

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

Matthew L. Blomstedt, Ph.D.)	NDE Case No. 16-10
Commissioner of Education)	
301 Centennial Mall South)	
P.O. Box 94933)	
Lincoln, NE 68509-4933,)	
)	
Petitioner,)	FINAL ORDER
)	
v.)	
)	
Jeffrey Daugherty, #6188125)	
Newton Correctional Facility)	
P.O. Box 218)	
Newton, IA 50208,)	
)	
Respondent.)	

This matter came before the State Board of Education ("State Board"), Lincoln, Nebraska, on August 5, 2016, upon the recommendation of the Nebraska Professional Practices Commission ("NPPC") that the public school certificate of the Respondent, Jeffrey Daugherty, be permanently revoked. The parties were notified of the State Board's consideration in this matter. Appearing before the State Board was Brian L. Halstead, Deputy Commissioner, on behalf of the Commissioner of Education. The Respondent did not appear. NPPC Clerk Kathi Vontz provided a summary of the NPPC's recommendation in this matter.

The record of the NPPC proceeding, containing the "Findings of Fact, Conclusions of Law, and Recommendation of the Commission," all of the pleadings, exhibits, and a written transcript of the NPPC hearing, was received by the State Board into evidence as "Exhibit 1." The Notice of Disposition and the certified return receipt were received into

evidence as “Exhibit 2.” Upon its independent review of the entire record, the State Board finds, concludes, and orders as follows:

1. The State Board has jurisdiction in this case pursuant to Neb. Rev. Stat. § 79-866 (2014);

2. The Petitioner is Matthew L. Blomstedt, Ph.D., Commissioner of Education, 301 Centennial Mall South, P.O. Box 94933, Lincoln, NE 68509-4933;

3. The Respondent is Jeffrey Daugherty, #6188125, Newton Correctional Facility, P.O. Box 218, Newton, IA 50208;

4. The Respondent holds a public Nebraska Initial teaching certificate number 2013012674, endorsed in Mathematics 7-12, with an expiration date of August 31, 2018;

5. On January 14, 2016, the Iowa Board of Educational Examiners permanently revoked the Respondent’s Iowa teaching certificate after the Respondent voluntarily surrendered his Iowa license;

6. On or about November 9, 2015, the Iowa District Court For Pottawattamie County sentenced the Respondent to ten years’ incarceration after being found guilty of seven (7) counts of Sexual Exploitation by a School Employee, two (2) counts of Lascivious Conduct with a Minor, and one (1) count of Third-Degree Sexual Abuse, with three of the ten counts being felonies, for having sexual relationships with two female students that included exchanging inappropriate photographs/electronic communications while he was employed as a teacher by the Council Bluffs, Iowa Public Schools; and

7. The Respondent has violated Neb. Rev. Stat. § 79-866(2) (2014) which states, in pertinent part: “The board may, for just cause, revoke or suspend any teacher’s or administrator’s certificate. Violation of the standards established pursuant to this

section, commission of an immoral act, or conviction of a felony under the laws of this state shall constitute just cause for the revocation or suspension of a teacher's or administrator's certificate by the board"; Title 92, *Nebraska Administrative Code*, Chapter 27, Section 004.02G (effective date: November 12, 2013) ("the educator . . . shall not have had revoked for cause a teaching certificate, administrative certificate, or any certificate enabling a person to engage in any of the activities for which a special services certificate is issued in Nebraska"); and Section 004.04E (same effective date) ("the educator . . . shall not commit any act of moral turpitude, or any felony under the laws of the United States or any state or territory, and shall not have a misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.12 through 003.14 of 92 NAC 21");

8. By a preponderance of the evidence, just cause exists pursuant to Neb. Rev. Stat. § 79-866(2) (2014) to permanently revoke Respondent's certificate; and

9. The public Nebraska Initial teaching certificate of Jeffrey Daugherty, number 2013012674, endorsed in Mathematics 7-12, with an expiration date of August 31, 2018, shall be permanently revoked beginning this date.

Dated this 5th day of August, 2016.

STATE BOARD OF EDUCATION

BY: Rachel Wise
Rachel Wise, President

The vote by the State Board of Education to approve the Final Order in Case No. 16-10, on August 5, 2016, was 8 in favor, 0 against, _____ abstaining, and _____ absent. Individual State Board members voted as follows:

IN FAVOR: L. LARSEN, G. FLINT, R. WISE, J. WITZEL, P. TIMM, M. NICKELS

M. O'HOLLERAN, P. MCPHERSON

AGAINST: _____

ABSTAINING: _____

ABSENT: _____

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Final Order was served upon the Respondent, Jeffrey Daugherty, #6188125, Newton Correctional Facility, P.O. Box 218, Newton, IA 50208, via United States mail; Kelly Muthersbaugh, NPPC Clerk, 301 Centennial Mall South, Lower Level, Lincoln, NE 68509, via interoffice mail; and Brian L. Halstead, Deputy Commissioner, Nebraska Department of Education, 301 Centennial Mall South, Sixth Floor, Lincoln, NE 68509, via interoffice mail, all on this 5th day of August, 2016.

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