PLEASE NOTE: Support documentation for agenda items can be accessed through the posted Agenda.

NEBRASKA STATE BOARD OF EDUCATION
Nebraska Department of Education
Minutes of Meeting
July 12-13, 2011

MINUTES OF THE WORK SESSION – Tuesday, July 12, 2011

The State Board of Education met for purposes of a work session on Tuesday, July 12, 2011, beginning at 1:00 p.m. The session was held at the State Office Building in the State Board Meeting Room in Lincoln, Nebraska. Publicized notice of the session was given by posting notice on the Department's website on the internet; emailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the time, date and location of the meeting.

1. CALL TO ORDER

1.1. President Scheer called the meeting to order at 1:07 p.m. Roll call showed the following Board members present: Jim Scheer, Mark Quandahl, Rebecca Valdez, Patricia Timm, Robert Evnen, Lynn Cronk, John Sieler, and Molly O'Holleran. Commissioner Breed was also present.

1.2 President Scheer announced the location of the Open Meetings Act.

2. REPORTS AND DISCUSSION

2.1.1 State Accountability Model

Pat Roschewski provided an update on the status of the State Accountability Model.

2.1.2 NeSA Tests Cut score discussion

Pat Roschewski provided information and discussed the NeSA Math, Alternate Math and Alternate Reading tests cut scores.

Discussion among the Board members followed.

The work of Bill Auty was recognized and appreciated by the Board.

Susan Davis-Becker and Brent Foley discussed the Standard Setting Process Results for the NeSA Math Alternative Assessment and the NeSA Reading Alternate Assessment.

2.2.1 Don Loseke and Dennis McGuire, Department of Education representatives, discussed the recommendations from the State Accreditation Committee to Accredit Schools for the 2011-2012 school year.

2.2.2 Rick Moses and Dennis McGuire, Department of Education representatives, discussed the request from Cody-Kilgore Public Schools for a modification of Rule 10 for school year 2011-2012 in accordance with waiver provisions in Rule 10, Section 013.05.

2.2.3 Rick Moses and Dennis McGuire, Department of Education representatives, discussed the request from Hay Springs Public Schools for modification of Rule 10 for school year 2011-2012 in accordance with waiver provisions in Rule 10, Section 013.05.

2.2.4 Rick Moses and Dennis McGuire, Department of Education representatives, discussed the request from Banner County Public Schools for a modification of Rule 10 for school years 2011-12 through 2013-14 in accordance with waiver provisions in Rule 10, section 013.05.

2.2.5 Rick Moses and Dennis McGuire, Department of Education representatives, discussed the request from Maywood Public Schools for a modification of Rule 10 for school years 2011-12 through 2012-13 in accordance with waiver provisions in Rule 10, Section 013.05.

2.3 Nancy Rowch and Mary Ann Losh, Department of Education representatives, provided an update on the development of the English Language Learners (ELL) Rule 15. (Handouts: PowerPoint for Rule 15 and Working Draft dated July 12, 2011)

At 2:50 p.m., President Scheer called for a break. The meeting resumed at 3:05 p.m.

2.4 Sharon Katt and Kevin Peters, Department of Education representatives, discussed the approval of revisions to Rule 21 (92 NAC), *Issuance of Certifications to Teach, Provide Special Services, and Administer in Nebraska Schools*.

2.5 Sharon Katt, Department of Education representative, discussed the approval of a hearing draft of revisions to Rule 25 (92 NAC), *Regulations Governing the Excellence in Teaching Act*.

2.6 Sharon Katt, Department of Education representative, reported on the Effective Educator 2020 Summit (Handout: PowerPoint – Effective Educator 2020 Summit) Lynn Cronk, State Board Member, also reported on the conference.

2.7 Melody Hobson and Linda Meyers, Department of Education representatives, discussed the proposed Early Childhood Education Grants to school districts. Board Member Patricia Timm informed the Board President she will not participate in the discussion or voting regarding this item because of a potential conflict of interest.

2.8 Donlynn Rice and Jim Havelka, Department of Education representatives, provided an update on the Teacher and Principal Standards. (Handout: PowerPoint: Educator Effectiveness dated July 12, 2011)

3. SPECIAL PRESENTATION

Presentation of *Partnering 4 Students: Nebraska Tool Kit for Systems Involved in Education of Students in Out-of-Home Care*. Presented by Michele Borg, NDE Consultant Contract and Jessica Williams, UNL Center on Children, Families and the Law. (Handout: Partnering 4 Students flyer)

At 4:27 p.m., Rebecca Valdez and Mark Quandahl left the meeting.

President Scheer moved item 2.9 Board Retreat to the Wednesday meeting and granted a point of privilege to Commissioner Breed. Dr. Breed announced the retirement of Dr. Marilyn Peterson effective January 2, 2012. Board members offered congratulations and appreciation for her work and dedication.

There being no further business to come before the Board, President Scheer adjourned the work session at 5:00 p.m.

MINUTES OF THE MEETING – Wednesday, July 13, 2011

The State Board of Education met for purposes of a business meeting on Wednesday, July 13, 2011, beginning at 10:00 a.m. The meeting was held at the State Office Building in the State Board Meeting Room in Lincoln, Nebraska. Publicized notice of the session was given by posting notice on the Department's website on the internet; emailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the time, date and location of the meeting.

1. CALL TO ORDER

1.1. President Scheer called the meeting to order at 10:07 a.m. Roll call showed the following Board members present: Jim Scheer, Mark Quandahl, Rebecca Valdez, Patricia Timm, Robert Evnen, Lynn Cronk, John Sieler, and Molly O'Holleran. Commissioner Breed was also present.

1.2 President Scheer led the Board in the Pledge of Allegiance.

1.3 President Scheer announced the location of the Open Meetings Act.

2. APPROVAL OF THE MINUTES

Motion by Mark Quandahl, second by Rebecca Valdez: To approve the minutes of the May 4-5, 2011, meeting.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer

The motion passed.

3. APPROVAL OF AGENDA

Commissioner Breed suggested the following changes to the Agenda for the July 13, 2011 business meeting:

- To add Reports and Discussion Item 2.9 – State Board Retreat, to the end of the meeting agenda
- To move into executive session for the protection of the public interest to consult with General Counsel regarding the Board's authority in connection with rulemaking under the Administrative Procedures Act
- To move Action Item 7.1 to end of Action Item Agenda to allow more time for information and data to be prepared and presented on cut scores in Math

Motion by Patricia Timm, second by Molly O'Holleran to amend the July Agenda as suggested by Commissioner Breed.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer

The motion to amend passed.

Motion by Molly O'Holleran, second by Rebecca Valdez: To approve the July agenda as amended.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer

The motion passed.

4. PUBLIC COMMENT

- Don Hague, speaking on behalf of Greater Nebraska Superintendents. (handouts: Letter to the NDE and State Board supporting efforts of teacher/principal standards and roster of GNS membership)
- Marilyn Mecham, speaking on behalf of the Interchurch Ministries of Nebraska. (Handout: letter from Paul Olson regarding LB 205, anti-bullying bill)
- Jay Sears, Nebraska State Education Association, speaking in support of Rule 15, English Language Learners, and speaking to Rule 25, teacher certification.

6. EXECUTIVE SESSION

Motion by Molly O'Holleran, second by Mark Quandahl, to move into Executive Session for the protection of the public interest to consult with General Counsel regarding the Board's authority in connection with rulemaking under the Administrative Procedures Act.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer

The motion passed. At 10:32 a.m., the Board moved into Executive Session for the protection of the public interest to consult with General Counsel regarding the Board's authority in connection with rulemaking under the Administrative Procedures Act.

Motion by Mark Quandahl, second by Patricia Timm: To adjourn the Executive Session of the State Board.

Voting Yes: Cronk, Quandahl, Sieler, Timm, O'Holleran, Evnen, Scheer
Absent: Valdez

The motion passed. The Executive Session of the State Board adjourned at 11:07 a.m. The Board returned to the regular business meeting.

7. ACTION ITEMS

7.2 Motion by Patricia Timm, second by Rebecca Valdez: To authorize the Commissioner to pay annual dues for the National Association on State Boards of Education (NASBE); Council of Chief State School Officers (CCSSO); Nebraska Association of School Boards (NASB); and Education Commission of the States (ECS)

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer

The motion passed.

7.3 Motion by Rebecca Valdez, second by Lynn Cronk: To grant the Commissioner the authority to approve Early Childhood Education Grants to school districts.

Board Member Patricia Timm announced a potential conflict of interest in connection with this item and will abstain from discussion and voting.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, O'Holleran, Evnen, Scheer
Abstain: Timm

The motion passed.

7.4 Motion by Patricia Timm, second by Molly O'Holleran: To adjust the boundaries of ESU 6 and ESU 18 to reflect the boundaries of member school districts.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, O'Holleran, Scheer, Timm
Absent: Evnen

The motion passed.

7.7.1 Motion by Mark Quandahl, second by Molly O'Holleran: To approve recommendations from the State Accreditation Committee to Accredit Schools for the 2011-12 school year.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, O'Holleran, Scheer, Timm
Absent: Evnen

The motion passed.

Motion by Rebecca Valdez, second by Mark Quandahl: To classify St. Robert Bellarmine, Elementary, Omaha; St. Pius X/St. Leo Elementary, Omaha; and St. Augustine Indian Mission, Winnebago, as Accredited for the 2011-12 school year:

Voting Yes: Cronk, Quandahl, Valdez, Sieler, O'Holleran, Scheer, Evnen, Timm

The motion passed.

7.7.2 Motion by Mark Quandahl, second by Patricia Timm: To approve the request from Cody-Kilgore public Schools for a modification of Rule 10-004.02C (prohibiting 6th grade students from participating in athletic contests) for the 2011-12 school year in accordance with waiver provisions in Rule 10, Section 013.05.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, O'Holleran, Scheer, Evnen, Timm

The motion passed.

7.7.3 Motion by Molly O'Holleran, second by Mark Quandahl: To approve the request from Hay Springs Public School for a modification of Rule 10-004.02C (prohibiting 6th grade students from participating in athletic contests) for the 2011-12 school year in accordance with waiver provisions in Rule 10, Section 013.05.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, O'Holleran, Scheer, Evnen, Timm

The motion passed.

7.4.4 Motion by Mark Quandahl, second by Molly O'Holleran: To approve the request from Banner County Public Schools for a modification of Rule 10-004.02C (prohibiting 6th grade students from participating in athletic contests) for the 2011-12 school year in accordance with waiver provisions in Rule 10, Section 013.05.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, O'Holleran, Scheer, Evnen, Timm

The motion passed.

7.5 Motion by Molly O'Holleran, second by Mark Quandahl: To approve the request from Maywood public Schools for a modification of Rule 10-004.02C (prohibiting 6th grade students from participating in athletic contests) for the 2011-12 school year in accordance with waiver provisions in Rule 10, Section 013.05.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, O'Holleran, Scheer, Evnen, Timm

The motion passed.

7.5 Motion by Patricia Timm, second by Rebecca Valdez: To approve revisions to Rule 21 (92 NAC), *Issuance of Certifications to Teach, Provide Special Services, and Administer in Nebraska Schools.*

Voting Yes: Cronk, Quandahl, Valdez, Sieler, O'Holleran, Scheer, Evnen, Timm

The motion passed.

7.6 Motion by Patricia Timm, second by Mark Quandahl: To approve a hearing draft of the proposed revisions to Rule 25 (92 NAC), *Regulations Governing the Excellence in Teaching Act*, and authorize the Commissioner to set a date, time, and place for the hearing, and to appoint a hearing official to conduct a hearing on behalf of the State Board.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, O'Holleran, Scheer, Timm
Absent: Evnen

The motion passed.

7.1.1 Pat Roschewski, Department of Education representative, provided information on the Nebraska State Accountability (NeSA) Test Results timeframe and NeSA-M Recommendations. Dave Chayer, Senior Vice President of Data Recognition Corporation, Bill Auty, and Patricia Johnson were present to offer explanations and clarification.

Molly O'Holleran left the meeting at 11:40 a.m.

Motion by Robert Evnen, second by Mark Quandahl: To adopt Option 5 setting the cut scores for the NeSA-M (NeSA-Mathematics) assessment.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Scheer, Evnen, Timm
Absent: O'Holleran

The motion passed.

7.1.2 Motion by Robert Evnen, second by Mark Quandahl: To adopt the cut scores for the 2011 Alternate Assessment in Mathematics.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Scheer, Evnen, Timm
Absent: O'Holleran

The motion passed.

7.1.3 Motion by Robert Evnen, second by Mark Quandahl: To adopt Option Two setting the cut scores for the Alternate Assessment in Reading.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Scheer, Evnen, Timm
Absent: O'Holleran

The motion passed.

7.1.4 Motion by Robert Evnen, second by Patricia Timm: To grant the Commissioner the authority to contract with the Wisconsin Center for Education Products and Service for an alignment study with NeSA-AAM the alternate math assessment.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Scheer, Evnen, Timm
Absent: O'Holleran

The motion passed.

8. CONSENT AGENDA

Motion by Rebecca Valdez, second by Mark Quandahl: To approve the Consent Agenda as published.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Scheer, Evnen, Timm
Absent: O'Holleran

The motion passed.

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

10.4 Commissioner Breed advised the Board of the upcoming events for Administrator Days on August 3-5.

President Scheer requested that item 2.9 State Board Retreat be added to the August work session agenda and asked that the Policy Committee review G-11, G-12 and D-1 prior to the August meeting.

A discussion on the Early Childhood Interagency Council will be scheduled for the August meeting.

There being no further business to come before the Board, president Scheer adjourned the meeting at 11:59 a.m.

NeSA-AA

Proposed Cut Scores
Impact Data of Meets and Exceeds – Combined
Based on 2011 Test Results

		READING – Alternate Assessment		
Grade	**Math 2011 Alternate Assessment**	***Option One:* Reading 2011 New Results**	**Reading 2010 Alternate Assessment**	***Option Two: Combined Results Within Range***
Grade 3	71%	68%	70%	68%
Grade 4	66%	72%	71%	72%
Grade 5	66%	73%	71%	69%
Grade 6	63%	64%	69%	69%
Grade 7	63%	63%	71%	63%
Grade 8	65%	72%	71%	70%
Grade 11	61%	70%	75%	70%

EMBARGOED

NeSA-M Recommendations

Percent in Level

	Option 1 - Bookmark			Option 2 - Contrasting Groups			Option 3 - Average of 1 & 2			Option 4 - Articulated			Option 5- Board		
	Below	Meets	Exceeds	Below	Meets	Exceeds	Below	Meets	Exceeds	Below	Meets	Exceeds	Below	Meets	Exceeds
3	22.3	35.7	42.0	26.9	65.5	7.6	26.9	55.6	17.5	24.6	53.1	22.3	[illegible]	[illegible]	17.5
4	20.2	40.9	38.9	32.4	56.1	11.5	27.0	52.3	20.7	24.5	54.8	20.7	32.4	[illegible]	15.9
5	22.8	37.8	39.4	31.5	59.9	8.6	29.1	53.2	17.7	26.9	50.6	[illegible]	[illegible]	[illegible]	17.7
6	18.0	31.7	50.3	27.8	58.5	13.7	23.5	48.9	27.6	27.8	49.1	[illegible]	37.3	44.3	18.4
7	26.1	33.4	40.5	38.5	48.7	12.8	33.2	43.6	23.2	30.6	[illegible]	23.2	[illegible]	45.3	16.2
8	23.0	29.2	47.8	34.8	53.2	12.0	30.3	45.7	24.0	32.6	43.4	24.0	39.5	44.5	16.0
11	37.8	21.0	41.2	46.0	41.0	13.0	44.1	32.1	23.8	39.8	[illegible]	[illegible]	46.0	32.8	21.2

Scale Score Ranges

	Option 1 - Bookmark			Option 2 - Contrasting Groups			Option 3 - Average of 1 & 2			Option 4 - Articulated			Option 5 - Board		
	Below	Meets	Exceeds	Below	Meets	Exceeds	Below	Meets	Exceeds	Below	Meets	Exceeds	Below	Meets	Exceeds
3	1 to 83	84 to 116	117 to 200	1 to 89	90 to 163	164 to 200	1 to 89	[illegible]	[illegible]	1 to 84	85 to 134	135 to 200	1 to 84	85 to 134	135 to 200
4	1 to 79	80 to 119	120 to 200	1 to 92	93 to 155	156 to 200	[illegible]	[illegible]	[illegible]	1 to 84	85 to 134	135 to 200	1 to 84	85 to 134	135 to 200
5	1 to 80	81 to 118	119 to 200	1 to 90	91 to 166	167 to 200	[illegible]	[illegible]	[illegible]	1 to 84	85 to 134	135 to 200	1 to 84	85 to 134	135 to 200
6	1 to 72	73 to 107	108 to 200	1 to 84	85 to 154	[illegible]	[illegible]	[illegible]	133 to 200	1 to 84	85 to 134	135 to 200	1 to 84	85 to 134	135 to 200
7	1 to 80	81 to 116	117 to 200	1 to 94	95 to 158	[illegible]	[illegible]	[illegible]	135 to 200	1 to 84	85 to 134	135 to 200	1 to 84	85 to 134	135 to 200
8	1 to 74	75 to 108	109 to 200	1 to 88	89 to 163	[illegible]	[illegible]	84 to 134	135 to 200	1 to 84	85 to 134	135 to 200	1 to 84	85 to 134	135 to 200
11	1 to 83	84 to 113	114 to 200	1 to 95	96 to 168	169 to 200	[illegible]	93 to 137	138 to 200	1 to 84	85 to 134	135 to 200	1 to 84	85 to 134	135 to 200

EMBARGOED