

**NEBRASKA STATE BOARD OF EDUCATION  
MEETING AGENDA**

**May 6-7, 2013**

*(Revised: May 2, 2013)*

**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/](http://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](http://www.education.ne.gov/StateBoard/Agendas.html)

**Lunch:** On May 7, 2013, 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.

**MONDAY, MAY 6, 2013- COMMITTEE MEETINGS**

STATE ACCOUNTABILITY AD HOC COMMITTEE MEETING (9:00 – 10:00 a.m.) (V-Tel Room)

LEGISLATIVE COMMITTEE MEETING (10:00 – 11:00 a.m.) (Conference Room C)

COMMISSIONER SEARCH COMMITTEE (11:00 a.m. – 12:00 p.m.) (Conference Room C)

**MONDAY, MAY 6, 2013 – WORK SESSION**

**(Agenda items listed on the work session agenda not completed by adjournment will be carried over to May 7, 2013).**

1. CALL TO ORDER (1:00 p.m.)
  - 1.1 Roll Call
  - 1.2 Announcement of the placement of the Open Meetings Act information
2. REPORTS AND DISCUSSIONS
  - 2.1 Legislative Update (BRIAN HALSTEAD)
    - 2.1.1 State
    - 2.1.2 Federal
  - 2.2 [Discussion of the Data Recognition Corporation \(DRC\) contract](#) (VALORIE FOY and JOHN MOON)
  - 2.3 [Discussion of the upcoming release of the Nebraska State Accountability - Writing \(NeSA\) test results](#) (VALORIE FOY)
  - 2.4 [Discuss the contract with MTW Solutions, LLC for services and continuing support for the NDE Grants Management System \(GMS\) for the period July 1, 2013 through June 30, 2014](#) (RUSS INBODY and SHANE RHIAN)
  - 2.5 [Discuss accreditation of Educational Service Units for the 2013-2014 School Year under Rule 84, \(92 NAC 84\), "Regulations for Educational Service Units"](#) (FREIDA LANGE)
  - 2.6 [Discuss classification of the Interim-Program Schools as approved to operate for the 2013-2014 School Year under Rule 18 \(92 NAC 18\), "Regulations and Procedures for the Approval of Interim-Program Schools in County Detention Homes, Institutions, and Juvenile Emergency Shelters"](#) (FREIDA LANGE and RICK MOSES)
  - 2.7 [Update on SIG \(School Improvement Grant\) recipients](#) (DIANE STUEHMER and RANDY McINTYRE)

- 2.8 [Discuss a plan for implementation of a revised testing requirement for admission to Nebraska educator preparation programs and for educator certification content testing](#) (SHARON KATT, PAT MADSEN and KEVIN PETERS)
- 2.9 [Update on Teacher/Principal Evaluation Model Development](#) (DONLYNN RICE, JIM HAVELKA and NANCY BECKER)
- 2.10 Discuss Commissioner's Selection Process (PATRICIA TIMM and MARK QUANDAHL)
- 3. PRESENTATIONS (3:00 – 5:00 p.m.)
  - 3.1 Search Firm Finalists
- 4. SEARCH COMMITTEE MEETING (5:00 p.m.)
  - 4.1 Commissioner Search Committee (Conference Room C)

**TUESDAY, MAY 7, 2013 – 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 [April 8-9, 2013, Lincoln, Nebraska](#)
- 3. APPROVAL OF AGENDA for May 7, 2013
  - 3.1 Commissioner's recommendations
- 4. PUBLIC PARTICIPATION
  - 4.1 Request for appearance
  - 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. 13-03, *Commissioner vs. Michael Pollock*
  - 5.2 Hearing in NDE Case No. 13-04, *Commissioner vs. Nathan Richter*

- 5.3 Hearing in NDE Case No. 13-05, *Commissioner vs. Ann Gigstad*
- 5.4 Hearing in NDE Case No. 13-06, *Commissioner vs. Keri Watkins*
- 5.5 Hearing in NDE Case No. 13-07, *Commissioner vs. Michael Loftin, Jr.*
- 5.6 Hearing in NDE Case No. 13-08, *In the Matter of the Reinstatement of Cherry Canas*
6. EXECUTIVE SESSION –if needed
7. ACTION ITEMS
  - 7.1 Board actions on legislative issues (BRIAN HALSTEAD)
  - 7.2 [Approve accreditation of Educational Service Units for the 2013-2014 School Year under Rule 84, \(92 NAC 84\), “Regulations for Educational Service Units”](#) (FREIDA LANGE)
  - 7.3 [Classify Interim-Program Schools as approved to operate for the 2013-2014 School Year under Rule 18 \(92 NAC 18\). “Regulations and Procedures for the Approval of Interim-Program Schools in County Detention Homes, Institutions, and Juvenile Emergency Shelters”](#) (FREIDA LANGE and RICK MOSES)
  - 7.4 [Grant the Commissioner the authority to continue contracting with Data Recognition Corporation \(DRC\)](#) (VALORIE FOY and JOHN MOON)
  - 7.5 [Authorize the Commissioner to contract for services to assist with the Design/Pilot Schools for Teacher and Principal Evaluations](#) (DONLYNN RICE and SHARON KATT)
  - 7.6 [Authorize a plan for implementation of a revised testing requirement for admission to Nebraska educator preparation programs and for educator certification content testing](#) (SHARON KATT, PAT MADSEN and KEVIN PETERS)
  - 7.7 Authorize the State Board of Education President to negotiate and enter into a contract with a search firm (PATRICIA TIMM and MARK QUANDAHL)
  - 7.8 Consider the PPC’s Recommended Decision in NDE Case No. 13-03, *Commissioner vs. Michael Pollock* (LESLIE DONLEY)
  - 7.9 [Consider the PPC’s Recommended Decision in NDE Case No. 13-04, Commissioner vs. Nathan Richter](#) (LESLIE DONLEY)
  - 7.10 [Consider the PPC’s Recommended Decision in NDE Case No. 13-05, Commissioner vs. Ann Gigstad](#) (LESLIE DONLEY)
  - 7.11 [Consider the PPC’s Recommended Decision in NDE Case No. 13-06, Commissioner vs. Keri Watkins](#) (LESLIE DONLEY)

- 7.12 [Consider the PPC's Recommended Decision in NDE Case No. 13-07, Commissioner vs. Michael Loftin, Jr.](#) (LESLIE DONLEY)
  - 7.13 [Consider the PPC's Recommended Decision in NDE Case No. 13-08, In the Matter of the Reinstatement of Cherry Canas](#) (LESLIE DONLEY)
  - 7.14 Consider the Hearing Officer's Recommended Decision in NDE option enrollment Case No. 13-02, *Mitchell v. Hershey Public Schools* (MARGARET WORTH)
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 [Approve the Special Grant Fund List for 2013/14 School District Budgeting](#) (RUSS INBODY)
  - 8.4.3 [Authorize the Commissioner to purchase computer equipment and software](#) (BRENT GASWICK)
- 8.5 Grants (NONE)
- 8.6 Contracts
  - 8.6.1 [Grant the commissioner the authority to approve medical consultant contracts for the Disability Determinations Section](#) (DOUG WILLMAN)
  - 8.6.2 [Grant the Commissioner the authority to contract with MTW Solutions, LLC for services and continuing support for the NDE Grants Management System \(GMS\) for the period July 1, 2013 through June 30, 2014](#) (RUSS INBODY and SHANE RHIAN)
  - 8.6.3 [Grant the Commissioner the authority to continue to contract with the Four Regional Programs for Children who are Deaf and Hard of Hearing](#) (GARY SHERMAN and TERESA COONTS)

- 8.6.4 [Grant the Commissioner the authority to contract and lease with Educational Service Unit #4 to continue the operation of the Nebraska Center for the Education of Children who are Blind or Visually Impaired \(NCECBVI\)](#) (GARY SHERMAN and TERESA COONTS)
- 8.6.5 [Grant the Commissioner the authority to continue contracting with Morris & Titus Law Firm, PC, LLO](#) (MARGARET WORTH)
- 8.6.6 [Grant the Commissioner the authority to amend Contract #33102 to continue to provide leadership training to Nebraska State FFA Officers](#) (DONLYNN RICE and RICH KATT)
- 8.6.7 [Grant the Commissioner the authority to amend the contract with the University of Nebraska to provide World Language professional development](#) (DONLYNN RICE and VICKIE SCOW)
- 8.7 Leases (NONE)
- 8.8 Committees
  - 8.8.1 [Notification of vacancies on the Nebraska State Independent Living Council](#) (MARK SCHULTZ)
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
    - [Administrators' Days, July 31-August 2, 2013, Younes Conference Center, Kearney, Nebraska](#)
  - 10.2 Approve request for meeting attendance
  - 10.3 Meeting participation
    - [National Association of State Boards of Education \(NASBE\) New Board Member Institute, July 26-27, 2013, Arlington, Virginia](#)
    - [National Association of State Boards of Education \(NASBE\) Annual Conference July 28-30, 2013, Arlington, Virginia](#)
    - [Name a State Board Member as attendee to the Nebraska Governor's Nebraska Technical Advisory Committee \(TAC\)](#) (VALORIE FOY)
  - 10.4 State Accountability Ad Hoc Committee report

- 10.5 Legislative Committee report
- 10.6 Policy Committee report
- 10.7 Commissioner Search 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 B14, "Parliamentary Procedure/Rules of Order" for review](#)  
(MARGARET WORTH)
  - 11.4 [Annual Report of the Private Postsecondary Career Schools Tuition Recovery Cash Fund](#) (SHARON KATT and BRAD DIRKSEN)

**TUESDAY, MAY 7, 2013 – LUNCH**

**12:00 – 1:30 p.m. Lunch with members of the State Board of Education and members of the Education Committee of the Nebraska Legislature, State Capitol, 1445 K Street, Room 1126, Lincoln, Nebraska**

ADJOURNMENT – The next regularly scheduled meeting of the State Board of Education will be held on Friday, June 7, 2013 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 Thursday, June 6, 2013 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 April 22, 2013. 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](http://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.*