

**NEBRASKA STATE BOARD OF EDUCATION  
MEETING NOTIFICATION AND AGENDA**

**November 7-8, 2013**

*(Revised: November 5, 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 November 8, 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.

**THURSDAY, NOVEMBER 7, 2013 – COMMITTEE MEETINGS**

STATE ACCOUNTABILITY AD HOC COMMITTEE MEETING (8:00 – 9:30 a.m.) (V-Tel Room)

COMMISSIONER SEARCH COMMITTEE (9:30 – 10:00 a.m.) (Conference Room A)

LEGISLATIVE COMMITTEE MEETING (10:00 – 10:45 a.m.) (Conference Room C)

POLICY COMMITTEE MEETING (10:00 – 10:45 a.m.) (Conference Room B)

STANDARDS COMMITTEE MEETING (10:45 – 11:15 a.m.) (Conference Room A)  
Fine Arts Standards sub-committee

**THURSDAY, NOVEMBER 7, 2013 – NEBRASKA TEACHER OF THE YEAR LUNCHEON**

**11:30 a.m. The State Board of Education Members will be attending the Nebraska Teacher of the Year Luncheon at the Nebraska State Education Association, 605 South 14<sup>th</sup> Street, Fourth Floor Conference Room, Lincoln, Nebraska**

**THURSDAY, NOVEMBER 7, 2013 – WORK SESSION**

**(Agenda items listed on the work session agenda not completed by adjournment will be carried over to November 8, 2013).**

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 Year in Review, 2013 Nebraska Teacher of the Year, Angela Mosier, Westside High School, Omaha, Nebraska
  - 2.2 Update on Commissioner Search (PRESIDENT TIMM and MARK QUANDAHL)
  - 2.3 STANDARDS, ASSESSMENT and ACCOUNTABILITY
    - 2.3.1 [Fine Arts standards update](#) (DONLYNN RICE and DEBBIE DEFRAIN)
  - 2.4 [Update on Rule 12 \(92 NAC 12\), Regulations and Procedures for Exempting Schools for Which Parents Elect Not to Meet Legal Requirements for School Approval and Accreditation for Other than Religious Reasons and Rule 13 \(92 NAC 13\), Regulations and Procedures for Exempting Schools for Which Parents Elect Not to Meet Legal Requirements for School Approval and Accreditation for Religious Reasons](#) (RUSS INBODY)

- 2.5 [Discuss a proposed hearing draft of Rule 82 \(92 NAC 82\), Rules and Regulations Governing the Diploma of High School Equivalency Assistance Act](#) (SHARON KATT and VICKI BAUER)
- 2.6 [Discuss the proposed revisions to Rule 21 \(92 NAC 21\) Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools](#) (SHARON KATT and KEVIN PETERS)
- 2.7 [Discuss 2014 State Board of Education meeting dates](#) (DEPUTY COMMISSIONER SWISHER and PRESIDENT TIMM)

**FRIDAY, NOVEMBER 8, 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 [October 3-4, 2013, Lincoln, Nebraska](#)
- 3. APPROVAL OF AGENDA for November 8, 2013
  - 3.1 Deputy Commissioner’s recommendations
- 4. PUBLIC PARTICIPATION
  - 4.1 Request for appearance
    - 4.1.1 Henry W. Burke
  - 4.2 Public Comment Period
- 5. HEARINGS (9:30 a.m.)
  - 5.1 Hearing in NDE Case No. 13-16, *Deputy Commissioner v. Drew Onnen*
  - 5.2 Hearing in NDE Case No. 13-17, *In the Matter of the Reinstatement of Rodney Bussinger*
- 6. EXECUTIVE SESSION –if needed

7. ACTION ITEMS

- 7.1 Consider the PPC's Recommended Decision in NDE Case No. 13-16, *Deputy Commissioner v. Drew Onnen* (LESLIE DONLEY)
- 7.2 [Consider the PPC's Recommended Decision in NDE Case No. 13-17, In the Matter of the Reinstatement of Rodney Bussinger](#) (LESLIE DONLEY)
- 7.3 [Grant the Deputy Commissioner the authority to adopt a hearing draft of Rule 82 \(92 NAC 82\), Rules and Regulations Governing the Diploma of High School Equivalency Assistance Act, and grant the Deputy Commissioner the authority to set a time and place for the hearing, and to appoint a hearing official to conduct the hearing on behalf of the State Board](#) (SHARON KATT and VICKI BAUER)
- 7.4 [Approve 2014 State Board of Education meeting dates](#) (PRESIDENT TIMM and DEPUTY COMMISSIONER SWISHER)

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 [Grant the Deputy Commissioner the authority to continue to purchase the English Language Development Assessment \(ELDA\) for the English Language Learners for spring 2014 administration](#) (DIANE STUEHMER and NANCY ROWCH)
  - 8.4.3 [Appoint a Hearing Officer in NDE Case No. 13-15, Peter Thew v. Deputy Commissioner](#) (LESLIE DONLEY)
- 8.5 Grants (NONE)

- 8.6 Contracts
- 8.6.1 [Grant the Deputy Commissioner the authority to continue to contract with Meiner Solutions, LLC, to provide maintenance and enhancements to the NDE Data System](#) (DIANE STUEHMER and SHARON KATT)
- 8.6.2 [Grant the Deputy Commissioner the authority to continue contracting with ESU #9 to be the fiscal agent for ESU facility and logistic support in support of NDE staff training and workday support for the Nebraska Student and Staff Record System \(NSSRS\) and the work for Data Cadre](#) (DEAN FOLKERS and DIANE STUEHMER)
- 8.6.3 [Grant the Deputy Commissioner the authority to continue to contract for the provision of training, consultation and technical assistance for schools implementing Positive Behavioral interventions and Supports \(PBIS\) through the federally awarded State Personnel Development Grant](#) (MARY ANN LOSH and JOLENE PALMER)
- 8.7 Leases (NONE)
- 8.8 Committees
- 8.8.1 [Appoint member to the Nebraska Private Postsecondary Career Schools Advisory Council](#) (SHARON KATT and BRAD DIRKSEN)
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 Deputy 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
- [Nebraska Association of School Boards \(NASB\)/NASA State Education Conference, State Board Roundtable Discussion, November 22, 2013 10:30 a.m. – 11:30 a.m., LaVista Conference Center, LaVista, Nebraska](#)
- 10.4 Legislative Committee report
- 10.5 Policy Committee report
- 10.6 Commissioner Search Committee report

- 10.7 Standards Committee report
- 10.8 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 Deputy Commissioner](#)
  - 11.3 [State Board Policy G22, "Data Access and Use" for review](#)  
(MARGARET WORTH)
  - 11.4 [High Ability Learners report](#) (DONLYNN RICE and MARY DUFFY)
  - 11.5 [Multicultural Education Report](#) (MARY ANN LOSH and CAROL REMPP)
  - 11.6 [2014 NASBE Committee and Study Groups](#) (PRESIDENT TIMM)

ADJOURNMENT – The next regularly scheduled meeting of the State Board of Education will be held on Friday, December 6, 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, December 5, 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 October 29, 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.*