



Policies & Procedures

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## LEARNING COMMUNITY POLICIES & PROCEDURES

### SECTION 1. DEFINITIONS

For purposes of the Learning Community Policies and Procedures, unless a policy defines a term, the following definitions apply:

- 1.1 **Learning Community** means the Learning Community of Douglas and Sarpy Counties.
- 1.2 **Coordinating Council** means the Learning Community Coordinating Council for the Learning Community of Douglas and Sarpy Counties.
- 1.3 **Chair** means the Chair of the Coordinating Council.
- 1.4 **CEO** means the Chief Executive Officer of the Learning Community.
- 1.5 **Member School District** means any of the eleven (11) member school districts of the Learning Community.
- 1.6 **Council Member** refers to all members of the Coordinating Council.
- 1.7 **Open Meetings Act** refers to Neb. Rev. Stat. § 84-1407 to § 84-1414 (Supp. 2009), including subsequent amendments thereto.
- 1.8 **Public Records Statutes** refers to Neb. Rev. Stat. § 84-712 to § 84-712.09 (2008), including subsequent amendments thereto.
- 1.9 **Subcouncil District** means any of the six (6) subcouncil districts of the Learning Community.
- 1.10 **Achievement Subcouncil** means the achievement subcouncil for a Subcouncil District, established in accordance with Neb. Rev. Stat. § 79-2117.
- 1.11 **Advisory Committee** means the Advisory Committee of Member School District superintendents, established in accordance with Neb. Rev. Stat. § 79-2104.01.
- 1.12 **Community Achievement Plan** means the plan required by Neb. Rev. Stat. §79-2122.

Amended: \_\_\_\_\_

## LEARNING COMMUNITY POLICIES & PROCEDURES

### SECTION 2. LEARNING COMMUNITY COORDINATING COUNCIL

#### 2.1 Coordinating Council Officers

2.1.1 The Officers of the Coordinating Council shall be those set forth in Bylaw 5.1 of the Coordinating Council. In the event that the Chair and the Vice Chair are either both absent or unable to perform their duties at a meeting of the Coordinating Council, the Coordinating Council shall, by a majority vote of the Council Members present, designate a presiding officer *pro tempore*.

**Amended: 11/17/16**

#### 2.1.2 Election of Officers.

2.1.2.a The Chair will appoint the CEO to serve as the election official and legal counsel to assist the CEO. The election official will decide all contested points of the election process and such decision will be final and may not be appealed.

2.1.2.b Nominations for an office are open and can be made by either the candidate or another Council Member after being recognized by the election official. The candidate or other Council Member will be allowed to address the Coordinating Council for up to two (2) minutes. Only one person may speak on behalf of the candidate. There will be three (3) calls for nominations for an office, after which nominations from the floor will no longer be accepted.

**Amended: 11/17/16**

2.1.2.c At the close of nominations, the election official will appoint tellers to assist in the casting and tabulation of ballots. The tellers will distribute paper for Council Members to write their choice of candidate. There shall be no proxy voting. Council Members will fold their ballot prior to delivering it to a teller. The tellers will deliver the ballots to the election official and will assist in tallying the ballots. If only one (1) individual is nominated for an office, that individual may be elected by majority vote of the quorum via roll call vote.

**Amended: 11/17/16**

Additional rounds of balloting will continue with the elimination of one (1) or more candidates after each round until one (1) candidate has received a majority vote of those present and eligible to vote. No additional balloting will occur once a candidate has received a majority vote of those present and eligible to vote. A candidate may withdraw by asking for a point of personal privilege following any round of balloting.

If more than three (3) candidates are nominated, those candidates receiving fewer votes during the initial round of balloting than the three (3) candidates with the most votes will be eliminated. If three (3) or fewer candidates are nominated, the

candidate receiving the fewest number of votes during the initial round of balloting shall be eliminated.

2.1.2.d In the case of ties, the following process shall be used: if, during the initial round of balloting, there are an equal number of votes for the third highest total, those candidates tied for third place or lower shall be eliminated. If in the initial round of balloting, there are an equal number of votes for the second highest total, all candidates with that total shall advance into the next round of balloting. For rounds of balloting with three (3) or fewer candidates, ties for those with the second highest number of votes will result in no candidate being eliminated and cause an additional round of balloting.

If the same vote totals for all candidates repeat for three (3) ballot cycles, and one (1) candidate has received the most votes, that candidate shall be selected by plurality. If there is a tie for the candidate receiving the most votes, the candidate selected shall be determined by lot.

2.1.2.e Elections will be conducted in the following order: Chair, Vice Chair, Secretary, Treasurer. At the conclusion of the election for Treasurer, the newly elected officers shall assume office.

2.1.2.f Beginning in January 2017, officers may serve a maximum of two consecutive years in a particular office, unless earlier removed for non-performance of duties. After serving two years in one office, that Council Member may be elected to a different officer position.

**Adopted: 11/17/16; Effective 1/5/17**

### 2.1.3 Vacancy in Office.

2.1.3.a When a vacancy exists for an officer of the Coordinating Council, an election to fill said office for the remainder of the unexpired term of the prior holder in office shall be conducted at the first Coordinating Council meeting held after the vacancy has occurred; provided, however, that in the case of a vacancy due to resignation, the election may occur prior to the effective date of the resignation of the current officer, with the elected Council Member taking office when said resignation is effective.

**Amended: 11/17/16**

2.1.3.b The Chair will serve as the election official for the election; provided, however, that if the vacancy is for the office of Chair, the CEO shall serve as the election official. The election official will decide all contested points of the election process, which decision shall be final and may not be appealed.

2.1.3.c Nominations shall be conducted in accordance with 2.1.2.b.

2.1.3.d Elections shall be conducted in accordance with 2.1.2.c and 2.1.2.d.

## 2.2 Coordinating Council Subcommittees

2.2.1 The Coordinating Council shall have four (4) standing subcommittees: Budget, Finance & Audit; Elementary Learning and Diversity; Legislation; and Executive Committee.

**Amended: 11/17/16; Effective 1/5/17**

2.2.2 The Coordinating Council may establish by resolution such other subcommittees or task forces as it deems necessary and appropriate to carry out the activities of the Learning Community.

2.2.3 Subcommittees are, and shall be considered, for purposes of the Open Meetings Act, a “subcommittee” of the Coordinating Council and shall, at all times, act in a manner consistent therewith.

2.2.4 Subcommittee Membership.

2.2.4.a The Budget, Finance & Audit Subcommittee, the Elementary Learning and Diversity Subcommittee, and the Legislation Committee shall each be composed of not more than six (6) Council Members, one from each Subcouncil District.

**Amended: 11/17/16; Effective: 1/5/17**

2.2.4.b The Executive Committee shall be composed, at a minimum, of the Chair; Vice Chair; Secretary; Treasurer (Budget, Finance, & Audit Subcommittee Chair; Legislation Subcommittee Chair); and, to the extent possible, one (1) Council Member from each Subcouncil District which is not represented on the Executive Committee by one of the aforementioned subcommittee members; provided, however, that the Executive Committee shall not consist of more than six (6) Members. The Members for each Subcouncil District which is not otherwise represented on the Executive Committee shall nominate a representative from said Subcouncil District to the Chair for approval by the Coordinating Council.

**Amended: 11/17/16; Effective: 1/5/17**

2.2.4.c Except as set forth in Section 2.2.4.b, subcommittee members shall be designated by the Chair and approved by the Coordinating Council. Subcommittee members shall serve for a term of one (1) year until their successor is elected and qualified.

2.2.4.d Subcommittee chairs shall be designated by the Chair and approved by the Coordinating Council; provided, however, that the Treasurer shall be the Chair of the Budget, Finance and Audit Subcommittee.

2.2.4.e The CEO shall be an *ex officio* non-voting member of all subcommittees.

2.2.5 A majority of the Members on a subcommittee shall constitute a quorum for the transaction of business at any meeting of a subcommittee; provided, however, that if fewer than such number are present at a meeting, a majority of the subcommittee members present may adjourn the meeting from time to time without further notice.

**Amended: 11/17/16**

2.2.6 Council Members who are members of a subcommittee are expected to attend all meetings of the subcommittee meeting, unless excused. In the event a Council Member is unable to attend a subcommittee, such Council Member shall notify the subcommittee chair and Learning Community office staff no less than forty-eight (48) hours prior to such meeting for the absence to be considered excused.

**Adopted: 11/17/16**

2.2.7 Each subcommittee member shall have a vote on matters which come before the subcommittee. Unless otherwise specifically stated herein, the act of a majority of the subcommittee members present at a meeting at which a quorum is present shall be the act of a subcommittee.

2.2.8 Each subcommittee shall keep accurate minutes of its meetings. The subcommittee chair shall designate a member of the subcommittee to be the recording secretary, which designation shall remain in effect until rescinded or terminated by the subcommittee chair. The recording secretary shall submit the minutes of a subcommittee meeting within seven (7) days of said meeting to the Learning Community office, which shall distribute said minutes to Council Members.

2.2.9 Council Members may request a subcommittee consider a matter within its functions, as set forth in Section 2.3 herein, by submitting a written request setting forth the matter in question to the subcommittee chair. All matters submitted by a Council Member to a subcommittee chair in writing shall be brought before said subcommittee for its attention.

A subcommittee member who would not otherwise be able to attend a meeting may, at the discretion of the subcommittee chair, participate in a meeting by telephone; provided, however, that the subcommittee member must request, and be granted, permission to participate by telephone not less than two (2) hours prior to the meeting. More than one subcommittee member may request to participate in a meeting by telephone, each of whom shall be required to comply with the provisions of this Section 2.2.9. Subcommittee members physically present at the meeting location as well as subcommittee members participating in the meeting via telephone pursuant to this Section 2.2.9 shall be counted for purposes of determining quorum at the meeting. Notwithstanding the foregoing, no subcommittee member shall be permitted to participate in a meeting by telephone if said meeting, due to either the number of Members participating or the matters to be discussed, would constitute a meeting of a public body under the Open Meetings Act.

**Amended: 11/17/16**

## **2.3 Subcommittee Functions**

2.3.1 The Budget, Finance & Audit Subcommittee shall address matters of finance, budget, investment, tax levy, and audit for the Learning Community. The subcommittee shall draft and propose budgets to the Coordinating Council; evaluate, recommend and supervise the financial transactions and arrangements, including banking, insurance and investment services, of the Learning Community; oversee, except where specific authority has been granted to another subcommittee, all contracts, agreements and arrangements of the Learning Community; oversee, subject to Coordinating Council approval, payments

of the Learning Community; and develop and recommend tax levy rates to the Coordinating Council. The subcommittee shall oversee the accounting and financial reporting processes of the Learning Community; draft accounting and financial reporting policies and recommend same to the Coordinating Council for action; and review accounting and financial reporting policies adopted by the Coordinating Council and, when necessary, recommend amendments, revisions, or changes to such policies and rules. The subcommittee shall oversee the audits of the Learning Community's financial statements by the Auditor of Public Accounts or an independent auditor and is responsible for the engagement, subject to Coordinating Council approval, compensation, retention, and oversight thereof.

2.3.2 The Elementary Learning and Diversity Subcommittee shall:

2.3.2.a Oversee the diversity plan of the Learning Community, annually review the diversity plan to identify potential revisions or amendments thereto, confer with Member School Districts on the diversity plan and any potential amendments thereto, make recommendations to the Coordinating Council regarding the diversity plan and its implementation, and report to the Coordinating Council on the implementation of the diversity plan. The subcommittee shall review and approve the diversity report to the Education Committee of the Legislature in accordance with Neb. Rev. Stat. § 79-2118; and

**Amended: 11/17/16; Effective 1/5/17**

2.3.2.b Serve as a collaborative resource for the Achievement Subcouncils, the Coordinating Council and the Executive Director, Elementary Learning Centers in developing and ensuring the organization and the quality operation and programming funded by the elementary learning center levy under Neb. Rev. Stat. § 77-3442(2)(f). The subcommittee shall oversee the process by which elementary learning center budget monies are allocated amongst the Subcouncil Districts. The subcommittee shall evaluate the extent to which elementary learning center levy programming is achieving desired results to improve the academic success of elementary children and their families, particularly those challenged by poverty, limited English skills and mobility. The subcommittee shall host forums that facilitate sharing of practices and information amongst Member School Districts and across the Subcouncil Districts.

**Amended: 11/17/16; Effective 1/5/17**

2.3.3 The Legislation Subcommittee shall review all legislation proposed before the Legislature and shall advise and recommend positions to the Coordinating Council with regard to any such legislation which pertains to or would directly affect the Learning Community, the Coordinating Council, the Achievement Subcouncils, the Advisory Committee (collectively, the "Entities"), or the statutory authority thereof. The subcommittee may propose that legislation which pertains to the Entities, or the statutory authority thereof, be drafted and, if the Coordinating Council subsequently approves any such proposal, shall oversee the drafting of such legislation and the efforts to obtain passage thereof. The subcommittee shall, in conjunction with legislative counsel, monitor all proposed legislation which pertains to or would directly affect the Entities, or the



statutory authority thereof, as well as all legislation which pertains to one or more of the Member School Districts, and advise the Coordinating Council as necessary. In carrying out its activities, the subcommittee may confer with legislative counsel as it deems necessary.

**Amended: 11/17/16**

2.3.4 The Executive Committee shall serve as an advisory group for the Achievement Subcouncils and the Advisory Committee on the activities thereof and for the Chair during times when the Coordinating Council is not in session. The Executive Committee shall advise the Chair on the Coordinating Council agenda. The Executive Committee shall receive regular reports on litigation, if any, to which the Entities, or any of them, are a party; provided, however, that said reports shall neither preclude nor serve as a substitute for regular reports on any such litigation to the Coordinating Council. The Executive Committee shall review and advise the Coordinating Council on the annual report to the Education Committee of the Legislature in accordance with Neb. Rev. Stat. § 79-2104.02. The Executive Committee shall review for approval all requests of Council Members to attend workshops, conferences, forums or programs.

**Amended:11/17/16**

2.3.4.a In addition to the functions and duties described in 2.3.4, the Executive Committee shall assume and carry out the duties and functions previously served and performed by the Administration & Personnel Subcommittee prior to August 1, 2016. Thus, the Executive Committee shall address matters of administration, operations and personnel for the Coordinating Council. The Executive Committee shall oversee the day-to-day operations of the Learning Community and, except where specific authority has been granted to another subcommittee, the CEO, or other Learning Community administrator or employee, all contracts, agreements and arrangements related to personnel and staffing. The Executive Committee shall review the bylaws, rules and policies adopted by the Coordinating Council and, when necessary, recommend amendments, revisions, or changes to such bylaws, rules and policies. Except where specific authority has been granted to another subcommittee, the Executive Committee shall draft rules and policies for the operation and conduct of the Entities and recommend same to the Coordinating Council for action; and

**Amended: 11/17/16; Effective 1/5/17**

2.3.5 In carrying out its activities, a subcommittee may confer with the legal, accounting, audit, banking, insurance and other professional advisors of the Learning Community as it deems necessary.

## **2.4 Coordinating Council Meetings**

2.4.1 The agenda for all Coordinating Council meetings shall be prepared by the Chair and finalized after consultation with the Executive Committee. A Council Member may request that an item be placed on the agenda by submitting a written request to the Chair at least one (1) business day before the Executive Committee meeting. Once the agenda

has been finalized by the Chair, only items which, in the judgment of the Chair, cannot be brought before the Coordinating Council at a subsequent meeting may be placed on the agenda for the next Coordinating Council meeting, provided such items are placed on the agenda not less than twenty-four hours prior to the scheduled commencement of the Coordinating Council meeting. Notwithstanding the foregoing, an item shall be placed on the agenda by the Chair upon receipt of a written request from three (3) Council Members not less than forty-eight (48) hours prior to the scheduled commencement of the Coordinating Council meeting.

2.4.2 All meetings of the Coordinating Council shall be conducted in a manner consistent with the Open Meetings Act, the Learning Community Bylaws, and these Policies and Procedures. In the absence of a controlling bylaw or policy, the Chair may utilize Robert's Rules of Order as authority.

**Amended: 11/17/16**

2.4.3 Public comment shall be accepted at all regular meetings of the Coordinating Council. Public comment may be permitted at special meetings of the Coordinating Council and, if so permitted, the agenda for said special meeting shall state that public comment will be accepted. Individuals who wish to address the Coordinating Council must complete a "Public Comment Request" form and submit same to the Chair prior to or at the beginning of the public comment period during which the individual wishes to be heard. An individual will be called to address the Coordinating Council in the order his or her request is received. An individual shall be permitted to address the Coordinating Council for no more than three (3) minutes.

2.4.4 All Council Members are expected to attend the regular meetings of the Coordinating Council and any special meetings of the Coordinating Council that are called, unless excused. In the event a Council Member is unable to attend a regular or special meeting of the Coordinating Council, such Council Member shall notify the Chair and Learning Community office staff no less than forty-eight (48) hours prior to such meeting for the absence to be considered excused.

**Adopted: 11/17/16**

## LEARNING COMMUNITY POLICIES & PROCEDURES

### SECTION 3. COORDINATING COUNCIL MEMBERS

#### 3.1 Council Member Vacancy

3.1.1 Vacancies in office for Council Members shall occur only in accordance with Neb. Rev. Stat. § 32-560.

**Amended: 11/17/16**

3.1.2 Absent good cause, a vacancy shall be filled within forty-five (45) days after the vacancy occurs in accordance with Neb. Rev. Stat. § 32-567; § 32-574.

**Amended: 11/17/16**

3.1.3 Upon receipt of notice of the occurrence of a vacancy, the Chair shall declare said seat vacant and initiate the vacancy appointment process set forth in this section. The Chair shall direct the CEO, or, if the CEO is unavailable, a designated Learning Community employee, to inform the general public that the vacancy exists and that the process to fill the vacancy has been initiated and to advise the general public on the process itself. Said information shall be provided to the general public through Learning Community communication methods, by distribution of such information to each Member School District which is located within the boundaries of the Subcouncil District for which the vacancy exists, and by news release.

**Amended: 11/17/16**

#### 3.1.4 Application for Appointment

3.1.4.a Any individual seeking appointment to fill an existing vacancy shall submit a completed application on an application form approved by the Executive Committee ("Application"). The Application shall include a verification by the individual submitting same that the information set forth in the Application is true and that they are qualified to hold the office if appointed.

**Amended: 11/17/16**

3.1.4.b Completed Applications must be submitted in person or by U.S. mail. Completed Applications must be received, either by personal delivery or U.S. mail, at the main office of the Learning Community by 5:00 p.m. on the first business day that is at least ten (10) calendar days after the date of distribution of the news release ("Application Deadline"). Applications received at 5:00 p.m. on the Application Deadline or thereafter will not be considered.

**Amended: 11/17/16**

#### 3.1.5 Designation of Finalists

3.1.5.a All Applications eligible for consideration shall be provided to each remaining Council Member.

**Amended: 11/17/16**

3.1.5.b Within five (5) calendar days of the Application Deadline, for each Application considered, the remaining Council Members shall advise the Chair if they want to interview the Applicant. An Applicant whom a majority of the remaining Council Members want to interview shall be designated as a candidate (“Candidate”) and interviewed by the Coordinating Council.

**Amended: 11/17/16**

3.1.5.c At the next regular meeting of the Coordinating Council, or at a special meeting of the Coordinating Council, the Coordinating Council shall interview all Candidates and nominate the finalists for the vacancy (“Finalists”).

**Amended: 11/17/16**

3.1.5.d After all Candidates have been interviewed, the Coordinating Council shall vote on recommended Finalists by written ballot. The number of votes cast for each Candidate shall be publicly announced at the meeting.

**Amended: 11/17/16**

3.1.5.e A Candidate who receives a majority of the votes cast shall be designated as a Finalist. The Coordinating Council may designate at least one (1), but not more than three (3), Candidates as Finalists. If there is only one (1) Candidate, the Coordinating Council may decline to designate said Candidate as a Finalist if he or she does not receive a majority of the votes cast. If no Candidate receives a majority of the votes cast, then no Candidate shall be designated as a Finalist, and the Chair shall declare the current application process concluded without appointment and a new application process shall be commenced in accordance with this policy.

**Amended: 11/17/16**

### 3.1.6 Consideration of Finalists

3.1.6.a Following consideration of the Finalists, the remaining Council Members shall vote by written ballot to select the appointee. The number of votes cast for each Finalist shall be publicly announced at the meeting. The Finalist that receives a majority vote from the remaining Council Members shall become the appointee.

**Amended: 11/17/16**

3.1.6.b If there are more than two (2) Finalists, and no Finalist receives a majority vote, then the Finalist with the least votes shall be eliminated and subsequent ballots shall ensue until one (1) Finalist receives a majority vote; provided, however, that if no Finalist receives a majority vote after three (3) ballots involving the same

two (2) Finalists have been conducted, the Chair shall declare the current application process concluded without appointment and a new application process shall be commenced.

3.1.7 The appointee shall be sworn in at either the same meeting at which the vote was conducted or at the next meeting of the Coordinating Council. Upon being sworn in, the appointee shall have all privileges and responsibilities of an Council Member.

Amended: 11/17/16

## **3.2 Conference Attendance**

3.2.1 The Coordinating Council supports the continuing education of Council Members on issues of importance to the Learning Community. Funds shall be budgeted annually to support such continuing education.

3.2.2 Council Members may be reimbursed for out-of-pocket costs incurred at conferences and activities which have been approved in accordance with this policy and all other applicable policies of the Learning Community.

3.2.3 Each Council Member may, upon prior approval of the Executive Committee, attend one (1) national educational conference per fiscal year that is in keeping with the focus and priorities of the Learning Community. A Council Member who serves on the Executive Committee shall recuse him or herself from any vote on his or her attendance request.

3.2.4 Educational conference attendance priority will be given to: (a) Council Members who are not eligible to attend such conferences through other affiliations which include costs associated with conference attendance; (b) Council Members chairing or directly involved in Learning Community efforts directly relating to the offerings of the educational conference.

3.2.5 Educational conference attendance priority will be given to conferences: (a) offered within the State of Nebraska; (b) sponsored by organizations of which the Learning Community is a member.

3.2.6 Council Members attending educational conferences on behalf of the Learning Community shall provide to the Coordinating Council a written summary on the conference, including an overview of programs attended and copies of conference materials.

3.2.7 Council Members shall be solely responsible for all expenses which would not have been otherwise incurred which result from family members accompanying the Council Member to an educational conference. The Learning Community will not reimburse the Council Member for any such expenses.

## LEARNING COMMUNITY POLICIES & PROCEDURES

### SECTION 4. MEETINGS OF LEARNING COMMUNITY BODIES

#### 4.1 Legal Notice to Public

4.1.1 Legal notice of each meeting of the Coordinating Council and the Advisory Committee shall be given to the public at least three (3) days prior to the date of said meeting; Achievement Subcouncils' legal notice shall be given to the public at least one (1) day prior to the date of said meeting; provided, however, that legal notice of any matter scheduled for public hearing shall be given to the public at least five (5) days prior to the date of the public hearing. Notice of Coordinating Council, Achievement Subcouncil, and Advisory Committee meetings shall be communicated to the public by legal notice in THE DAILY RECORD OR THE OMAHA WORLD HERALD. Said notice shall set forth the date, time, and place of the meeting and contain an agenda of subjects known at the time of the publicized notice, or a statement that the agenda shall be readily available for public inspection during normal business hours at the principal office of the Learning Community.

The date, time and place of each meeting of the Coordinating Council, Achievement Subcouncils and the Advisory Committee shall be provided to the Member School Districts and Educational Service Unit #3 and shall be placed on the website of the Learning Community.

**Amended: 11/17/16**

## LEARNING COMMUNITY POLICIES & PROCEDURES

### SECTION 5. ACHIEVEMENT SUBCOUNCILS

#### 5.1 [Reserved]

**5.2 Composition.** For each of the six (6) subcouncil districts, the Coordinating Council shall have an Achievement Subcouncil consisting of the two (2) Council Members representing each such Subcouncil District. A quorum shall consist of the two (2) Council Members representing the Subcouncil District. Each Achievement Subcouncil shall:

- Develop a Diversity Plan recommendation for the territory in its Subcouncil District that will provide educational opportunities which will result in increased diversity in schools in the subcouncil district;
- Administer elementary learning centers in cooperation with the elementary learning center executive director;
- Review the poverty plans and limited English proficiency plans for the schools located in its Subcouncil District and offer suggestions to improve the plans and the coordination between such plans and the Community Achievement Plan;
- Receive community input and complaints regarding the Learning Community and academic achievement in the Subcouncil District; and
- Hold public hearings at its discretion in its subcouncil district in response to issues raised by residents of the Subcouncil District regarding the Learning Community, a Member District, and academic achievement in the Subcouncil District.

Each Achievement Subcouncil shall meet as necessary; provided, however, that each subcouncil shall conduct at least one (1) public hearing within its applicable election district during each school year

**Amended: 11/17/16; Effective: 1/5/17**

**5.3 Tiebreaker.** For any matter in which the two members of the Achievement Subcouncil cannot come to unanimous agreement, the deciding vote may be cast by the Executive Committee.

**Adopted: 11/17/16; Effective 1/5/17**

**5.4 Meeting Attendance.** Council Members who are members of on Achievement Subcouncil are expected to attend all meetings of the Achievement Subcouncil, unless excused. In the event a Council Member is unable to attend an Achievement Subcouncil meeting, such Council Member shall notify the Chair, Learning Community office staff, and the other Achievement Subcouncil member no less than forty-eight (48) hours prior to such meeting for the absence to be considered excused.

**Adopted: 11/17/16**

## LEARNING COMMUNITY POLICIES & PROCEDURES

### SECTION 6. ADVISORY COMMITTEE

**6.1 General Charge.** The Advisory Committee will provide advice and input to the Coordinating Council.

**6.2 Composition.** The Advisory Committee will be composed of the superintendent from each Member School District. A superintendent may designate a representative to attend Advisory Committee meetings in his or her place.

#### 6.3 Functions

6.3.1 The Advisory Committee, in accordance with state law, shall:

- Collaborate with the Coordinating Council on the development, implementation and evaluation of the Community Achievement Plan;
- Review proposals for focus programs, focus schools, magnet schools, and pathways;
- Provide recommendations for improving the Learning Community's Diversity Plan;
- Review results and provide recommendations to the Coordinating Council regarding the implementation and administration of early childhood programs for children in poverty; and
- Provide input to the Coordinating Council on other issues as requested.

**Amended: 11/17/16**

6.3.2 The Advisory Committee described in Neb. Rev. Stat. § 79-2104.01 shall: submit a plan as provided in subdivision (4) of Neb. Rev. Stat. § 79-2104.01 to the Coordinating Council for any early childhood education programs for children in poverty and the services to be provided by such programs. In developing the plan, the Advisory Committee shall seek input from Member School Districts and community resources and collaborate with such resources in order to maximize the available opportunities and resources for such programs. The Advisory Committee may, as part of such plan, recommend services to be provided through contract with, or grants to, school districts to provide or contract for some or all of the services. The Advisory Committee shall take special efforts to establish early childhood education programs for children in poverty so that such programs are readily available and accessible to children and families located in areas with a high concentration of poverty.

**Amended: 11/17/16**

6.3.3 The Chair and Vice Chair of the Coordinating Council (or their designee) shall meet with the Advisory Committee and Learning Community administrators at least twice annually to discuss the Community Achievement Plan, results of evaluations conducted with Learning Community or school district funds, best practices for improving



achievement, particularly for students with achievement obstacles, Learning Community programs, and other matters related to improving education for students within the Learning Community and throughout the State. Other Council Members and/or appropriate third-party experts and resources may be invited to participate in the discussions.

**Adopted: 11/17/16**

6.3.4 In furtherance of Section 6.3.1, the Coordinating Council requests that the Advisory Committee provide input on: short term and long term direction for the Learning Community; questions submitted to the Advisory Committee by the Coordinating Council, subcommittees or task forces of the Learning Community; opportunities for productive inter-district collaboration; significant Learning Community activities; recommended advocacy positions for the Coordinating Council on issues affecting children and their learning; and such other issues as the Coordinating Council or Advisory Committee shall determine.

#### **6.4 Advisory Committee Operation**

6.4.1 All meetings of the Advisory Committee are subject to the Open Meetings Act and shall be conducted in accordance therewith.

6.4.2 At the last meeting of the Advisory Committee held on or before July 31<sup>st</sup> of each year, the superintendents shall designate a superintendent to serve as the Advisory Committee liaison with the Learning Community. The liaison shall: in consultation with the CEO, select dates for Advisory Committee meetings and develop each meeting agenda; receive input from superintendents on agenda items for Advisory Committee meetings; and receive input on improving operations of the Advisory Committee.

6.4.3 Meetings of the Advisory Committee will be convened when input is needed or requested from the Committee. Absent extraordinary circumstances, thirty (30) days' notice will be provided for each meeting.

6.4.4 The CEO will facilitate the operation of Advisory Committee meetings. Meetings may include presentations or engagement with Learning Community staff or third parties if appropriate to the agenda item.

6.4.5 In providing advice, input, or recommendations to the Coordinating Council, it will be desirable to have consensus amongst the superintendents, but consensus is not mandatory. Given the advisory role of the Advisory Committee, the Coordinating Council is interested in the variety of perspectives provided by the superintendents.

6.4.6 Minutes of each meeting of the Advisory Committee shall be distributed to the superintendents and designated representatives, the Council Members and the CEO. The CEO shall provide a summary review of each Advisory Committee meeting to the Coordinating Council.

**Amended: 10/17/13**

## LEARNING COMMUNITY POLICIES & PROCEDURES

### SECTION 7. ADMINISTRATION AND OPERATIONS

**7.1 Relationship of Coordinating Council and Management.** The Coordinating Council is responsible for hiring and periodically evaluating Learning Community management through processes and structures established by the Coordinating Council. Management is responsible for the day-to-day oversight and management of the business and affairs of the Learning Community. The CEO shall oversee all personnel matters, including the hiring, supervision and termination of Learning Community personnel, and group benefits; draft policies related to day-to-day operations and personnel of the Learning Community and recommend same to the Coordinating Council for action; and review such policies adopted by the Coordinating Council and, when necessary, recommend amendments, revisions, or changes to such policies.

Amended: 11/17/16

### 7.2 Electronic Resources

7.2.1 As used in this Section 7.2, the term “user” refers to Council Members, employees (whether full-time, part-time or limited-term), independent contractors, consultants, invitees, guests and others having authorized access to, and using any of, the Learning Community’s computers or electronic communications resources. The phrase “computer and electronic communications resources” includes, but is not limited to, host computers, file servers, stand alone computers, laptops, printers, fax machines, phones, on-line services, email systems, bulletin board systems, and all software that is owned, licensed, leased or operated by the Learning Community.

7.2.2 All use of such resources shall be in an honest, ethical, and legal manner that conforms to applicable license agreements, contracts, and practices regarding their intended use, as well as applicable laws and the Learning Community’s Bylaws and Policies and Procedures.

Amended: 11/17/16

7.2.3 All information and messages that are created, sent, received, accessed, or stored on the Learning Community’s computer and electronic communications resources constitute Learning Community information and records. **All Learning Community information and records are subject to the Public Records Statutes.** Council Members shall be notified by the CEO if a Public Records Statutes request is made which specifically pertains to their use of computer and electronic communications resources.

7.2.4 All hardware (laptops, computers, monitors, peripherals, LCD projectors, printers, telephones, fax machines, and the like) issued by the Learning Community and the information stored on them is the property of the Learning Community. Users may not physically alter or attempt repairs on any hardware at any time, nor may users download or otherwise install unapproved software, operating systems, or applications on such hardware.

Amended: 11/17/16

7.2.5 Users have no privacy rights in connection with their use of the computer and electronic communications resources provided by the Learning Community. The Learning Community reserves the right to monitor, access, retrieve, and read all messages or other information created, sent, received, or stored on the computer and electronic communications resources without prior notice to the originators and recipients of such messages.

7.2.6 Council Members and employees shall not provide their passwords to any third party; provided, however, that all Council Member and employee passwords shall be made available to the Learning Community's computer and electronic communications resources system administrator in order to evaluate and respond to a Public Records Statutes request, court order, subpoena or other governmental or regulatory investigation or, if necessary, may be overridden to conduct such evaluation and response. Council Members and employees may not enable unauthorized third parties to have access to or use Learning Community computer and electronic communications resources, nor may they otherwise jeopardize the security of such resources.

7.2.7 Access to and use of Learning Community online accounts, specifically banking and payroll service provider accounts, shall only occur through computers owned and utilized by the Learning Community. No online access shall be performed from a computer owned by any other party.

7.2.8 Use of the Learning Community's electronic communication systems to copy, modify, or transmit documents, software, information or other materials protected by copyright, trademark, patent or trade secrecy laws, without obtaining prior written permission from the owner of such rights in such materials, is prohibited.

7.2.9 The following uses of the Learning Community's electronic communications systems, which are not exclusive, are prohibited:

7.2.9.a Engaging in any communication that is discriminatory, defamatory, pornographic, obscene, racist, sexist or that evidences religious bias, or is otherwise of a derogatory nature toward any specific person, or toward any race, nationality, gender, marital status, sexual orientation, religion, disability, physical characteristic, or age group.

7.2.9.b Browsing or downloading and/or forwarding and/or printing pornographic, profane, discriminatory, threatening or otherwise offensive material from any source including, but not limited to, the Internet.

7.2.9.c Engaging in any communication that is in violation of federal, state or local laws, or in violation of the Learning Community's Bylaws, or Policies and Procedures.

**Amended: 11/17/16**

7.2.9.d Proselytizing or promoting any religious belief or tenet.

7.2.9.e Campaigning for or against any candidate for political office or any ballot proposal or issue.

7.2.9.f Unauthorized use of passwords to gain access to another user's information or communications on the Learning Community's systems or elsewhere.

7.2.9.g Advertising, solicitation or other commercial, non-programmatic use.

7.2.9.h Knowingly introducing a computer virus into the Learning Community's communication system or otherwise knowingly causing damage to the Learning Community's systems.

7.2.9.i Excessive personal use of the Learning Community's technologies that preempts any business activity or interferes with office productivity.

7.2.9.j Sending email messages under an assumed name or obscuring the origin of an email message sent or received.

7.2.10 Violations of this Section 7.2 may result in the loss of access to the computer and electronic communications resources of the Learning Community. Violations of this Section 7.2 by a Council Member shall be handled by the Executive Committee upon recommendation of the Chair and CEO; provided, however, that if a violation of this Section 7.2 is by the Chair, the recommendation shall be made by the Vice Chair and CEO.

## LEARNING COMMUNITY POLICIES & PROCEDURES

### SECTION 8. RULES OF CONDUCT; ETHICAL ISSUES; CONFLICT OF INTEREST

#### 8.1 Political Activity

8.1.1 No personnel, property, resources or funds of the Learning Community shall be used for the purpose of campaigning for or against the nomination or election of a candidate for public office or the qualification, passage, or defeat of a ballot question. No Council Member, official, employee or agent of the Learning Community shall use or authorize the use of personnel, property, resources or funds of the Learning Community for the purpose of campaigning for or against the nomination or election of a candidate for public office or the qualification, passage, or defeat of a ballot question.

8.1.2 The Learning Community shall not incur any expenditure for the purpose of campaigning for or against the nomination or election of a candidate for public office or the qualification, passage, or defeat of a ballot question. This prohibition does not apply to lobbying on behalf of the Learning Community in accordance with the Nebraska Political Accountability and Disclosure Act.

8.1.3 The Learning Community shall not endorse any candidate for public office.

#### 8.2 Conflicts of Interest

8.2.1 Each Council Member shall, on an annual basis, disclose in writing whether he or she has any financial interests or family relationships that could give rise to a conflict of interest in any matter coming before the Coordinating Council and recuse him or herself from voting on any such issue that arises thereafter. Any conflict concerns will be resolved by the Learning Community's legal counsel.

Adopted: 11/17/16

#### 8.3 Confidential Information

8.3.1 All information about individuals, families or organizations served by the Learning Community or who access such services is confidential. No such information may be shared with any person or organization outside the Coordinating Council without the prior written approval of the CEO.

#### 8.4 Fraud

8.4.1 Council Members, officials, and employees of the Learning Community shall report known or suspected instances of fraudulent activity in accordance with the Fraud Guidelines found in the Learning Community Accounting Policies and Procedures Manual. Any fraudulent activity that is discovered or suspected will be reported immediately to the CEO. If the CEO is either involved or suspected to be involved in the fraudulent activity, the report will be made to the Chair of the Budget, Finance and Audit Subcommittee.

Approved: 10/17/13

## LEARNING COMMUNITY POLICIES & PROCEDURES

### SECTION 9. LEGISLATIVE ACTIVITY

#### 9.1 Authority

9.1.1 The Coordinating Council shall establish all positions of the Learning Community on legislative matters.

9.1.2 In general, legislative matters will not be considered for action by the Coordinating Council until the Legislation Subcommittee has reviewed same and made a recommendation to the Coordinating Council on such matters.