

NEBRASKA SCHOOL ACTIVITIES ASSOCIATION
BOARD OF DIRECTORS MEETING
NSAA Office, 500 Charleston Street, Lincoln NE 68508

September 14, 2023
8:30 a.m.



Agenda

- I. Call Meeting to Order/Recognition of Guests & Visitors (Graham)**
- II. Pledge of Allegiance (Wemhoff)**
- III. Public Comment—Comments by Members of the Public**
- IV. Member Comments—Comments by Authorized Representatives of Member Schools**
- V. Emergency Additions to the Agenda**
 - A. All additions to the Agenda are indicated in italics under the appropriate heading. Emergency additions to the Agenda are made up to 24 hours in advance of the scheduled meeting.
- VI. Consent Agenda**
 - A. Review Agenda; Move Action Items to Regular Agenda; Approve Consent Agenda Items
 1. Approval of Agenda as Presented or Amended
 2. Approval of Minutes of August 3, 2023, Girls Wrestling Committee Meeting
 3. Approval of Minutes of August 16, 2023, Board of Directors Meeting
 4. Executive Director's Financial Report:
 - Approval of Financial Statements
 5. Approve New Cooperative Sponsorship for the following schools:
 - Wayne & Laurel-Concord-Coleridge for Wrestling and Girls Wrestling for the 2023-24 and 2024-25 school years.
 - Guardian Angels Central Catholic & West Point-Beemer for Baseball for the 2023-24 and 2024-25 school years.
 - Ainsworth, Rock County & Keya Paha County for Girls Wrestling for the 2023-24 and 2024-25 school years.
 - Columbus & Columbus Lakeview for Boys Swimming and Girls Swimming for the 2023-24 and 2024-25 school years.
 - Omaha Concordia & Omaha Street School for Wrestling for the 2023-24 and 2024-25 school years.
 - Omaha Brownell Talbot, Omaha Concordia, Omaha Roncalli Catholic & Cornerstone Christian for Boys Swimming for the 2023-24 and 2024-25 school years.
 6. Approve Cooperative Sponsorship Renewals for the following schools:
 - Thedford & Sandhills for Football, Volleyball, Boys Cross Country, Girls Cross Country, Wrestling, Girls Wrestling, Boys Basketball, Girls Basketball, Boys Track, Girls Track, and Boys Golf for the 2024-25 and 2025-26 school years.

- Arcadia & Loup City for Football, Volleyball, Boys Cross Country, Girls Cross Country, Girls Golf, Wrestling, Girls Wrestling, Boys Basketball, Girls Basketball, Boys Track, Girls Track, and Boys Golf for the 2024-25 and 2025-26 school years.
7. Approve Dissolution of Cooperative Sponsorship for the following schools:
- Humboldt-Table Rock-Steinauer & Pawnee City for Wrestling and Girls Wrestling for the 2023-24 school year.

VII. Hearings

- A. Kearney Catholic High School, 9:00 a.m. (Zoom)

VIII. Unfinished Business, Action Items

- A. Discuss, Consider, Receive Legal Advice, and Take All Necessary Action to Update the 2023-24 NSAA Policy Manual.

IX. New Business, Action Items

- A. Discuss, Consider, and Take All Necessary Action on a Request from Cody-Kilgore for a Waiver of Approved Ruling 3.11.1-3.11.13. 9:30 a.m. (Zoom)
- B. Discuss, Consider, and Take All Necessary Action to Appoint KSB School Law as the NSAA Legal Counsel for the 2023-24 school year.
- C. Discuss, Consider, Receive Legal Advice, and Take All Necessary Action to Approve Proposed Constitution and Bylaw Amendments to Sections 2.7 and 1.5.
- D. Discuss, Consider, and Take All Necessary Action Regarding Comparable Sport Participation.
- E. Discuss, Consider, and Take All Necessary Action to Approve the December Moratorium for the 2026-27 school year.
- F. Discuss, Consider, and Take All Necessary Action to Approve the 2023-24 Budget.
- G. Discuss, Consider, and Take All Necessary Action to Approve the 2023-24 Activity Manuals.
- [Play Production Manual](#)
 - [Speech Manual](#)
- H. Discuss, Consider, and Take All Necessary Action to Approve District Wrestling Format.
- I. Discuss, Consider, and Take All Necessary Action to Allow the Use of the Shot Clock in Class C1, C2, D1, and D2 Based on a Game by Game or Tournament by Tournament Trial if All Schools Agree and the NSAA Staff Approves.
- J. Discuss, Consider, and Take All Necessary Action to Approve the Salaries of Interim Associate Director Jeff Johnson and Assistant Director Colton Wierzbicki.
- K. Discuss, Consider, Receive Legal Advice, and Take All Necessary Action to Review the Executive Director Job Description and Evaluation Instrument. (Executive Session)

X. Reports and Discussion

- A. NSIAAAA Report
- B. NCA Report
- C. NHSOA Report
- D. NHHOF Report
- E. Lobbyist Report
- F. NSAA Staff Reports
1. Jeff Johnson
 - a. Legislative & Caucus Proposals Due October 1st
 - b. Caucus Review Committee Meeting – October 3rd
 2. Ron Higdon
 - a. WBGT Update
 - b. Dock/Parking Lot Update

3. Jon Dolliver
 - a. Outstanding & Distinguished Awards
 - b. Banners for Member Schools
4. Nate Neuhaus
 - a. Football Season Update
 - b. Fall Officials Registration
 - c. Fall Officials Appreciation Week
 - d. Midwest Officials Summit
5. Jeff Stauss
 - a. School Streaming Directory
6. Taryn Retzlaff
 - a. Resources for Play Production Directors, Journalism Advisers, and Speech Coaches
 - b. Unified Speech
7. Colton Wierzbicki
 - a. SAC Update
 - b. Boys Tennis Season Update
8. Ashton Honnor
 - a. Nebraska Department of Transportation Partnership
 - b. Northeast Community College Partnership
- G. NDE Liaison Report – Zainab Rida
- H. Legal Report – Bobby Truhe
 1. Executive Order from the Governor
 2. Introductory Review of Existing Constitution, Bylaws, and Policies
- I. Interim Executive Director Report
 1. Reprimand Report
 2. Classification Committee Meeting – September 27th
- J. Board Reports

XI. Other Business, Action Items

- A. None at this time.

XII. Executive Session

- A. *The Board Directors reserves the right to enter into Closed/Executive Session for 1) the protection of the public interest or 2) the prevention of needless injury to the reputation of an individual, and the individual has not requested a public meeting. When making a motion to enter into Closed/Executive Session, the member making such a request should be as specific as possible keeping the previously listed stipulation in consideration.*
- B. *If the Board is in agreement, a motion may be to enter into Closed/Executive Session to 1) discuss a personnel matter and 2) for the prevention of needless injury to the reputation of the individual, and 3) to discuss litigation and for the protection of the public interest.*
- C. *Action Concerning Matters Discussed in Executive Session.*

XIII. Informational

XIV. Adjournment

- A. Next Board Meeting: Thursday, October 5, 2023 at 8:30 a.m. at the NSAA Office, Lincoln.

Respectfully submitted:

Jennifer Schwartz
Interim Executive Director

The business of the Nebraska School Activities Association (NSAA) shall be conducted at the meetings of the NSAA Board of Directors.

Member Comment at Board of Directors Meetings:

1. Agenda Items: The agendas for regular and special meetings of the Board of Directors are posted on the NSAA website. Representatives of member schools interested in speaking to an agenda item shall contact the Executive Director or the Board Chair prior to the meeting and indicate the agenda item they wish to address. The Executive Director or Board Chair shall determine whether the membership comment is relevant to the agenda. Speakers from member schools will be called upon at the "Member Comments" section of the agenda.
2. Non-Agenda Items: Member schools of the NSAA may attend the meetings of the Board of Directors, and bring suggestions, concerns, and comments to the Board relevant to the activities under the auspices of the organization. Representatives of member schools interested in speaking with regard to a matter not on the agenda may do so during the "Member Comments" agenda item.

Member schools may request that specific agenda items be added to the Board of Directors meeting agendas. To do so, the member school should contact the Executive Director or Board Chair at least one week prior to the Board meeting to place that agenda request.

Representatives of member schools wishing to refer a matter to the Board of Directors or the Executive Director and NSAA staff for consideration are invited to provide written information to the Executive Director or the Board of Directors Chair. That information will be distributed to the members of the Board of Directors and the Executive Director and NSAA staff for review, consideration, and possible action by the Board of Directors, the Executive Director and/or NSAA staff.

Public Comment at Board of Directors Meetings:

1. A "Public Comment" time shall be included on the agenda of all regular Board of Directors meetings. Public Comment will be accepted at the start of the meeting to allow for members of the public to raise issues and make comments for the good of high school activities. Members of the public will not be permitted to participate in the discussion of scheduled agenda items.

Public Comment time shall be limited to a maximum of 30 minutes, with each member of the public being allocated one opportunity to speak at the meeting for a time period of up to five minutes. If the number of members of the public wishing to comment warrants a reduction in the five-minute allotment, the Board Chair shall have the authority to limit comments.

Members of the public wishing to comment at any regular NSAA Board of Directors Meeting must state and sign in their name, and they will be expected to state the topic of their comments for documentation in the Board Meeting minutes.

Public comment about personnel will not be permitted, and the Board Chair has the prerogative to curtail any inappropriate public comment.

No Board of Directors action will be taken on any of the Public Comment issues at that meeting unless the Board determines the item to be of an emergency nature.

**NEBRASKA SCHOOL ACTIVITIES ASSOCIATION
OPEN MEETING / INSPECTION OF RECORDS POLICY**

The Nebraska School Activities Association (NSAA) shall comply with the requirements of Neb. Rev. Stat. §§84-712 through 84-712.08, relating to the inspection of public records, and the Nebraska Open Meetings Act, Neb. Rev. Stat. §§ 84-1407 through 84-1414, as amended by the Nebraska Unicameral, relating to open and public meetings, to the extent that such records and meetings relate to the association's activities with respect to member schools, and subject to the provisions and limitations set forth below required in the exercise of judicial and administrative authority and the legislative procedure and authority of the different NSAA governing bodies set forth in the Constitution and By-Laws of the NSAA. Such voluntary compliance by the NSAA shall not be deemed to subject the NSAA to such laws except to the extent such laws are applicable to the NSAA.

I. INSPECTION OF RECORDS POLICY: Information requests from member schools or members of the public for copies of meeting minutes, historical data, or other non-confidential NSAA or member school information or documents can be provided upon approval of the Executive Director.

1. The NSAA will withhold from release to member schools and the public those records that are confidential. Records that are confidential are those that, if the NSAA were a public school district, or if the records were in the possession of a public school, could be withheld from the public under provisions of Neb. Rev. Stat. §84-712.05 or other law.
2. This policy shall not be construed to require the NSAA to produce or generate any record in a new or different form or format modified from that of the original record.
3. With regard to all requests for information, the following provisions shall apply:
 - A. There will not be a charge to the requesting party for the first one-half hour of staff time necessary to fulfill the information request; however, the cost of photocopies for any information requested shall be as set forth below.
 - B. Staff time will be charged in quarter-hour increments for all duties associated with the information request including employee time for making, certifying, compiling, and transmitting data.
 - C. Any additional staff time necessary to fulfill the initial information request in excess of one-half hour or the time it takes to fulfill subsequent information requests from the same individual or group within a one-year period will be charged at the actual hourly wage rate of the person(s) performing the work.
 - D. The first ten (10) pages of photocopies for member school, from the initial request, will be at no charge. After the initial ten (10) pages, or for subsequent requests within one year, the cost of copies will be at a rate of 25¢ per page.

E. The Minutes of the Board of Directors meetings are posted on the Association's web page, www.nsaahome.org, and only if the requesting person does not have access to the web site will copies of the Minutes be printed.

F. Payment for the staff time expended and/or the cost of copies is due upon receipt of the information. Fifty percent of the estimated cost of the requested information must be prepaid if the total cost of the requested information exceeds \$50.00.

II. OPEN MEETING PROVISIONS:

1. Judicial and Administrative Authority:

A. Board of Directors: The NSAA Board of Directors is the judicial and administrative body of the association. Meetings of the Board of Directors of the NSAA shall be subject to the inspection of public record statutes and the Nebraska Open Meetings Act, subject to the proviso that the Board of Directors shall not be required to comply with such statutes or to conduct open and public meetings or provide inspection of records when acting in a quasi-judicial capacity where the sole subject of such meeting or record, or portion thereof, pertains to the personnel information in records regarding a student, prospective student, or former student of any member school, including but not limited to birth records, medical records, academic records, performance or eligibility information and determination of the student to participate or to continue to participate in sponsored events, contests or activities; provided, however, where a meeting or record of such association is devoted in part to matters excepted in the preceding proviso, any portion of the meeting or record not subject to such exception shall be open to the public. Reasonable arrangements will be made to accommodate the public's right to hear the discussion and action taken at the meeting. Public participation in the Board of Directors meetings shall be permitted only during a public comment agenda item at the beginning of such meeting. The designated method of providing public notice of the date, time, location and agenda of Board of Directors meetings shall be through posting on the NSAA website, nsaahome.org. The minutes of each meeting of the Board of Directors shall be posted on the NSAA website.

2. Legislative Procedure and Authority:

A. District Meetings: NSAA district meetings are legislative bodies of the association. Meetings of each of the six NSAA districts as legislative bodies shall be subject to the inspection of public record statutes and the Nebraska Open Meetings Act. Reasonable arrangements will be made to accommodate the public's right to hear the discussion and action taken at the meeting. Public participation in the district meetings shall be permitted only during a public comment agenda item at the beginning of such meeting, and shall not be permitted during the legislative debate and action by the representatives of the member schools. The designated method of providing public notice of the date, time, location and agenda of NSAA district meetings shall be through posting on the NSAA website, nsaahome.org. The minutes of each meeting of a NSAA district shall be posted on the NSAA website.

B. Legislative Commission: NSAA Legislative Commission is a legislative body of the association required to consider and screen proposals for changes in the Constitution and By-Laws passed by the Districts to be submitted to the Representative Assembly. Meetings of the NSAA Legislative Commission as a legislative body shall be subject to the inspection of public record statutes and the Nebraska Open Meetings Act. Before taking final action on a proposed change in the Constitution or By-Laws of the NSAA, the NSAA Legislative Commission shall hold a public hearing thereon and give at least seven (7) calendar days' notice of the meeting at which such hearing will be held (reference, Nebraska Unicameral, Rule 3 – Committees, Section 14). Reasonable arrangements will be made to accommodate the public's right to hear the discussion and action taken at the meeting. Public participation in the NSAA Legislative Commission meetings shall be permitted during the public hearing with regard to the proposals for changes in the Constitution or By-Laws of the NSAA. The designated method of providing public notice of the date, time, location and agenda of NSAA Legislative Commission meetings shall be through posting on the NSAA website, nsaahome.org. The minutes of each meeting of the NSAA Legislative Commission shall be posted on the NSAA website.

C. Representative Assembly: NSAA Representative Assembly is a legislative body of the association responsible for establishing policy for the effective regulation of school activities for which the NSAA has been created by its member schools, including taking action on proposed changes in the Constitution and By-Laws of the NSAA approved by the Legislative Commission for placement on the Agenda of the Representative Assembly. Meetings of the NSAA Representative Assembly as a legislative body shall be subject to the inspection of public record statutes and the Nebraska Open Meetings Act. Reasonable arrangements will be made to accommodate the public's right to hear the discussion and action taken at the meeting. No individual except members of the NSAA staff and Representative Assembly may address the Representative Assembly (reference, Nebraska Unicameral, Rule 2 – Rules of Procedure, Section 3, paragraph (i)). Members of the public will not be permitted to address the Representative Assembly. The designated method of providing public notice of the date, time, location and agenda of NSAA Representative Assembly meetings shall be through posting on the NSAA website, nsaahome.org. The minutes of each meeting of the NSAA Representative Assembly shall be posted on the NSAA website.