

**NEBRASKA STATE BOARD OF EDUCATION
MEETING AGENDA**

SEPTEMBER 6-7, 2012

(Revised: August 30, 2012)

Location: State Board Meeting Room
State Office Building, Sixth Floor
301 Centennial Mall South
Lincoln, NE 68509-4987

Web Streaming: Live web streaming will be available through the State Board of Education website: www.education.ne.gov/StateBoard/

Agenda: Except for emergency items added at the time of the meeting, the agenda will not be changed less than 24 hours prior to the start of the meeting and any changes will be immediately posted on the website.

The Board will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to take action on any of the items listed.

Interpreter: If you need interpreter services or other reasonable accommodations, please contact the Nebraska Department of Education at (402) 471-5024 five (5) days prior to the meeting to coordinate arrangements.

Website: An electronic version of the agenda and support materials are available on the State Board of Education's Agenda page: www.education.ne.gov/StateBoard/Agendas.html

Lunch: On September 7, 2012, if necessary, the State Board of Education may break for lunch at 12:00 p.m. The lunch will take place in Conference Room C at the State Office Building, Sixth Floor, 301 Centennial Mall South, Lincoln, Nebraska. The Board may resume work on the agenda at approximately 1:00 p.m.

THURSDAY, SEPTEMBER 6, 2012- STATE BOARD COMMITTEE MEETINGS

STATE ACCOUNTABILITY AD HOC COMMITTEE (11:00 a.m. – 12:00 p.m.) (V-Tel Room)

POLICY COMMITTEE MEETING (1:00 – 2:00 p.m.) (Conference Room B)

LEGISLATIVE COMMITTEE MEETING (1:00 – 2:00 p.m.) (Conference Room C)

THURSDAY, SEPTEMBER 6, 2012 – WORK SESSION

(Agenda items listed on the work session agenda not completed by adjournment will be carried over to September 7, 2012).

1. CALL TO ORDER (2:00 p.m.)
 - 1.1 Roll Call
 - 1.2 Announcement of the placement of the Open Meetings Act information
2. REPORTS AND DISCUSSIONS
 - 2.1 STANDARDS, ASSESSMENT and ACCOUNTABILITY (VALORIE FOY)
 - 2.1.1 [NeSA results](#)
 - 2.1.2 [Discuss the Request for Proposal \(RFP\) for the NeSA testing system for the next five years](#)
 - 2.2 [Discuss the contract with the Coordinating Commission for Postsecondary Education to conduct an ACT testing research project](#) (COMMISSIONER BREED and SHARON KATT)
 - 2.3 [Discuss the FY 2013-14 and 2014-15 Budget Request](#) (RUSS INBODY and SHANE RHIAN)
 - 2.4 [Discuss attendance update](#) (BRIAN HALSTEAD)
 - 2.5 [Discuss the State Board of Education Resolution recognizing October 2012 as Nebraska School Bullying Awareness Month](#) (COMMISSIONER BREED)
 - 2.6 [Discuss Rule 8 \(92 NAC 8\), Regulations for School Financing and Budgeting](#) (RUSS INBODY and BRYCE WILSON)
 - 2.7 [Discuss changes to the 2012-2013 Nebraska Council on Teacher Education \(NCTE\) membership roster](#) (SHARON KATT and PAT MADSEN)
 - 2.8 [Discuss the vacancy for an alternate for the Board-appointed category of Teachers on the Nebraska Council on Teacher Education \(NCTE\)](#) (SHARON KATT and PAT MADSEN)

- 2.9 [Discuss the contract with the American Institutes for Research for assistance with implementation of the Nebraska Positive Behavioral interventions & Supports \(NPBiS\) grant](#) (MARY ANN LOSH and JOLENE PALMER)
3. PRESENTATION (4:30 p.m.)
 - 3.1 *Tapping into the Power of Data to Improve Student Achievement* (PLATTE INSTITUTE, JOHN McCOLLISTER and ERVIN GREEN)

FRIDAY, SEPTEMBER 7, 2012 – BUSINESS MEETING

1. CALL TO ORDER – BUSINESS MEETING (9:00 a.m.)
 - 1.1 Roll Call
 - 1.2 Pledge of Allegiance
 - 1.3 Announcement of the placement of the Open Meetings Act information
2. APPROVAL OF THE MINUTES
 - 2.1 [August 9-10, 2012, Lincoln, Nebraska](#)
3. APPROVAL OF AGENDA for September 7, 2012
 - 3.1 Commissioner’s recommendations
4. PUBLIC PARTICIPATION
 - 4.1 Request for appearance
 - 4.1.1 Robert VanValkenburg – MAKING THE STATE BOARD OF EDUCATION MORE USER FRIENDLY
 - 4.2 Public Comment Period (An Action Item marked with ** will include time for public comment on that item at the time it is addressed by the Board.)
5. HEARINGS (10:30 a.m.)
 - 5.1 [Hearing in NDE Case No. 12-11, Commissioner v. James Jay](#) (LESLIE DONLEY)
 - 5.2 [Hearing in NDE Case No. 12-12, Commissioner v. Steven Schenck](#) (LESLIE DONLEY)
 - 5.3 [Hearing in NDE Case No. 12-13, In the Matter of the Reinstatement of Sarah Fendt v. Commissioner](#) (LESLIE DONLEY)

6. EXECUTIVE SESSION

6.1 Contested Cases

7. ACTION ITEMS

- 7.1 [Adopt the State Board of Education Resolution recognizing October 2012 as Nebraska School Bullying Awareness Month](#) (COMMISSIONER BREED)
- 7.2 [Grant the Commissioner the authority to contract with the Coordinating Commission for Postsecondary Education \(CCPE\) to conduct an ACT testing research project](#) (SHARON KATT)
- 7.3 [Approve the FY 2013-14 and 2014-15 Budget Request](#) (RUSS INBODY and SHANE RHIAN)
- 7.4 [Grant the Commissioner the authority to adopt a hearing draft for the proposed revised Rule 8 \(92 NAC 8\), Regulations for School Financing and Budgeting, to set a date, time and place for a hearing, and appoint a hearing official to conduct the hearing on behalf of the State Board](#) (RUSS INBODY and BRYCE WILSON)
- 7.5 [Grant the Commissioner the authority to contract with the American Institutes for Research for assistance with implementation of the Nebraska Positive Behavioral interventions & Supports \(NPBiS\) grant](#) (MARY ANN LOSH and JOLENE PALMER)
- 7.6 Consider the Hearing Officer's Recommended Decision in Option Enrollment Case No. 12-10, *Blocher v. North Platte Public Schools* (MARGARET WORTH)
- 7.7 [Consider the PPC's Recommended Decision in NDE Case No. 12-11, Commissioner v. James Jay](#) (LESLIE DONLEY)
- 7.8 [Consider the PPC's Recommended Decision in NDE Case No. 12-12, Commissioner v. Steven Schenck](#) (LESLIE DONLEY)
- 7.9 [Consider the PPC's Recommended Decision in NDE Case No. 12-13, In the Matter of the Reinstatement of Sarah Fendt v. Commissioner](#) (LESLIE DONLEY)
- 7.10 [Grant the Commissioner authority to contract with four contractors to assist in the grant proposal development with the research and evaluation team and statewide training for implementation of Statewide Longitudinal Data Systems \(SLDS\) Grant](#) (SAMEANO PORCHEA)
- 7.11 [Grant the Commissioner the authority to contract with Aspect, Inc. for the support of the Adequate Yearly Progress \(AYP\)](#) (SAMEANO PORCHEA)

- 7.12 [Grant the Commissioner the authority to approve the contract with Liberty Centre to provide a supported employment program to serve Vocational Rehabilitation \(VR\) mental health consumers](#) (MARK SCHULTZ)
- 8. APPROVAL OF CONSENT AGENDA (The following items are management decisions and/or legal counsel recommendations, which require Board approval.)
 - 8.1 Identify items for separate vote
 - 8.2 Approve consent agenda

THE FOLLOWING SECTIONS ARE THE PROPOSED CONSENT AGENDA ITEMS

- 8.3 [Personnel Report](#)
- 8.4 Miscellaneous
 - 8.4.1 [Approve school districts' request for exclusions to the budget limitation in accordance with the provisions of the Tax Equity & Educational Opportunities Support Act \(TEEOSA\)](#) (RUSS INBODY)
 - 8.4.2 In Option Enrollment Case No. 12-07, *Alberts v. Scribner/Snyder Community Schools*, adopt the Hearing Officer's Proposed Findings of Fact and Recommended Conclusions of Law; accept the request of the Petitioners to withdraw their appeal and to dismiss the appeal; and adopt the Final Order prepared by Legal Counsel (MARGARET WORTH)
- 8.5 Grants
 - 8.5.1 [Approve continuation grants to two ESUs to fund Early Learning Connection Grants to fund professional development activities](#) (MELODY HOBSON)
- 8.6 Contracts
 - 8.6.1 [Grant the Commissioner the authority to continue contracting for assistance with professional development and Child Find as it relates to the Individuals with Disabilities Education Act \(IDEA\) Part C \(Infants and Toddlers\)](#) (GARY SHERMAN, BETH WIERDA and CAROL McCLAIN)
 - 8.6.2 [Grant the Commissioner the authority to continue contracting for assistance with professional development and Child Find as it relates to the Individuals with Disabilities Education Act \(IDEA\) Part B \(Section 619\) and Part C \(Infants and Toddlers\)](#) (GARY SHERMAN, BETH WIERDA and CAROL McCLAIN)

- 8.6.3 [Grant the Commissioner the authority to continue contracting for assistance with providing educational services to youth with disabilities in correctional facilities and out-of-home placements](#) (GARY SHERMAN, BETH WIERDA and CAROL McCLAIN)
- 8.6.4 [Grant the Commissioner the authority to amend Contract # 32141 with Colyar Consulting Group, Inc.](#) (DIANE STUEHMER and BEV BENES)
- 8.6.5 [Grant the Commissioner the authority to approve a contract with the Autism Center of Nebraska, Inc. to provide a supported employment program to serve Vocational Rehabilitation \(VR\) consumers with autism in the Omaha area](#) (MARK SCHULTZ)
- 8.6.6 [Grant the Commissioner the authority to contract with Good Samaritan Hospital Foundation for the continuation of Project SEARCH, a program which provides job training and experience for transition students leading to employment opportunities in the healthcare setting](#) (MARK SCHULTZ)
- 8.6.7 [Grant the Commissioner the authority to contract with St. Francis Medical Center Foundation for the continuation of Project SEARCH, a program which provides job training and experience for transition students leading to employment opportunities in the healthcare setting](#) (MARK SCHULTZ)
- 8.6.8 [Grant the Commissioner the authority to approve the contract with Mental Health Association to provide a supported employment program to serve Vocational Rehabilitation \(VR\) mental health consumers](#) (MARK SCHULTZ)
- 8.6.9 [Grant the Commissioner the authority to approve the contract with Goodwill Industries of Greater NE, Inc., Grand Island to provide a supported employment program to serve Vocational Rehabilitation \(VR\) mental health consumers](#) (MARK SCHULTZ)
- 8.6.10 [Grant the Commissioner the authority to approve the contract with Goodwill Industries of Greater NE, Inc., North Platte to provide a supported employment program to serve Vocational Rehabilitation \(VR\) mental health consumers](#) (MARK SCHULTZ)
- 8.6.11 [Grant the Commissioner the authority to approve the renewal of a contract with Goodwill Industries of Greater NE, Inc., to provide a supported employment program to serve Vocational Rehabilitation \(VR\) consumers with acquired brain injury in the Grand Island/Kearney/Hastings area](#) (MARK SCHULTZ)

- 8.6.12 [Grant the Commissioner the authority to approve the contract with Community Alliance to provide a supported employment program to serve Vocational Rehabilitation \(VR\) mental health consumers](#) (MARK SCHULTZ)
- 8.6.13 [Grant the Commissioner the authority to approve the contract with Ollie Webb Center, Inc., to provide a supported employment program to serve Vocational Rehabilitation \(VR\) consumers with acquired brain injury in the Omaha area](#) (MARK SCHULTZ)
- 8.7 Leases (NONE)
- 8.8 Committees
 - 8.8.1 [Approval of new appointments to the Nebraska Assistive Technology Partnership Advisory Council membership](#) (MARK SCHULTZ and LESLIE NOVACEK)
 - 8.8.2 [Approve appointments to the Special Education Advisory Council \(SEAC\)](#) (GARY SHERMAN, BETH WIERDA and ANN BIRD)
 - 8.8.3 [Approve changes to the 2012-2013 Nebraska Council on Teacher Education \(NCTE\) membership roster](#) (SHARON KATT and PAT MADSEN)
- 9. SPECIAL PRESENTATIONS AND DISCUSSIONS (NONE)
- 10. BOARD REPORTS, DATES AND DISCUSSION ITEMS (Brief general discussion by Board members of possible topics for future Board meetings; requests for reports or studies to be conducted by the Commissioner and staff; and reports of activities and information from Board members.)
 - 10.1 Dates for joint meetings with policy partners
 - 10.2 Approve request for meeting attendance
 - 10.3 Meeting participation
 - 10.3.1 [NASBE Annual Conference, October 11-13, 2012, Chicago, Illinois](#) (PRESIDENT SCHEER)
 - 10.3.2 [Nebraska Association of School Boards – State Education Conference, November 14-16, 2012, La Vista Conference Center/Embassy Suites, La Vista, Nebraska](#) (PRESIDENT SCHEER)
 - 10.4 Select the Nebraska voting delegate and alternate for the 2012 Annual NASBE Conference in Chicago, Illinois (PRESIDENT SCHEER)
 - 10.5 Policy Committee report

- 10.6 Legislative Committee report
- 10.7 State Accountability Ad Hoc Committee report
- 11. INFORMATION ITEMS/WRITTEN REPORTS (The following items are for Board information only. They require official notice. No presentation planned. No requested action planned.)
 - 11.1 [Statutorily required notice of contracts involving public employees](#)
 - 11.2 [Contracts approved by Commissioner](#)
 - 11.3 [State Board Policy G19, "Standards, Assessment and Accountability \(SAA\)" for review](#) (MARGARET WORTH)
 - 11.4 [Special Education Advisory Council \(SEAC\) Annual Report](#) (GARY SHERMAN, BETH WIERDA and ANN BIRD)

ADJOURNMENT – The next regularly scheduled meeting of the State Board of Education will be held on Wednesday, October 10, 2012 at 9:00 a.m. at the Nebraska State Office Building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509. A work session will be held on Tuesday, October 9, 2012 at 2:00 p.m. at the Nebraska State Office building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509.

This agenda contains a list of subjects known at the time of its distribution on August 24, 2012. A copy of the agenda reflecting any changes will be available for public inspection during the normal business hours in the Office of the Commissioner of Education and on the State Board of Education's Agenda page www.education.ne.gov/StateBoard/Agendas.html. *Except for items of an emergency nature, the agenda will not be changed later than 24 hours before the scheduled commencement of the meeting.*