



NEBRASKA DEPARTMENT OF EDUCATION

TO: Roger Breed, Ed.D.
Commissioner of Education

FROM: Margaret Worth, General Counsel

SUBJECT: Policy Review Information Item

Proposed Board Action:

State Board Policy B7 for review.

Background Information:

State Board Bylaw B8 requires that all State Board Policies, including Bylaws, Internal Policy Directives and General Education Policies, be reviewed by the Board every four years. Pursuant to the review schedule implemented by the State Board's Policy Committee, State Board Policy B7 is submitted for review.

If the Commissioner, Board President or any Board member believes that action or referral to the Policy Committee is necessary in connection with this Policy, an appropriate motion may be placed on the Agenda for the February Board meeting.

Pursuant to B8, Policy B7 will remain in effect indefinitely until revised or rescinded.

Estimated Cost:

N/A

Supporting Documentation Included:

Board Policies B8 and B7.

For Additional Information on this item:

Call Margaret Worth (402) 471-0310 or email Margaret.Worth@nebraska.gov

Policy, Bylaw, and Position Statement Development

The State Board may change its existing policies, bylaws or position statements or adopt new policies, bylaws, or position statements at any time, on its own motion or upon recommendation by the Commissioner.

All State Board policies, bylaws and position statements shall be included on the State board's webpage.

All State Board policies, bylaws and position statement are to be reviewed by the Board every four years and the Commissioner will recommend a subsequent review date when each new policy is proposed.

The State Board's general education policies or position statements (designated by the letter "G") shall expire four years after their adoption unless revised or reaffirmed by the State Board prior to expiration. Starting on October 6, 2010, general education policies or position statements that are more than four years old shall expire on October 6, 2012, unless revised or reaffirmed prior to that date.

The State Board's procedural bylaws (designated by the letter "B") and the State Board's internal policy directives (designated by the letter "D") shall remain in full force and effect until amended or rescinded by the State board.

The General Counsel will review all Board policies, bylaws and position statements annually for compliance with state law.

All State Board resolutions, except those honoring an individual, shall contain an expiration date.

Board Action History

- 12/10/76
Prior BD-1 (Statement of Board authority and foremost consideration.)
Prior BDA-2 (Systematic procedures for policy adoption.)
Prior BDE-2 (Annual policy review.)
- 12/7/84 – Prior 9311 BOP
(Replace 1976 policies with statement that Board can change or adopt policies at any time.)
- 12/8/95 – Prior B8
(Added 5-vote requirement and 3-year minimum review.)
- 6/7/02 – Prior B8
(5-vote requirement deleted.)
- 9/7/06 – B8
(Added references to bylaws and position statements, changed 3 to 2 year reviews, added annual General Counsel law review.)
- 10/6/10 – B8
(Changed 2 to 4 year reviews and clarified expiration dates of policies, bylaws and position statements approved by the State Board.)

Cross-References

- 79-301(2) – The State Board's duty to form policy.
- 79-315 – The State Board's power to organize itself.

Reimbursement For Expenses

Expenses for State Board members shall be paid according to rules and procedures established by the Department of Administrative Services for state officials.

In determining proper expense items for members of the State Board of Education, the Board has adopted the following policy in compliance with Section 3 of 79-317 R.R.S.

1. Out-of-state travel and conference expenses:

Essential expenses incurred in attending meetings shall be construed to cover all reasonable expenses for such out-of-state meetings.

- A. NASBE Meetings will be reimbursed.
- B. Authorized trips, in addition to the above, that have been approved by the Board will also be reimbursed.
- C. Expenses outside the contiguous 48 states must be approved by the Board.

2. Reimbursement for in-state travel expenses is authorized for:

- A. Regular and special meetings of the Board.
- B. Hearings conducted before the Board.
- C. Hearings of legislative committees on matters concerning the Department of Education.
- D. Meetings of advisory committees.
- E. Meetings, upon invitation, of school-related organizations.
- F. Any other expense for in-state travel specifically related to Board functions.

3. Reimbursement for other expenses: Reimbursement for other expenses is authorized for: phone, postage and other expenses incurred in connection with duties as a Board member. An itemized statement must accompany every request for reimbursement.

4. Reporting Expenses:
Monthly the Board will receive an itemized report on all expenses, except for Board meetings.
5. Board Member Reports
Board members will provide a brief report to the Board on meetings that they have attended.
6. DAS/Board Policy Review/Approval
All expenses will be reimbursed in accordance with Board and DAS policy.
7. Publications/Equipment
Any publications or equipment purchased for Board members' use is property of the Department.

Board Action History

- 7/2/79 – Prior BBBE
(Listed 7 categories of in-state expenses, using DAS rules, and required Board approval for out-of-state expense.)
- 12/7/84 – Prior 9250 BOP
(Renumbered BBBE, no text changes.)
- 6/11/99 – Prior B7
(Contained references to NASBE meetings, meeting reports, and publications/equipment owned by NDE.)
- 9/7/06 – B7
(Changed reference to length of reports and deleted approval by Commissioner.)

Cross-References

- 79-317(3) – Reimbursement of State Board members' expenses.