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**BY-LAWS**  
**of the**  
**NEBRASKA EDUCATIONAL TELECOMMUNICATIONS**  
**COMMISSION**

ARTICLE I  
*Offices*

The Commission shall maintain its principal offices at 1800 N. 33rd Street, Lincoln, Nebraska. The Commission may also have an office or offices at such other place or places as the Commission may, from time to time, designate or as the business of the Commission may require.

ARTICLE II  
*Seal*

The seal of the Commission shall be circular in form and shall contain the name of the Commission and the word "Seal."

ARTICLE III  
*Meetings of the Commission*

SECTION 1. Regular Meetings. Regular meetings of the Commission shall be held at such times as the Commission may designate.

SECTION 2. Special Meetings. Special meetings of the Commission may be held for any purpose upon the call of the Chair of the Commission, a majority of members of the Commission, or the Governor of the State of Nebraska.

SECTION 3. Emergency Meetings. Emergency meetings of the Commission may be called at any time by the Chair or by a majority of Commissioners, but only when a bona fide emergency exists. When it is necessary to hold an emergency meeting without reasonable advance public 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 via telecommunications as long as the method of conducting such meetings is within the requirements of Nebraska law. Complete minutes of emergency meetings 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.

SECTION 4. Place of Meetings. Meetings of the Commission may be held at the offices of the Commission, in other physical locations as recommended by the staff and/or the Commission, and via telecommunications, as long as the method of conducting such meetings is within the requirements of Nebraska law.

SECTION 5. Meeting Agendas. An agenda for each meeting, which shall be kept continually current, shall be readily available for public inspection at the Commission's principal office during normal business hours, and it shall be available for review on the Internet. The agenda should provide information that briefly describes the nature of each item and any support materials to inform the public and the members of the Commission to aid in their deliberations. Except for items of an emergency nature, the agenda shall not be altered later than twenty-four (24) hours before the scheduled commencement of the meeting. The Commission may vote to modify the agenda to include items of an emergency nature at its meetings.

SECTION 6. Notice of Meetings. Reasonable advanced public notice of the time and place of all regular and special meetings of the Commission shall be given by a method designated by the Commission and recorded in its minutes. In addition, written notice of all meetings of members of the Commission shall be sent by U.S. mail and e-mailed to each member of the Commission, at least five (5) days prior to the meeting. Notice of any meeting shall include the current agenda for the meeting. Subsequently revised agendas shall be e-mailed to each member of the Commission. The Commission's Secretary shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of meeting and the subjects to be discussed at that meeting.

SECTION 7. Quorum. The presence of six (6) members of the Commission shall constitute a quorum at all meetings of the Commission. If there is less than a quorum at any meeting, the members of the Commission who are present shall be entitled to adjourn the meeting to a later date to be fixed by said members at said time.

SECTION 8. Voting Rights. Each Commissioner shall be entitled to one (1) vote. All matters coming before the Commission shall be determined by a favorable vote of a majority of the members present if sufficient to constitute a quorum, except that a vote of six (6) or more members of the Commission shall be required to hold a closed session. Votes shall be taken by a roll call vote in accordance with Nebraska law.

SECTION 9. Public Meetings and Closed Sessions. All meetings of the Commission shall be open to the public, provided however, subject to a vote of at least six (6) Commission members as provided in Section 8, a closed session may be held for, but not limited to, such reasons as (a) strategy sessions with respect to negotiations, collective bargaining and real estate purchases, (b) pending or imminent litigation, discussions regarding deployment of security personnel or devices, evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting. The vote to hold a closed session shall be taken in open session. The vote of each member on the question of holding a closed session, the reason for the closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. The meeting shall be reconvened in open session before any formal action may be taken.

SECTION 10. Chair to Preside. The Chair of the Commission shall preside at all meetings of the Commission and, in his or her absence, the Vice-Chair of the Commission shall preside.

SECTION 11. Minutes. Minutes shall be kept of all meetings of the Commission, in such form as to constitute a permanent record of all matters coming before the Commission or action taken by the Commission. In addition, minutes of all meetings shall be posted on the NET Web site and any State of Nebraska Web sites designated for such public storage for a period of five years.

## ARTICLE IV *Officers*

SECTION 1. Designation. The officers of the Commission shall be the Chair, Vice-Chair, and Secretary.

SECTION 2. Election. Officers shall be elected by a favorable vote of a majority of the members present if sufficient to constitute a quorum, and shall hold office for a term of one (1) year until his or her successor is elected and qualified or until removal by a vote of six (6) members of the Commission. Officers shall be elected at the first regular meeting of each calendar year. The term of office shall begin upon election and shall continue until successors are elected.

SECTION 3. Qualification. All officers, except the Secretary, shall be selected from the members of the Commission. No two (2) offices may be held by the same person

SECTION 4. Vacancies. Vacancies in any office shall be filled for the unexpired term by majority vote of the members of the Commission if sufficient to constitute a quorum at a special meeting called for said purpose or at any regular meeting of the Commission.

SECTION 5. Duties of the Chair. The Chair of the Commission shall preside at all meetings of the Commission and shall perform such other duties as may be prescribed, from time to time, by the Commission or by the By-Laws, or as may be incident to his or her office.

SECTION 6. Duties of the Vice-Chair. In the absence of the Chair, the Vice-Chair shall perform all duties and obligations of the Chair, and shall perform such other duties as may be assigned to him or her, from time to time, by the Commission.

SECTION 7. Duties of the Secretary. The Secretary shall keep and preserve the minutes of all meetings of the Commission and shall be in charge of the seal of the Commission. The Secretary, or his or her designee, shall be authorized to sign and execute contracts on behalf of the Commission.

SECTION 8. Additional Officers. Additional officers may be designated, from time to time, by a majority vote of members of the Commission if sufficient to constitute a quorum at any meeting of the Commission, and shall have such powers and duties as shall be assigned by the Commission.

## ARTICLE V *Committees*

SECTION 1. Executive Committee. There shall be a permanent executive committee consisting of the Chair, the Vice-Chair, and one or more other regular members of the Commission, to be elected by the members of the Commission at the first regular meeting of each calendar year.

SECTION 2. Additional Committees. Additional committees may be designated and selected for such purposes and at such times as the Chair or a majority of the Commissioners shall determine to be advisable.

SECTION 3. Designation of Committee Members. All members of all committees, except the executive committee, shall be selected by the Chair or, in his or her absence, by the Vice-Chair.

SECTION 4. Action of Committees. Committee actions and recommendations shall be advisory only and shall have no binding force or effect unless the Commission has expressly delegated to a committee power to act on behalf of the Commission upon a specific matter. Where a committee takes action on behalf of the Commission pursuant to a specific delegation of power, minutes of the committee meeting or meetings relating thereto shall be prepared and distributed to the members of the Commission and other appropriate parties within three (3) working days of any such meeting, shall be posted on the appropriate Web sites, and the proceedings of the committee shall be in compliance with the provisions of Nebraska law.

## ARTICLE VI *Gifts and Contributions*

All gifts and contributions to the Commission shall be used for purposes incident to promoting educational telecommunications in Nebraska and in such manner as a majority of the Commissioners shall determine.

## ARTICLE VII *Bonds*

If any funds of the Commission are handled by persons other than the State Treasurer, such person shall furnish to the Commission a fidelity bond in such amount and on such term and conditions as the Commission shall determine.

## ARTICLE VIII *Attendance at all Meetings*

Each Commissioner shall attend all meetings of the Commission unless prevented from doing so by disability or other causes beyond his or her control. Members may attend via telecommunications as permitted by law. If the Commissioner of Education or the President of the University of Nebraska is unable to attend a Commission meeting, a designee may be named to act on her or his behalf.

ARTICLE IX  
*Amendments*

These By-Laws may be amended at any time at any regular meetings of the Commission, or at a special meeting called for such purposes by a favorable vote of six (6) or more members of the Commission.