A copy of the annual audit report shall be provided to the ESU Board, to each member public school system on request and to the Nebraska Department of Education by December 31.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1996-02-27
Related Policies and Regulations:
Legal Reference: NDE Rule 84, section 8; 79-1229, 41 NAC, 31 USCS
BUSINESS

Purchasing

The Unit Board declares its intention to purchase competitively whenever possible.

Good working relations with vendors who provide materials, supplies and services to the ESU are desirable. Constructive efforts by the administration to seek the advice and counsel of vendors about how to improve such relationships are encouraged. If comparable quotes of equal quality are received, preference shall go to the local vendor; that is, Lincoln first, then Nebraska.

Recommended purchases or contracts in excess of $25,000 will be presented to the Unit Board for approval except as otherwise provided by policy or specific Board actions.

Purchase orders will be written solely under the direction of the Director of Purchasing.

The process and procedure of purchasing professional services for the ESU will be determined in the sole discretion of the Unit Board from time to time.

Quality/Quantity Purchasing

Items to be purchased shall be at a specified quality level selected to meet the instructional or operational requirement of the ESU.

Consideration of a higher quality level shall include:

1. Use of products on trial basis.

2. Regard for extended life expectancy of the product.

3. Preference for products having a more trouble-free nature that would result in lower per-year cost of ownership.

4. The establishment of an ESU standard which reduces cost of support, maintenance and parts.

All recommendations shall be made after consideration and consultation with the personnel requesting the goods and services.
BUSINESS

Purchasing

Quality/Quantity Purchasing (Continued)

The administration is encouraged to purchase supplies, equipment and materials in quantity to take advantage of volume pricing and to save on freight costs.

Factors to be considered in consolidating like items for purchase in lot quantities shall include:

1. Price advantages to be recognized on basic purchasing quantities.
2. Savings on shipping costs.
3. Savings on avoiding costs of frequent repetitive purchases.
4. Cost of investments in inventory.
5. Cost of warehouse space and personnel.

Encumbering Funds

Funds of the ESU are encumbered upon issuance of a purchase order or other written agreement as authorized by the Unit Board.

Contracts and Contract Authority

In accordance with Policy 3140, the Unit Administrator or the Lincoln Public Schools Associate Superintendent for Business Affairs is authorized to sign, execute and deliver documents in the exercise of the necessary course of business activities for the ESU.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1996-02-27
Related Policies and Regulations: 79-909, 79-912
Legal Reference: 79-909, 79-912
BUSINESS

Performance Guarantees

Vendors shall meet the minimum specifications requested by the Unit which may include:

1. Functional requirements and performance guarantees
2. Warranty
3. Required service

Vendors not satisfactorily meeting requirements as established by the ESU may be removed from the vendor list indefinitely or for a period of time to be recommended by the assigned Director of Purchasing or other staff and approved by the Unit Administrator or the Lincoln Public Schools Associate Superintendent for Business Affairs.
BUSINESS

Requesting Goods and Supplies (Requisitions)

The assigned Division of Business Affairs or staff shall develop procedures and instructions by which staff will request goods and services. Requisitions for the purchase of goods or supplies shall be submitted to the assigned Purchasing Department or staff.

All requests shall be made in writing or via an electronic submission unless they are of an emergency nature. If emergency situations arise, purchases may be initiated by verbal request. Written confirmation requisitions must follow all verbal requests.

Requisitions are to be sent to the assigned Director of Purchasing or staff who shall submit the requests to appropriate staff for purchase.

Requisitions shall be approved by the assigned Unit staff, the applicable school or program administrator or their previously authorized designee.
BUSINESS

Employee Conflicts of Interest

If an employee has an interest in a business, or if the employee has knowledge that the employee’s spouse, parent or dependent child has an interest in a business which is contracting with the ESU and if the employee is or will be making any recommendation to the Unit Administrator or Unit Board with regard to the contract, the employee shall immediately notify the Unit Administrator of this fact and shall thereafter take no part in deciding which vendor should be contracted with or selected. If an employee has an interest in a business or if the employee has knowledge that the employee’s spouse, parent or dependent child has an interest in a business, said employee shall not list the business as the suggested vendor on any requests for supplies, equipment or services.

For purposes of this policy, an interest in a 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. An interest in a business shall mean a business: (1) In which the individual is a partner, limited liability company member, director or officer, or (2) in which the individual or a member of the individual’s immediate family is a stockholder of closed corporation stock worth $1,000 or more at fair market value or which represent more than a five 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 10 percent equity interest. An individual who occupies a confidential professional relationship protected by law shall be exempt from this section. This section shall not apply to publicly-traded stock under a trading account if the filer reports the name and address of the stockbroker.
HUMAN RESOURCES

Educational Service Unit No. 18 Human Resources Policies, Regulations and Benefits

The staff that are paid with Educational Service Unit No. 18 funds are employees of the Lincoln Public Schools assigned to perform all ESU functions and are covered by and must adhere to all policies, regulations, rules and benefits of the Lincoln Public Schools.

To the extent they are not inconsistent with these policies, rules and regulations, ESU No. 18 hereby adopts all Lincoln Public Schools human resources and all other policies, rules, regulations and practices.

ESU No. 18 has no ESU employees serving on the instructional or service faculty of a school to supervise, assign and/or evaluate. All persons involved in the delivery of any ESU No. 18 services are either member or nonmember school employees and are governed, supervised, assigned and evaluated by such institutions.

ESU No. 18 has no certificated employees to evaluate. All certificated persons involved in the delivery of any ESU No. 18 services are either member or nonmember school employees and, as such, are governed, supervised, assigned and evaluated by such institution’s policies and procedures that are filed with the Department and approved by the Commissioner or his or her designee.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: Lincoln Public Schools Human Resources Policies and Regulations (Series 4000)
Legal Reference: NDE Rule 84
BOARD OPERATING PROCEDURES

Philosophy Statement

The Unit Board is committed to providing service to Lincoln Public Schools and other service units, entities or school districts as may be permitted or required by law that will enable the resources of the state to be used efficiently to support the approved or accredited school system in this state.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

The Role of the Educational Service Unit

The ESU No. 18 Unit Board understands that the role and mission of the ESU is defined in Nebraska law and includes, among many other things, to act primarily as a service agency in providing core services and services identified and requested by member school districts. Core services include staff development, technology, distance education services and instructional materials services.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference: 79-1204
Authority of and Public Statements by Individual Members

It is understood that the members of the Unit Board have authority only when acting as a Unit Board in legal session.

The Unit Board exists as an entity only when it is in official session. All business of the Unit Board will be conducted through its meetings. No committee of the board, member of the board or staff member of the ESU or LPS shall have the power to act for the Unit Board or to imply an action on the part of the Unit Board without specific approval authorized by the Unit Board at a lawful meeting with a record of such action in the minutes.

The Unit Board shall not be bound in any way by any action or statement on the part of any individual Unit Board member or committee of the Unit Board, except when such statement or action is in pursuance of specific, formal instructions from the Unit Board.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1995-04-11
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Unit Board Code of Conduct

The members of the Unit Board willingly agree, to the best of their ability, to:

- Recognize that a board member has no legal authority as an individual and that decisions can be made only by a majority vote at a board meeting;
- Abide by and not undermine policies and decisions of the board, while retaining the right to seek changes;
- Attend all scheduled board meetings unless excused, and become informed concerning the issues to be considered at those meetings;
- Render all decisions based on the available facts and independent judgment;
- Work with other board members to establish effective board policies and to delegate authority for the administration of the educational service unit to the unit administrator;
- Communicate with the unit administrator and administration in an appropriate and timely manner to ensure that appropriate materials are available for board discussion;
- Be informed about current educational issues by individual study and through participation in programs providing needed information;
- Support and respect the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
- Declare all conflicts of interest;
- Take no private action that might compromise the board or administration and to respect the confidentiality of information from executive or closed sessions and information that is privileged or confidential under applicable law;
- Remember always that the primary concern of all Board members is the educational welfare of all students attending the Lincoln Public Schools, while being fiscally accountable to the community; and
- Attend and participate in committees and special appointments as assigned.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Number of Members and Terms of Office

Lincoln Public Schools Board of Education members and the Educational Service Unit No. 18 Board members are the same, have the same terms of office and are elected according to state statute.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: 
Legal Reference: 79-1217(7)
BOARD OPERATING PROCEDURES

Officers of the Board

The officers of the Educational Service Unit No. 18 Board shall be the President, the Vice President, the Treasurer and the Secretary.

If both the President and Vice President are absent from a meeting, the Unit Board will designate the chair for the meeting.

The Secretary is also the Clerk of the Board of Education whose duty it is to maintain the official records of the District.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

President

The Unit Board President is the chair and presides at all meetings of the Board, except Committee of the Whole meetings.

He or she exercises such powers and performs such duties as usually fall to the presiding officer of a governing body; and in addition thereto, unless further modified or overruled by Board action, the President is specifically hereby delegated by the Board full power and authority to approve minutes, adjourn meetings and excuse member absences for and on behalf of the Board.

The President appoints those special committees or special appointees he or she deems necessary or those he or she is requested to appoint by the Board.

The President advises the Unit Administrator in matters of procedure and works with the Unit Administrator to set the agenda for meetings of the Unit Board.

Vice President

The Unit Board Vice President performs the duties of the President in the absence or disability of the President to perform.

The Vice President acts as chair of the Committee of the Whole.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1995-04-11
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Treasurer

The Unit Board Treasurer shall attend meetings of the Board when required to do so.

The Treasurer shall pay out Unit monies only upon warrant signed by the President or Vice President and countersigned by the Treasurer or as otherwise required or permitted by law.

The Treasurer shall give a bond or evidence of equivalent insurance coverage payable to the Lincoln Public School District or the Service Unit in such sum as affixed by the Unit Board or the Lincoln Public Schools Board of Education and shall prepare and submit in writing a monthly report of the state of the finances.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: 79-911
Legal Reference: 79-911
BOARD OPERATING PROCEDURES

Secretary

The Secretary shall be responsible for publication of the agenda in accordance with Board rules.

The Secretary shall be responsible for publication of official notices and for the completion of reports required of the Board.

The Secretary is the Clerk of the Unit Board and of all Unit meetings when present. The Secretary shall fulfill all duties of Secretary to the Unit Board as required by the statutes and regulations of the State of Nebraska.
BOARD OPERATING PROCEDURES

Committees

Committees shall not have legislative or administrative functions, except as specifically authorized in Unit Board minutes or policy. All matters except those of routine or emergency nature should be referred to a committee before action by the Unit Board. Committees may hold hearings to receive input from the public.

The President shall appoint the members and chair of each committee and may authorize the Unit Administrator or a designee to make such appointments; members will serve at the will of the Unit Board or until the next Annual Organizational Meeting.

Summaries of all committee meetings shall be reported to the Unit Board for its information, recording and possible action or to the Unit Administrator if the majority of members were appointed by the Unit Administrator or other Unit staff.

Committee of the Whole

The Educational Service Unit Board may function as a Committee of the Whole during a regularly scheduled or special meeting when it is necessary to extend discussion on an issue. Any member may refer an item to the Committee of the Whole through a motion to commit or to refer.

The secretary shall keep minutes of the matters discussed for submission at a regularly scheduled business or special meeting.

The following are the Committees of the Whole:

    Board Development/Boardsmanship

    Public Engagement/Strategic Planning

Temporary or Ad Hoc Committees

Temporary or ad hoc committees of the Board are established only by Board action.

The President shall appoint such temporary and special committees as may be deemed necessary or advisable by the Board and the President shall be, ex-officio, a member of each committee.
BOARD OPERATING PROCEDURES

Committees (Continued)

Special Appointments

Members of the Board may be appointed to represent the Board on joint committees with other agencies or as advisors to other agencies. The President will make such special appointments unless otherwise designated by the Unit Board. The members so appointed will serve during the term of the President.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1995-04-11
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Filling Vacancies

As the governing body of Educational Service Unit No. 18 is the Lincoln Public Schools Board of Education, any vacancy that may occur shall be filled by the Lincoln Public Schools according to law.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Legal Reference: 32-562, 32-567, 79-2203
BOARD OPERATING PROCEDURES

Orienting New Board Members

The Educational Service Unit Board and the administrative staff shall assist new members to understand the Unit Board’s functions, policies and procedures.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Opportunities for Development

Attendance at meetings and conferences related to education or unit matters shall be encouraged for the value they have to the unit and to the professional growth of Educational Service Unit Board members.

The Unit Administrator shall notify Unit Board members of scheduled meetings and conferences which might be of interest or benefit.

Educational Service Unit Board members shall be expected to maintain their effectiveness by being well informed on Unit business and educational issues.

Members of the Unit Board are authorized to attend, at Educational Service Unit expense, conventions sponsored by the National School Boards Association, the Nebraska Association of School Boards, Nebraska Association of Educational Service Units and other pertinent professional meetings.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: 
Legal Reference:
BOARD OPERATING PROCEDURES

Reimbursement and Miscellaneous Expenditures

A uniform policy for the payment or reimbursement of actual and necessary expenses incurred by Unit Board members, employees or volunteers and for the payment or reimbursement of miscellaneous expenditures shall be in accordance with Lincoln Public Schools policies, rules and regulations.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1994-01-11
Related Policies and Regulations:
Legal Reference: LB734
BOARD OPERATING PROCEDURES

Reimbursement

Travel

Educational Service Unit Board members will be reimbursed for the cost of attendance at meetings related to its Board service where expenses are incurred in accordance with Lincoln Public Schools policies, rules and regulations.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference: 79-1217(3)
BOARD OPERATING PROCEDURES

Conflict of Interest

Educational Service Unit Board members shall abstain from voting on matters in which they may have a conflict of interest.

Except as defined in Nebraska statute, conflict of interest of a board member shall not prevent a board member from serving on the Board or restrict the hiring or purchasing practices of ESU No. 18.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:

49-14,101; 49-14,102; 49-14,103; 49-14,103.01; 49-14,103.02; 49-14,103.03; 49-14,103.04; 49-14,103.05; 49-14,103.06; 49-14,08; 49-14,100; 49-1999.01; 79-1249; 79-466
BOARD OPERATING PROCEDURES

Conflict of Interest

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

   a. Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict; and
   b. Deliver a copy of the statement to the Secretary of the Board who shall enter the statement into the public records of the Unit.

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

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

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

4. The Unit Administrator should provide:

   a. Each Board member with copies of state statutes of Nebraska pertaining to conflicts of interest at the organizational meeting of the Board. In addition, any newly appointed or elected Board member shall be provided such statutes.
   b. When possible, supply each Board member with a list of financial matters on the agenda to come before the Board at the next regular meeting in sufficient detail to allow the Board member to identify potential conflicts of interest and report and receive advice from the Commission.
BOARD OPERATING PROCEDURES

Conflict of Interest (Continued)

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

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: 49-1499.01, 79-1249
Legal Reference: 49-1499.01, 79-1249
BOARD OPERATING PROCEDURES

Formulation/Adoption of Policies

The formulation and adoption of written policies is the basic method by which the Service Unit exercises its leadership in the operation of the unit. The study and evaluation of reports as to the execution of its written policies is the basic method by which the Unit Board exercises its control over the operation of the unit.

All Board policies shall be formally adopted and recorded in the minutes of the Unit Board. Any revisions, additions, amendments and/or deletions shall be placed on the Unit or Lincoln Public Schools District’s website or otherwise be made available so that the public and assigned employees may be notified of such change.

At the direction of the Unit Board, the Unit Administrator will prepare a policy statement in the language and codification with which they are to be entered into the official policy manual and present them for the approval of the Unit Board.

In voting on the adoption of policies, the Unit Board will not approve a policy statement at the same meeting at which it is first proposed except in the cases of Unit Board waiver or emergencies.

Policies may be adopted after consideration at two regular meetings of the Unit Board. The agenda and minutes shall be marked to indicate policy matters.

The Unit Board policies shall be subject to amendment only by majority vote of all members of the Unit Board. Amendments may be made only after consideration at two meetings of the Unit Board except in the cases of Unit Board waiver or emergencies.

In the absence of a policy covering a specific topic or issue, the policies and regulations of Lincoln Public Schools shall be the policies and regulations of Educational Service Unit No. 18, unless or until the ESU board adopts a different policy or regulation.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: 
Legal Reference: 
BOARD OPERATING PROCEDURES

Formulation of Administrative Regulations

The Educational Service Unit Board shall delegate to the Unit Administrator the function of specifying required actions and designing the detailed arrangements under which the unit will be operated.

Such rules and detailed arrangements shall constitute the administrative regulations governing the unit. They must be consistent with the policies adopted by the Unit Board.

In the absence of applicable policy, the Unit Administrator is authorized to establish regulations subject to the review by the Unit Board.

New or amended regulations should be codified and placed in the Service Unit online administrative manuals. Copies of new or amended administrative regulations will be presented to the Unit Board members for their information.

Adoption of Administrative Regulations

The Unit Board does not adopt administrative regulations unless specifically required to do so by law or unless requested to do so by the Unit Administrator. Adoption and amendment of such Unit Board-adopted regulations shall be by the same procedure as that specified.

The Unit Board reserves the right to review and require revisions of administrative regulations should the regulations, in the Unit Board’s judgment, be inconsistent with the philosophy of or policies adopted by the Unit Board.
Board Operating Procedures

Suspension of Policies and Regulations

Policies and regulations shall be subject to suspension for a specified purpose and limited time by a majority vote of a quorum of the Unit Board.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Educational Service Unit Board Records

The approved budget, statistical compilations, reports, notices, bulletins, memoranda, minutes of meetings and official communications between governmental branches are public records, and, except as provided by law, access thereto during normal hours of business may be granted to any citizen. When access to unit records is granted, examination thereof will be made in the presence of the record custodian regularly responsible for maintenance of the files.

Records which are protected by federal and state legislation are not considered public records and access to such records is permitted only under prescribed procedures.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Control of Funds

The Educational Service Unit Board will maintain fiscal operational procedures to ensure that public funds are expended for the purposes for which they were appropriated, in such manner that will ensure the greatest return toward the goals of the service unit for the least expenditure, and with complete accounting according to generally accepted accounting principles for service units and other applicable codes or standards.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Meetings

The Unit Board will hold regular meetings and special meetings as circumstances demand.

A meeting of the Unit Board occurs when the body is intentionally convened for the transaction of business and advance publicized notice is given of the meeting (except in the case of emergencies) in accordance with the Open Meetings Act.

Regular Meetings

The Educational Service Unit Board will schedule sessions for the purpose of conducting the business of the Unit in accordance with Nebraska State law.

Work Sessions

Work sessions are a special meeting. The Service Unit Board may schedule informal work sessions between regular meetings. Work sessions are desirable when extended or informal discussion is needed in advance of taking formal action, when hearing major reports of staff committees, or when reviewing or formulating extensive plans for later ratification.

During work sessions, the Educational Service Unit Board shall function as a Committee of the Whole.

Other Special Meetings

Special meetings shall be held upon request of the president or at the request of at least two members of the Board.

Special meetings generally require reasonable advanced publicized notice except in cases of emergency.

Special meetings must be called for the purpose which is specified and no business shall be transacted at the special meeting except that which is specified on the agenda for that meeting.

Executive Session (Closed)

A closed or executive session may be conducted when called for by an affirmative, majority vote of members of the Service Unit Board 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 such individual has not requested a public meeting. The following are the most common reasons for convening a closed session:
BOARD OPERATING PROCEDURES

Meetings

Executive Session (Closed) (Continued)

(a) Strategy sessions with respect to collective bargaining, real estate purchases or litigation;
(b) Discussion regarding deployment of security personnel or devices;
(c) Investigative proceedings regarding allegations of criminal misconduct; or
(d) Personnel matters.

Meetings for Public Hearings

The Service Unit Board may hold public hearings as necessary or as required by statute.

Open Meetings

All meetings of the Board are open to the public except for executive or closed sessions.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1995-04-11
Related Policies and Regulations: 1130
Legal Reference: 84-1408, 84-1409, 84-1410
BOARD OPERATING PROCEDURES

Time and Place of Meetings

Regular meetings of the Unit Board will be held as appropriate. Date, time and place of meetings are at the discretion of the Board but will be announced in advance. The Educational Service Unit Board will meet at least twice annually.

Notification to Members of Meetings

Official notification of meetings is provided to each member of the Unit Board.

Notice of special meetings may be delivered in writing or electronically to each member of the Unit Board at a reasonable time before the meeting. In case of emergency, the president shall have power to call a meeting, but all members of the Unit Board must be notified electronically or in writing. Agendas of meetings must distinctly state the business to be transacted.

A Unit Board member shall be considered notified under this policy if the Unit has made reasonable effort to notify by delivering notice electronically or in writing to the residence and/or place of business of each Unit Board member.

Notification to Public

Reasonable advance publicized notice of the time and place of each meeting shall be given by means of a public notice in the Lincoln Journal Star or Omaha World Herald or by posting of a meeting notice at the Educational Service Unit No. 18 and Lincoln Public Schools District Office building or posting on the ESU No. 18 and/or Lincoln Public Schools District websites and SparqMeetings at http://www.lps.org/about/board/ and by delivery of notice and/or the agenda to news media reporters. In addition, the agenda will be readily available for public inspection at the office of the Unit Administrator during regular business hours. Except for items of an emergency nature or items for discussion only, the agenda shall not be enlarged later than 24 hours before the scheduled commencement of the meeting. The Unit Board shall have the right to modify the agenda to include items of an emergency nature or items for discussion only. The Unit Administrator or other designee shall maintain a list of the news media requesting notification of meetings.

Notice of a meeting of a committee or subcommittee of the Unit Board or ESU No. 18 shall, when required by law, be given by means of a public notice posted in or near the entry of the Educational Service Unit No. 18 and Lincoln Public Schools District Office building.
BOARD OPERATING PROCEDURES

Time and Place of Meetings

Notification to Public (Continued)

When it is necessary to hold an emergency meeting without reasonable advance publicized 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. Reasonable effort shall be made to provide advance notification to the news media of such emergency meeting and the subjects to be discussed at that meeting. Complete minutes of such emergency meeting, 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 following the emergency meeting.
BOARD OPERATING PROCEDURES

Participation by Citizens

The function of the regular meetings of the Educational Service Unit Board is to conduct the business of the Service Unit, as distinguished from providing an open citizens’ forum. The Unit Board believes public attendance and participation, when appropriate to the business at hand, is beneficial to the work of the Board and models the importance of civic engagement and civil discourse to the community’s children. In keeping with this belief, the Board also encourages and provides an opportunity for public comment, recommendation and advice through Public Comment agenda item at its regularly held Board meetings, hearings on important issues facing the unit and through many different forms of community engagement.

The following will help guide the Public Comment agenda item at Board Meetings and Public Hearings:

1. Persons speaking during Public Comment will be called forward individually by the Board Chair to the location identified for such purpose.

2. A time limit of five minutes will be allotted for any speaker. At the discretion of the Chair, the speaker may be allotted additional time. Board members may share, address or consider comments from the public during public comment, at the end of public comment or when related business is on the agenda.

3. Each individual speaking to the Board will be required to identify himself or herself prior to giving public comment. A “Record of Appearance” card is provided for this purpose.

4. Persons wishing to appear will be heard in the order in which the Chair of meeting determines appropriate.

5. In cases where more than one person wishes to speak on the same topic, their presentations to the Board may, at the discretion of the Chair, be grouped together by topic.

6. If the number of people wishing to speak under the public participation portions of the agenda is large, the Chair may rule that a public hearing be scheduled or the discussion be limited on the issue in question.

7. Persons speaking to the Board during public comment may make printed materials available to the Board but may not use any other form of media.
Participation by Citizens (Continued)

If at any time persons appearing before the Board exceed the time limitations set forth in this policy or on the agenda or if persons appearing before the Board or who are present at the Board meeting or public hearing become abusive in language or behavior, it shall be the responsibility of the Chair to declare that person or persons out of order and to refuse permission to continue to address the board, require a change in behavior and may require the person or persons to leave the premises of the Board meeting.
BOARD OPERATING PROCEDURES

Agenda Construction

Written meeting agendas will be prepared by the President of the Educational Service Unit Board in collaboration with the Unit Administrator. An item shall be placed on the agenda upon written request of two Board members. Any staff member or patron may submit agenda items which will be placed in the agenda file for consideration by the Board President and the Unit Administrator.

Control of Agenda

Control of the agenda is the responsibility of the President.

Final action will not be taken on items of new business which have not been on the agenda, except upon approval of a majority of a quorum or for items of an emergency nature. Such matters will be referred to the staff for recommendations for action at subsequent meetings.

Items of an emergency nature shall require approval of a majority of a quorum of the Board and may be introduced for final action during any business or special meeting.
BOARD OPERATING PROCEDURES

Meeting Conduct

When a motion has been carried in the affirmative or negative, it shall be in order for any member who voted on the side which prevailed to move a reconsideration thereof at the same meeting or at a subsequent meeting of the Unit Board.

Participation by Board

Board members shall treat the public and other Board members in a professional manner and shall not become abusive in language or behavior. Initially, it shall be the responsibility of the Chair to monitor this protocol through measures such as declaring a Unit Board member as out of order, taking a recess or other appropriate means.

Quorum

Four members of the Unit Board constitute a quorum for the conduct of business.

Board Member Information Requests

Individual Unit Board member information requests to staff or the Board for informational items and reports which require significant staff time to prepare as determined by the President after consultation with the Unit Administrator shall require the written request of three Board members.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Order of Business*

1. Opening Procedures
   a. Call to Order
   b. Roll Call
   c. Announce Open Meeting Act Posting and Location
   d. Approval of Minutes

2. Special Reports, Presentations and Celebrations of Success

3. Public Comment on Agenda Items

4. Consent Items
   a. Human Resource Changes
   b. Routine Business
      i. Claims/Wire Transfers
      ii. Payroll
      iii. Gifts
      iv. Bids, Contracts and Other Routine Business Discussed at Prior Meeting or Under $500,000
      v. Bids, Contracts and Other Routine Business
   c. Option Enrollment (In/Out)

5. *First Reading, Action at Following Meeting
   a. From Board Committees
   b. From the Superintendent
   c. Bids, Contracts and Other Routine Business over $500,000

6. Second Reading, Recommended for Action
   a. From Board Committees
   b. From the Superintendent
   c. Expedited/Emergency Actions
   d. Item(s) Removed from Consent Agenda
BOARD OPERATING PROCEDURES

Order of Business* (Continued)

7. *Informational Items/Reports
   a. From Board Committees
   b. From the Career Academy
   c. From the Superintendent

8. Announcements of Upcoming Events for the Board

9. Public Comment

10. Request for Closed Session

11. Adjournment

If a motion for closed session has been passed at the meeting, other than as the last business item immediately prior to the closed session, the Chair immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session.

*The above Order of Business may be modified and/or some listed components may be reordered or eliminated for any meetings, retreats, work sessions or as circumstances may demand at the discretion of the Chair. The Educational Service Unit Board is empowered to modify the order of business at any time, act on any item listed on the Agenda at any time during the meeting, irrespective of the time or order listed. Pages listed, or further detail, are available upon request. The Open Meetings Act requires and the intention of the Board is that agenda items be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. The Board releases its agenda well in advance of most meetings and desires that all interested persons are fully informed. Any interested person who has a question or needs clarification about the sufficiency of a descriptive item should contact the Office of the Superintendent of Schools.
BOARD OPERATING PROCEDURES

Parliamentary Procedure

In all matters not covered by policies of the Educational Service Unit Board or by statute, parliamentary procedures are governed by Robert’s Rules of Order, latest edition, except as to minutes, adjournment or as otherwise required by statute, all procedures and actions shall require a proper motion, second and passage by majority roll call vote of the Board permitting and approving same. The President, or meeting chair, shall decide all questions of procedure and order, subject to an appeal to the Unit Board.

Voting by Members

Every member must vote on all matters. Unit Board members are required to abstain in the case of possible conflict of interest. The roll shall be called and votes recorded for or against each motion. The order of calling the roll shall be serially rotated. The requirements of a roll call or viva voce vote may be satisfied by use of an electronic voting device which allows the yeas and nays of each member of the Board to be readily seen by the public.

A majority vote of those present constitutes a successful vote except where state statutes or Board bylaws specify otherwise.
BOARD OPERATING PROCEDURES

Minutes

Minutes of each meeting will be approved with corrections as necessary at the next regular meeting of the Educational Service Unit Board. Duplicate file copies of approved minutes will be signed by the President and Secretary and, along with all reports or documents cited in the minutes, become the official record of the proceedings of the Unit Board.

The minutes may be kept as an electronic record.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Preparation and Arrangements for Meetings

Support Materials

In addition to the agenda, the Unit Administrator shall prepare such supplementary reports, summaries or other support materials which aid the Unit Board in the conduct of its meeting.

Communications to the Unit Board will be entered in the appropriate section of the agenda, and a copy will become a part of the official Unit Board proceedings.

Support materials that are cited in the minutes of the Board will be identified serially by code number and become a part of official proceedings.

Copies of policies, regulations, budgets and other pertinent documents of the Board will be available at meetings except for items classified as confidential.

Room Arrangements

Preparation of the room for meetings shall provide that the public may be seated to view and hear the work of the Board and, to the extent possible, see materials being displayed.

Reports

Reports and other written material to be discussed will be conveniently displayed so that those attending the meeting may have access to them upon entry.

The Board will be seated to best expedite its work but also so that staff or others may speak directly to Board members and join in their discussion as appropriate.

Board members will be identified to the public by signs at their seating places.

Smoking at Board Meetings

All facilities and grounds of ESU No. 18 are smoke-free.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations: 
Legal Reference: 

ESU NO. 18 POLICY AND REGULATION MANUAL 
LINCOLN, NEBRASKA
BOARD OPERATING PROCEDURES

Annual Organizational Meeting

An organizational meeting of the Educational Service Unit Board shall be held in conjunction with the Lincoln Public Schools annual organizational meeting for the purpose of seating any new members and electing officers.

The following are procedures for election of officers and other business to take place at the annual organizational meeting of the Board:

1. After new members are sworn in by the Board’s legal counsel, the Board will elect from its members a President and a Vice President, and elect as Secretary, Treasurer, ex-officio, the Superintendent of Schools, all of whom will assume office at the organizational meeting.

2. The Board’s legal counsel will act as chair for the election of a President.

3. Upon call for nominations for each office by the chair, nominations will be made by written ballot. Voting will be by written ballot on all members nominated and repeated until a majority is achieved for a nominee. If a tie is not broken after five ballots, the chair will determine the winner by a flip of a coin.

4. The President will assume the chair immediately upon his or her election.

The order of business for the remainder of the meeting will be as follows:

1. The election of a Vice President by the same method as used for the election of the President.

2. Election of the Secretary and Treasurer.

3. The adoption of an order of business to guide in the preparation of future agendas and conduct of meetings.

4. Review of existing temporary committees or special appointments involving Unit Board members.

5. Approval of current Unit Board policies and regulations.
BOARD OPERATING PROCEDURES

Budget Hearing

The Educational Service Unit Board will meet annually for purposes of holding a public hearing on its budget document as provided by statute. Although a record of the hearing will be made a part of the Unit Board’s official proceedings, no official action may be taken except at a meeting.

Conduct of Budget Hearing

The purpose of a public budget hearing is to provide interested citizens or groups an opportunity to express their opinions about the proposed budget of the Unit Board. The President of the Board shall preside.

The Unit Board shall make available to those in attendance a written summary of information about the budget.

The meeting will be opened by the chair announcing the purpose of the hearing and the procedure for its conduct.

The chair may request the staff to give a brief oral overview of the budget.

Individuals will be offered the opportunity to make statements about or ask questions about the budget.

1. In seeking the floor, individuals will state their name and place of residence and indicate whether they speak for themselves or for an organization.

2. A five-minute time limit will normally be allotted to individuals, subject to extension at the discretion of the chair.

The hearing may be recorded.

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Original Adoption or Oldest Version: 1990-01-23
Related Policies and Regulations: 8420
Legal Reference: 23-925
BOARD OPERATING PROCEDURES

Conduct of Public Hearings on Personnel

Any required personnel hearings shall be held before a quorum of the Educational Service Unit Board. The President of the Unit Board shall preside. Due and proper notice of the hearing shall be given and the hearing shall be held in accordance with the open meetings law.

An attorney, other than the attorney for the Service Unit, shall be selected and designated as the advisory attorney. The advisory attorney shall rule upon evidence and objections and shall perform other duties as are provided by these rules of procedure but shall not otherwise participate in the hearing. Prior knowledge of the facts involved shall not, in itself, be a reason for disqualification.

The advisory attorney shall remind the Unit Board members of their oath of office and of the fact that if any Unit Board member is not able to make a fair and impartial determination based upon the evidence presented at the hearing, he or she should disqualify themselves prior to commencement of the hearing.

The parties or their counsel may make opening statements outlining the issues and facts involved.

The attorney for the Service Unit shall then offer evidence in support of the reasons given. The employee or the employee’s attorney shall then be entitled to present evidence material to the issues. Rebuttal evidence may then be offered.

All witnesses shall be sworn by the advisory attorney. Testimony shall be offered in question-and-answer form and all witnesses shall be subject to cross-examination. Objections and admissibility of evidence will be ruled upon by the advisory attorney.

At the conclusion of the evidence, both parties may make closing statements.

During the deliberations, the advisory attorney may answer legal questions and shall assist the Unit Board in drafting of the specific findings and determinations for any minority opinions. The Unit Board shall reduce its findings and determinations to writing. The findings and determinations shall be based solely upon evidence presented at the hearing. Copies of the findings and determinations shall be furnished to the employee as soon as practical. Formal action will be taken at the time, place and date specified in the original notice and the employee will be advised of the action taken at said meeting.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference:
BOARD OPERATING PROCEDURES

Relations With Other Governmental Bodies

The Educational Service Unit Board may enter into joint agreements with other governmental bodies to develop policies, rules and regulations or programs intended for the mutual benefit of the parties to such agreements.

Last Revision: 2018-06-26
Original Adoption or Oldest Version: 1989-08-22
Related Policies and Regulations:
Legal Reference: