

Nebraska Statewide Workforce & Educational Reporting System (NSWERS)
Executive Council Business Meeting Notification and Agenda
January 25, 2021 2:30 p.m. via **ZOOM**

Publicized notice of the Executive Council meeting was given by posting the date, time, and location on the NSWERS.org website.

1. CALL TO ORDER – President Dr. Susan Fritz called the meeting to order at 2:30 p.m.

1.1 Roll Call

Roll Call showed the following NSWERS members in attendance:

Dr. Susan Fritz, President
Dr. Matthew Blomstedt, Secretary/Treasurer
Dr. Paul Turman, Vice President
Dr. Paul Illich, Member

1.2 Announcement of the placement of the Open Meetings Act information

President Fritz announced that information regarding the Open Meetings Act is available on the NSWERS.org website.

2. PUBLIC COMMENT PERIOD

No one connected to ZOOM for public comment.

3. PRESIDENT'S REPORT

3.1 Additions or corrections to agenda

No agenda items were removed, added or corrected.

Approval of the agenda as presented passed with a motion by Dr. Matthew Blomstedt, second by Dr. Paul Thurman.

Dr. Paul Illich	Yea
Dr. Matthew Blomstedt	Yea
Dr. Paul Turman	Yea
Dr. Susan Fritz	Yea

4. EXECUTIVE DIRECTOR'S REPORT

Dr. Matthew Hastings, Executive Director, NSWERS made a presentation on behalf of himself and the Management Team.

Dr. Hastings presented his Executive Director's Report. (Please see attached power point presentation.)

Strategy (Core approach to accomplishing our goals.) – *Strategic Approach:* The Strategic Approach was codified and approved by the Executive Council in December. He and the Management Team will have an all-day workshop to start outlining objectives, strategies and tactics to develop a Strategic Plan and have a draft to the Executive Council in March and a final draft in April 2021 for approval.

Budget and Finance: As identified in the interlocal agreement, NSWERS fiscal year is from July 1 – June 30. It is the goal of NSWERS to have a budget prepared and distributed by April 1 with unanimous approved of the Executive Council by June 1. If a budget is not approved by the June 1 date, the budget will revert to what is existing. Drs. Blomstedt, Fritz and Hastings met and had conversations about the strategies for legislative request for continuous future funding. It is imperative to keep this conversation with the Legislature ongoing if not for this legislative session but the biennium. Dr. Fritz conveyed that NSWERS needs to continue to think collaboratively and add ways to leverage with the POC concept and the December 1 report to the Legislature. Once NSWERS can have deliverables it will help the Legislature see what this means for Nebraska, Nebraska's workforce, etc. A conversation with Heath Mellow has been scheduled for March 2021.

Dr. Hastings reported that related to the budget discussions, NSWERS has an obligation with NU through the Service Agreement, that an annual audit should take place. Dr. Fritz suggested that the requirement for the first audit be suspended as NSWERS has not been in operation for a full year and only is operating with one employee at this time. Dr. Blomstedt asked NSWERS legal counsel to determine, apart from those identified in the NSWERS-NU Service Agreement, what other auditing obligations and flexibilities NSWERS may have as a public body. Dr. Hastings will discuss with legal counsel and if postponing the audit for the first year is in fact an option, he will move forward in that direction for NSWERS.

As discussed last month, Dr. Hastings reported it is reasonable to begin working on the Legislative Report concurrently with the development of the NSWERS budget. Core components to consider: data needs, funding needs and statutory authority and structure. Do we need to consider the data needs of other agencies such as Department of Revenue, Department of Labor? These discussions will need to take place to guide NSWERS to what direction we want to go with this.

Communications: A new website and NSWERS logo has been established and training will take place to maintain the website to the appropriate individuals. Dr. Hastings indicated that NU President Ted Carter has asked that NSWERS use NU Communications

staff in lieu of hiring a NSWERS Communications Manager position, which was a proposed Tier-One hire and had been posted but now rescinded. Executive Council members inquired as to how many individuals will be used from NU. Dr. Hastings indicated that currently there are shared individuals but does not know the consistency of the individuals being accessible and plans to have a conversation with NU staff and will report back to the Executive Council. Dr. Fritz proposed to see how well this arrangement works for now and would assume at least two individuals will be needed according to the skill sets for the position.

Philanthropy: Dr. Hastings reported that as of September 30, 2020 the cash balance at NU Foundation is \$1.6M. Dr. Hastings is organizing meetings with original NSWERS funders to provide update and progress of NSWERS. Dr. Hastings stated that the Foundation is being very mindful of giving NSWERS space to develop organization but are very excited for the results of same.

Dr. Hastings reported that, as expressed in the Service Agreement, NSWERS is obligated to acquire insurance for general liability, directors and officers and cyber liability. Applications for all have been submitted and now just waiting for quotes on same.

Structure (How our work is situated and coordinated.) – The NSWERS Executive Council Business Meeting have been scheduled through the end of the fiscal year (June 30, 2021). It looks forward to the next fiscal year, the Executive Council meetings will move to quarterly meetings. After discussion it was agreed by Executive Council members to have meetings in January – April – July – October and if necessary updates and/or special meetings can take place in between.

Dr. Hastings reported that as Dr. Blomstedt recommended last meeting, Dr. Hastings did meet with legal counsel regarding Open Meeting requirements of an Advisory Committee or any other committees that may be organized within NSWERS. Specifically, to revise NSWERS bylaws to reflect the role of the Executive Director in the day-to-day management of the organization, and to restructure the advisory committee so that they report to and advise the Executive Director rather than the Executive Council. Dr. Hastings stated that there is an agenda action item, as well as an Executive Session with legal counsel, specifically regarding amending bylaws to reflect same. If bylaws are voted to be amended, Dr. Hastings anticipates quarterly meetings with the Advisory Committee and anticipates this Committee to be engaged in the review of the Strategic Plan as well as providing input to emerging reports, research agenda and extend participation and visibility to a larger stakeholder community among other things. Also on the agenda is to give authority to the Executive Director to execute contracts and other documents related to operations of the NSWERS organization (under \$200,000).

Dr. Hastings indicated that he and the Management Council are meeting bimonthly and then next quarter will go to monthly meetings. Key Focus being the Strategic Plan; Responsibility Matrix; Policies/Procedures and NSWERS Staff interviews.

As with the Management Council, Dr. Hastings has been working with the Data and Technology Committee this past month, which comprises of individuals from each institution. This Committee continue to provide insights for data elements and workflow for the POC as well as establishing a NSWERS Data Warehouse.

Dr. Hastings stated that he is available to make presentations or meet with NSWERS Partners. Again, Dr. Hastings considers it is one of his duties to keep partners aware of NSWERS and the activities of same. If the Executive Council wants or hears of any institution that would like for him to make a presentation, please let him know.

System (Processes used to add value.) – Dr. Hastings reported that all parties have executed data sharing agreements with NSWERS except NU, as NU is awaiting until insurance policy is signed. Again, Dr. Hastings made it clear that no data transfer for the POC will take place until all data sharing agreements and cyber liability plan are finalized. It was a goal to have all of this in place by January 1, 2021, but that timeline will have to be stretched out as the insurance has been completed to date.

Dr. Hastings gave a status update of the Data Storage and Security. The Statement of Work (SOW) for contract between NSWERS (Student 1) and NU are in development. For security purposes, NSWERS will be voluntarily designated all data as “high risk” and will store/protect POC data accordingly. Dr. Hastings indicated that the Data Warehouse continues to move forward and the front end of this process is very critical for the POC to be implemented. The Strategic Plan is in process as well as the Research Agenda with input from the Advisory and Data & Technical Committees.

Dr. Hastings reported that a contract for a Research Consultant will be started (similar to Student 1 for technical support) to move forward instead of waiting for staff that we have not hired to date. This Consultant will catalyze development of Research Agenda, which will ultimately put in place identified core data elements necessary to support operationalization in warehouse.

Dr. Hastings stated that work continues on Board Policies regarding Executive Director, Data Governance, Strategic Planning, Budget & Finance as well as Standard Operating Procedures (SOP) for public meetings, data access and data governance.

Skills (The capabilities of our organization.) – Dr. Hastings reported that three Tier-One Hires have been posted, but as discussed, one has been rescinded. Applications have been received, reviewed and hopefully start interviews next week and have them on board by February. Dr. Hastings briefly reviewed the proposed Organizational Structure.

Executive Council members are very impressed and are encouraged with the approach of research being very powerful part of NSWERS not only for vested partners but also a prevailing point for ongoing consistent funding from the Legislature. Dr. Fritz stated that the development of this organization continues to amaze and she appreciates the “grab and run” approach of Dr. Hastings in getting details accomplished. Dr. Fritz reiterated to Dr.

Hastings that Executive Council members are always available to give assistance and to let them know at any time.

5. COMMITTEE REPORTS (none)

6. EXECUTIVE SESSION

6.1 Receive, review, and discuss legal advice from the organization’s attorney regarding proposed amendment to the bylaws.

Motion for the Council to enter closed session to receive, review, and discuss the legal advice from the organization’s attorney as the motion is clearly necessary to protect the public’s interest and to maintain the attorney-client privilege passed with a motion by Dr. Paul Turman, second by Dr. Paul Illich.

Dr. Matthew Blomstedt	Yea
Dr. Paul Illich	Yea
Dr. Susan Fritz	Yea
Dr. Paul Turman	Yea

Executive Session began 3:23 p.m.

Motion for the Council to end the closed session to receive, review, and discuss the legal advice from the organization’s attorney passed with a motion by Dr. Paul Turman, second by Dr. Paul Illich.

Dr. Paul Illich	Yea
Dr. Susan Fritz	Yea
Dr. Paul Turman	Yea
Dr. Matthew Blomstedt	Yea

Executive Session ended 3:41 p.m.

7. ACTION ITEMS

7.1 Approve Minutes of NSWERS business meeting, December 21, 2020.

Motion to approve the minutes of the December 21, 2020 NSWERS Business meeting passed with a motion by Dr. Paul Illich, second by Dr. Paul Turman.

Dr. Susan Fritz	Yea
Dr. Paul Turman	Yea
Dr. Matthew Blomstedt	Yea
Dr. Paul Illich	Yea

7.2 Discuss, consider, and take all necessary action regarding proposed amendments to the bylaws intended to reflect the role of the Executive Director in the day-to-day management of the organization, and to restructure the advisory committees so that they report to and advise the Executive Director rather than the Executive Council.

Dr. Matthew Blomstedt moves to amend the motion with an additional revision of the word “their” to instead read “his or her” under 2.1 of the bylaws, second by Dr. Paul Turman.

Motion to amend the main motion, if the amendment is adopted, the “his or her” in section 2.1 will be replaced with “their.”

Dr. Paul Turman	Yea
Dr. Susan Fritz	Yea
Dr. Paul Illich	Yea
Dr. Matthew Blomstedt	Yea

Motion to approve the proposed amendments to the bylaws intended to reflect the role of the Executive Director in the day-to-day management of the organization, and to restructure the advisory committees so that they operate under the Executive Director rather than the Executive Council passed with a motion by Dr. Paul Turman, second by Dr. Paul Illich.

Dr. Paul Turman	Yea
Dr. Susan Fritz	Yea
Dr. Paul Illich	Yea
Dr. Matthew Blomstedt	Yea

NOTE: To maintain consistency within the bylaws, all “their” references were changed to “his or her” upon the recommendation of legal counsel.

7.3 Discuss, consider and take all necessary action with regard to the delegation of authority to the Executive Director of the Nebraska Statewide Workforce and Educational Reporting Systems (“NSWERS”) to execute all contracts and other documents related to the operations of NSWERS below \$200,000 and all other contracts upon approval of such action or actions by the Executive Council of NSWERS.

Motion that the Executive Council of the Nebraska Statewide Workforce and Educational Reporting System (“NSWERS”) should and do hereby delegate to the Executive Director of NSWERS the authority, which is to be reevaluated in two years, to execute all contracts and other documents related to the operations of NSWERS below \$200,000 and all other contracts upon approval of such action or actions by the Executive Council of NSWERS unless the Executive Council specifically provides otherwise in its approval of such contracts or other documents passed with a motion Dr. Matthew Blomstedt, second by Dr. Paul Turman.

Discussion: Dr. Matthew Blomstedt conveyed that this is an effective operational approach for the day-to-day operations of NSWERS and confident Executive Director will keep Executive Council apprised of budgetary conditions.

Dr. Paul Illich	Yea
Dr. Matthew Blomstedt	Yea
Dr. Susan Fritz	Yea
Dr. Paul Turman	Yea

- 7.4 Approve a contract for services with the University of Nebraska related to data storage and security for the NSWERS POC project.
- 7.5 Approve a contract for Cyber, Director, Officer and General Liability Insurance
- 7.6 Approve a contract for Research Consulting Support

Discussion: With the approval of Agenda Item 7.3, it is recommended to combine 7.4, 7.5 and 7.6

Motion to approve 7.4, 7.5 and 7.6 to give Executive Director Hastings the authority to finalize agreements in consultation with the Executive Council President on behalf of the NSWERS Executive Council passed with a motion by Dr. Paul Turman, second by Dr. Paul Illich.

Dr. Paul Turman	Yea
Dr. Paul Illich	Yea
Dr. Matthew Blomstedt	Yea
Dr. Susan Fritz	Yea

8. ADDITIONAL BUSINESS

No additional business.

9. SPECIAL PRESENTATIONS AND DISCUSSIONS

No special presentations and discussion.

10. INFORMATION ITEMS AND REPORT

No information items and reports.

8. ADJOURNMENT

Motion to adjourn the NSWERS Executive Council Business Meeting passed with a motion from Dr. Paul Turman, second by Dr. Paul Illich.

Dr. Susan Fritz	Yea
Dr. Paul Turman	Yea
Dr. Matthew Blomstedt	Yea
Dr. Paul Illich	Yea

President Fritz adjourned the meeting at 3:54 p.m.

A NSWERS Executive Council Meeting will be held on Monday, March 8, 2021 at a time and place to be determined.