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NEBRASKA STATE BOARD OF EDUCATION
Nebraska Department of Education
Minutes of the State Board of Education Meeting
January 10-11, 2013

MINUTES OF THE WORK SESSION – Thursday, January 10, 2013

The State Board of Education met for purposes of a work session on Thursday, January 10, 2013, beginning at 2:00 p.m. The work session was held at the State Office Building in the State Board Meeting Room in Lincoln, Nebraska. Publicized notice of the work 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 date, time and location of the meeting.

1. CALL TO ORDER

- 1.1 Mark Quandahl, Acting President, called the meeting to order at 2:40 p.m. Roll call showed the following members present: Lynn Cronk, Mark Quandahl, John Sieler, Molly O’Holleran, Rebecca Valdez, Patricia Timm, Lillie Larsen and Rachel Wise. Commissioner Breed was also present.
- 1.2 Mr. Quandahl announced the placement of the Open Meetings Act.
- 1.3 Commissioner Breed welcomed and recognized newly-elected State Board members.

2. REPORTS AND DISCUSSIONS

- 2.1 Legislative Update
 - 2.1.1 State
Commissioner of Education, Roger Breed, provided information regarding the Legislative Session and Committee Chairs and members. Assistant Commissioner Brian Halstead will provide ongoing information regarding legislative activity. (Handout)
 - 2.1.2 Federal
Commissioner Breed provided information regarding federal legislative matters. (Handout)

Mark Quandahl reminded Board members of the January 28, 2013, Legislative Retreat scheduled to begin at 9:00 a.m.

- 2.2 Joel Scherling, Department of Education representative, discussed the 2013-2015 NDE-NAPE/AFSCME Bargaining Agreement.
- 2.3 Russ Inbody, Department of Education representative, discussed revisions to Rule 9 (92 NAC 2), *Uniform System of Accounting for Nebraska Public School Districts*.
- 2.4 Sharon Katt, Pat Madsen and Kevin Peters, Department of Education representatives, discussed revisions to Rule 24 (92 NAC 24), *Regulations for Certificate Endorsement sand the "Guidelines Recommended for Use with Rule 24"*.
- 2.5 Sharon Katt, Pat Madsen and Kevin Peters, Department of Education representatives, discussed potential changes to testing requirements for teacher preparation program entrance and teacher certification.

3. PRESENTATION

- 3.1 Matt Hastings, Cory Epler, and Rich Katt, Department of Education representatives, provided an update on Nebraska Career Education. (Handout)

There being no further business to come before the Board, Mr. Quandahl adjourned the meeting at 4:50 p.m.

MINUTES OF THE MEETING – Friday, January 11, 2013

The State Board of Education met for purposes of a business meeting on Friday, January 11, 2012, beginning at 9:00 a.m. The meeting was held at the State Office Building in the State Board Meeting Room in Lincoln, Nebraska. Publicized notice of the meeting 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 date, time and location of the meeting.

1. CALL TO ORDER

- 1.1 Acting President Mark Quandahl called the meeting to order at 9:05 a.m. Roll call showed the following members present: Lynn Cronk, Lillie Larsen, Mark Quandahl, John Sieler, Molly O'Holleran, Rebecca Valdez, Patricia Timm, and Rachel Wise. Commissioner Breed was also present.
- 1.2 Acting President Quandahl led the Pledge of Allegiance.
- 1.3 Acting President Quandahl announced the placement of the Open Meetings Act.

2. APPROVAL OF MINUTES

2.1 Motion by Rebecca Valdez, second by Patricia Timm: To approve the minutes of the December 6-7, 2012, State Board of Education meeting.

Voting Yes: Cronk, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise
Abstain: Larsen

The motion passed.

2013 ORGANIZATION OF THE STATE BOARD OF EDUCATION

Motion by Patricia Timm, second by Molly O'Holleran: That Officers of the State Board of Education be elected to serve a one-year term.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

Motion by Lynn Cronk, second by Rebecca Valdez: Voting for Officers shall be by secret ballot, the results of the voting to be announced during the meeting and following the announcement of the vote, the ballots to be destroyed.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

President of the State Board of Education

Acting President Quandahl opened nominations for President of the State Board of Education.

Lynn Cronk nominated Patricia Timm for President. There being no further nominations, Mr. Quandahl closed nominations for President.

Mr. Quandahl appointed Margaret Worth and Lora Sypal to distribute, collect and tally the votes for President of the State Board.

Mr. Quandahl announced the results to be 8 votes for Patricia Timm.

Newly elected President Patricia Timm Scheer expressed appreciation for the confidence of the Board.

Vice President of the State Board of Education

President Timm opened nominations for Vice President of the State Board of Education.

John Sieler nominated Mark Quandahl. There being no further nominations, President Timm closed nominations.

President Timm appointed Margaret Worth and Lora Sypal to distribute, collect and tally the votes for Vice President of the State Board.

President Timm announced the results to be 8 votes for Mark Quandahl.

Committee Assignments

President Timm announced the Board Committee Chairs and members.

The Legislative Committee will be chaired by Mark Quandahl. Members of the Legislative Committee are Patricia Timm, Lynn Cronk and Rachel Wise.

The Policy Committee will be chaired by Rebecca Valdez. Members of the Policy Committee are Lillie Larsen, Molly O'Holleran and John Sieler.

The Standards Committee will be chaired by Lynn Cronk. Members of the Standards Committee are Rachel Wise, John Sieler, and Rebecca Valdez.

The Accountability Committee will be chaired by Molly O'Holleran. Members of the Accountability Committee are Mark Quandahl, Lillie Larsen and Rachel Wise.

The Commissioner's Evaluation Committee will be chaired by Patricia Timm. Members of the Commissioner's Evaluation Committee are Mark Quandahl, Lynn Cronk and Rebecca Valdez. This committee meets only when necessary.

In addition, Molly O'Holleran will serve on the NASBE Government Committee and John Sieler will serve on the NASBE Learners and Learning Committee.

3. APPROVAL OF AGENDA for January 11, 2013

Commissioner Breed recommended removing Action Item 7.7 from the January Agenda for action at a later meeting.

Motion by Mark Quandahl, second by Rebecca Valdez: To approve the Agenda with the recommended removal of Item 7.7.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

4. PUBLIC PARTICIPATION

- Jane Svoboda, citizen, speaking to kindness schools
- Jay Sears, NSEA, offering congratulations to new officers and board members, and in support of Action Items 7.3 and 7.4
- Jon Habben, Executive Director of NRCSA, congratulating new board members and officers; and inviting the State Board to the 2013 spring conference in Kearney on March 21-22 to hold a Q&A session
- Jeremy Murphy, Representing Education Issues for Nebraska Catholic Conference, Federation of Catholic School Parents, and American Private Education, welcomed new members and challenged the Board to examine what it would take to make Nebraska 1 in student achievement?

Commissioner Breed noted that Mike Teahon, the Superintendent from Gothenburg and GNS representative, was also present.

7. ACTION ITEMS

7.1 Motion by Rachel Wise, second by Mark Quandahl: To approve the 2013-15 NDE NAPE/AFSCME bargaining agreement.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

7.2 Motion by Lillie Larsen, second by Molly O'Holleran: To grant the Commissioner the authority to contract with Aspect, Inc., to update the Data Reporting System (DRS) to full functionality.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

7.3 Motion by Molly O'Holleran, second by Lynn Cronk: To approve revisions to Rule 24 (92 NAC 24), *Regulations for Certificate Endorsements*.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

7.4 Motion by Lillie Larsen, second by Molly O'Holleran: To approve revisions to the *Guidelines Recommended for Use with Rule 24*.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

7.5 Motion by Molly O'Holleran, second by Rachel Wise: To authorize the Commissioner to approve competitive grant funding recommendations for the state-funded Bridge program.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

7.6 Motion by Mark Quandahl, second by John Sieler: To grant the Commissioner the authority to contract with the University of Nebraska-Lincoln to conduct a study of the effectiveness of the NeModel of Positive Behavioral Interventions and Supports (PBiS) training plan.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

7.7 Item 7.7 was removed from the January Agenda.

8. CONSENT AGENDA

Motion by Mark Quandahl, second by Lynn Cronk: To approve the Consent Agenda as published.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

- 10.1 Commissioner Breed reminded Board Members of the luncheon scheduled for February 4, 2013, with NASCD.

Commissioner Breed reminded Board members of the invitation to host a panel at the March 21 NRCSA conference in Kearney.

Commissioner Breed announced the dates of the Data Conference to be April 29-30, 2013, in Kearney, Nebraska.

Commissioner Breed informed the Board of his travel schedule during the week of January 21 when he will be travelling west to ESU 13 with visits to Gothenburg, Sidney, Mitchell, Morrill, Gering, and North Platte.

Board Member Rebecca Valdez sought information regarding responses to Board work commented on at public meetings.

Commissioner Breed invited Mike Teahon, Superintendent at Gothenburg, to comment on school safety plans.

- 10.4 Mark Quandahl, Chair of the Legislative Committee, reminded Board members of the Legislative Retreat on January 28, 2013, beginning at 9:00 a.m. in the State Board Meeting Room at the Nebraska State Office Building. He also informed members that breakfasts will be held with state senators in February, March and April during the State Board Meetings.

Mr. Quandahl also encouraged Board members to attend hearings, testify to board positions, and to otherwise get involved with legislative issues concerning the State Board of Education.

5. HEARINGS

- 5.1 A hearing was held in NDE Case No. 12-16, Commissioner v. Todd Beran. Minutes of the hearing is attached.
- 5.2 A hearing was held in NDE Case No. 12-17, Commissioner v. Rachel Johnson. Minutes of the hearing is attached.

6. EXECUTIVE SESSION

Motion by Mark Quandahl, second by Molly O'Holleran: To move into Executive Session to deliberate and receive advice from Legal Counsel on contested cases; and, for the protection of the public interest, to receive advice from legal counsel concerning pending litigation.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed. At 10:49 a.m., the Board moved to Executive Session to deliberate and receive advice from Legal Counsel on contested cases; and, for the protection of the public interest, to receive advice from legal counsel concerning pending litigation.

Motion by Rebecca Valdez, second by Molly O'Holleran: To adjourn the Executive Session of the Board and return to the regular business meeting of the Board.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed. At 11:12 a.m., the Board adjourned the Executive Session of the Board and return to the regular business meeting of the Board.

7. ACTION ITEMS

7.8 Motion by Molly O'Holleran, second by Mark Quandahl: In *Commissioner v. Todd Beran*, NDE Case No. 12-16, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, suspending Respondent's teaching certificate for a period of one year, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

7.9 Motion by mark Quandahl, second by Lynn Cronk: In *Commissioner v. Rachel Johnson*, NDE Case No. 12-17, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, suspending Respondent's teaching certificate for a period of one year beginning August 1, 2012, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Cronk, Larsen, Quandahl, Valdez, Sieler, Timm, O'Holleran, Wise

The motion passed.

9. SPECIAL PRESENTATIONS AND DISCUSSIONS

- 9.1 Jeff Cole, Network Lead for the Nebraska Community Learning Center Network, Nebraska Children and Families Foundation provided information on the School-Community Partnerships for out of school time programs and how such programs can expand learning for Nebraska Youth.

President Timm reminded the Board that the next meeting of the Board will be the Legislative Retreat on January 28, 2013, beginning at 9:00 a.m.

The February meeting of the Board will be February 4 and 5, beginning the work session on Monday, February 4, at 10:00 a.m. Committee meetings of the Board will be held prior to the beginning of the work Session. The luncheon with NASCD will follow the work session at 11:30 a.m. Board members are encouraged to attend and/or participate in legislative hearings held the afternoon of February 4, 2013, if appropriate.

Board members will meet with senators at 7:30 a.m. on Tuesday, February 5. The regular meeting of the Board will begin at 9:00 a.m. following the breakfast.

There being no further business to come before the Board, President Timm adjourned the meeting at 11:48 a.m.

STATE BOARD OF EDUCATION

State Office Building, Sixth Floor
301 Centennial Mall South
Lincoln, Nebraska 68509

MINUTES OF HEARING

Roger D. Breed v. Todd Beran, Case No.12-16

10:30 a.m.

January 10, 2013

The State Board of Education met on January 10, 2013, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No., *Roger D. Breed, Commissioner v. Todd Beran*. Publicized notice of the hearing was given by posting notice on the Department's website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Patricia Timm declared a quorum present and called the hearing to order at 10:43 a.m. The following State Board of Education members were present:

Patricia Timm	Rachel Wise	Mark Quandahl	Lillie Larsen
Rebecca Valdez	John Sieler	Molly O'Holleran	Lynn Cronk

President Timm noted that the Nebraska Professional Practices Commission recommended in the case report that the Board suspend the Nebraska Public Schools teaching certificate of the Respondent for a period of one year. She stated that the Board was provided with a copy of the case file containing the recommended Findings of Fact, Conclusions of Law, and Recommendation, and copies of all pleadings, exhibits, and testimony, which were marked as Exhibit 1. A copy of the Notice of Hearing was marked as Exhibit 2. Hearing no objections, the Exhibits were received.

Kathi Vontz, representing the Nebraska Professional Practices Commission, presented a summary of the case report and recommended that the Respondent's certificate be suspended for a period of one year.

Brian Halstead, General Counsel, appeared on behalf of the Commissioner of Education in support of the recommendation of the Professional Practices Commission.

The Respondent was not present nor represented by Counsel.

There being no further testimony, President Timm adjourned the hearing on Case No. 12-16 at 10:45 a.m.

STATE BOARD OF EDUCATION

State Board Meeting Room
State Office Building, Sixth Floor
301 Centennial Mall South
Lincoln, Nebraska 68509

MINUTES OF HEARING

Roger D. Breed v. Rachel Johnson, Case No.12-17

10:30 a.m.

January 10, 2013

The State Board of Education met on January 10, 2013, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No. , *Roger D. Breed, Commissioner v. Rachel Johnson*. Publicized notice of the hearing was given by posting notice on the Department’s website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Patricia Timm declared a quorum present and called the hearing to order at 10:45 a.m. The following State Board of Education members were present:

Patricia Timm	Rachel Wise	Mark Quandahl	Lillie Larsen
Rebecca Valdez	John Sieler	Molly O’Holleran	Lynn Cronk

President Timm noted that the Nebraska Professional Practices Commission recommended in the case report that the Board suspend the Nebraska Public Schools teaching certificate of the Respondent for a period of one year beginning August 1, 2012. She stated that the Board was provided with a copy of the case file containing the recommended Findings of Fact, Conclusions of Law, and Recommendation, and copies of all pleadings, exhibits, and testimony, which were marked as Exhibit 1. A copy of the Notice of Hearing was marked as Exhibit 2. Hearing no objections, the Exhibits were received.

Kathi Vontz, representing the Nebraska Professional Practices Commission, presented a summary of the case report and recommended that the Respondent's certificate be suspended for a period of one year beginning August 1, 2012.

Brian Halstead, General Counsel, appeared on behalf of the Commissioner of Education in support of the recommendation of the Professional Practices Commission.

The Respondent was not present nor represented by Counsel.

There being no further testimony, President Timm adjourned the hearing on Case No. 12-

17 at 10:47 a.m.