

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 the State Board of Education Meeting
May 6-7, 2013

MINUTES OF THE WORK SESSION – Monday, May 6, 2013

The State Board of Education met for purposes of a work session on Monday, May 6, 2013, beginning at 1:00 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 President Timm called the meeting to order at 1:05 p.m. Roll call showed the following members present: Lynn Cronk, Mark Quandahl, John Sieler, Molly O’Holleran, Rebecca Valdez, Patricia Timm, and Lillie Larsen. Rachel Wise was absent but was expected to arrive later. Commissioner Breed was also present.
- 1.2 President Timm announced the placement of the Open Meetings Act.

2. REPORTS AND DISCUSSIONS

2.1 Legislative Update

- 2.1.1 Brian Halstead, Assistant Commissioner of Education, provided an update on State legislative action and bills. (Handout: May 6 & 7 Legislative Bills)
- 2.1.2 Brian Halstead, Assistant Commissioner of Education, provided an update on Federal legislation.
- 2.2 Ed Foy, Valorie Foy and John Moon, Department of Education Representatives, discussed the Data Recognition Corporation (DRC) contract. (Handout: NeSA Budget – 2013-14 compared to 2012-13)
- 2.3 Valorie Foy and Ed Foy, Department of Education Representatives, discussed the upcoming release of the Nebraska State Accountability-Writing (NeSA) test results.

- 2.4 Shane Rhian and Russ Inbody, Department of Education representatives, discussed 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.
- 2.5 Freida Lange, Department of Education representative, discussed accreditation of Educational Service Units for the 2013-14 School Year under Rule 84 (92 NAC 84), *Regulations for Educational Service Units*.
- 2.6 Freida Lange, Department of Education representative, discussed classification of the Interim-Program Schools as approved to operate for the 2013-14 School Year under Rule 18 (92 NAC 18), *"Regulations and Procedures for the Approval of Interim-Programs Schools in County Detention Homes, Institutions, and Juvenile Emergency Shelters."*
- 2.7 Diane Stuehmer and Randy McIntyre, Department of Education representatives, provided an update on School Improvement Grant (SIG) recipients.
- 2.8 Sharon Katt, Kevin Peters, Pat Madsen, Department of Education representatives, discussed a plan for implementation of a revised testing requirement for admission to Nebraska educator preparation programs and for educator certification content testing.
- 2.9 Donlynn Rice, Jim Havelka and Nancy Becker, Department of Education representatives, provided an update on Teacher/Principal Evaluation Model Development. (Handout: PowerPoint dated May 6, 2013; 13 Steps to Ensure a Smooth Transition)
- Dr. Nancy Becker will take over upon the retirement of Jim Havelka.
- 2.10 President Timm and Vice President Quandahl discussed the Commissioner's Selection Process.

President Timm called for a break at 2:43 p.m. The meeting resumed at 3:00 p.m.
Rachel Wise arrived at 3:05 p.m.

3. PRESENTATIONS

President Timm outlined the procedure for the interview of the search firms. Joel Scherling, Department of Education representative, introduced the search firms in the following order:

- Dr. Hank Gmitro--Hazard, Young, Attea & Associates (Packet of supplemental material)

- Gary Solomon—PROACT Search (Packet of supplemental material)
- Gary Ray, Dr. Dick Christie, Dr. Ed Rastovski—Ray and Associates (Packet of supplemental material)

President Timm adjourned the work session at 4:32 p.m.

TUESDAY, MAY 7, 2013 – STATE BOARD OF EDUCATION BUSINESS MEETING

The State Board of Education met for purposes of a meeting on Tuesday, Tuesday, May 7, 2013, 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

President Timm called the meeting to order at 9:07 a.m. Roll call showed the following members present: Lynn Cronk, Rachel Wise, John Sieler, Molly O’Holleran, Rebecca Valdez, Patricia Timm, Mark Quandahl, and Lillie Larsen. Commissioner Breed was also present.

1.2 President Timm led the Pledge of Allegiance.

1.3 President Timm announced the placement of the Open Meetings Act.

2. APPROVAL OF MINUTES

Motion by Lillie Larsen, second by Rachel Wise: To approve the minutes of the April 8-9, 2013 meeting.

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

Motion passed.

3. APPROVAL OF THE AGENDA

Commissioner Breed advised the Board that Consent Agenda Item 8.6.1 was requested to have a separate vote from the Consent Agenda.

Motion by Rebecca Valdez, second by Lynn Cronk: To approve the agenda for May 7, 2013, as published.

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

The motion passed.

4. PUBLIC COMMENT

- Jay Sears, Nebraska State Education Association, speaking to Action Item 7.6; and common core state standards
- Rachel Pinkerton, LEAP, speaking to common core state standards

7. ACTION ITEMS

7.1 No action taken.

7.2 Motion by Molly O'Holleran, second by Lynn Cronk: To approve accreditation of Educational Service Units for the 2013-2014 School Year under Rule 84 (92 NAC 84), *Regulations for Educational Service Units*, as listed.

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

The motion passed.

7.3 Motion by Lillie Larsen, second by Rebecca Valdez: To 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*, as listed.

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

The motion passed.

7.4 Motion by John Sieler, second by Rebecca Valdez: To grant the Commissioner the authority to continue contracting with Data Recognition Corporation (DRC).

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

The motion passed.

- 7.5 Motion by Lynn Cronk, second by Rachel Wise: To authorize the Commissioner to contract for services to assist with the Design/Pilot Schools for Teacher and Principal Evaluations.

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

The motion passed.

- 7.6 Motion by Lynn Cronk, second by Molly O'Holleran: To authorize a plan for implementation of a revised testing requirement for admission to Nebraska educator preparation programs and for educator certification content testing.

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

The motion passed.

- 7.7 Motion by Mark Quandahl, second by Rebecca Valdez: To authorize the State Board of Education President to negotiate and enter into a contract with PROACT Search, LLC.

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

The motion passed.

Members of the Board thanked President Timm and the Search Committee for their leadership and work on the search process. The Board also acknowledged Margaret Worth, Joel Scherling and Brian Halstead, for their assistance in the process.

8. CONSENT AGENDA

- 8.6.1 This item was removed from the Consent Agenda at the request of Board Member Rachel Wise to allow her to abstain from discussion and voting so as to avoid any appearance of impropriety because one of the contracts covered by this item is with a relative, but not an immediate family member.

Motion by Molly O'Holleran, second by Rebecca Valdez: To grant the commissioner the authority to approve medical consultant contracts for the Disability Determinations Section.

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

The motion passed.

Motion by Rebecca Valdez, second by Rachel Wise: To approve the remaining items on the Consent Agenda as published.

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

The motion passed.

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

- 10.1 President Timm reminded Board Members of the July 31, 2013, NDE Day at Administrators' Days in Kearney.
- 10.2 Member Rachel Wise advised the Board that she will be attending the Career Education Conference in Kearney on June 5, 2013.
- 10.3 President Timm reviewed the following upcoming meetings with the Board:
 - 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.
 - President Timm appointed Molly O'Holleran to represent the State Board on the Nebraska Governor's Nebraska Technical Advisory Committee (TAC).
- 10.4 Chair Molly O'Holleran provided a report from the State Accountability Ad Hoc Committee.
- 10.5 Chair Mark Quandahl provided a report from the Legislative Committee.
- 10.6 Chair Rebecca Valdez reported on the next policy review by the Policy Review Committee.
- 10.7 Chair Patricia Timm reported on the Commissioner Search Committee.

President Timm called for a break at 10:14 a.m. The meeting resumed at 10:30 a.m.

5. HEARINGS

- 5.1 A hearing was held in NDE Case No. 13-03, *Commissioner vs. Michael Pollock*. [Minutes](#) of the hearing are attached.

- 5.2 A hearing was held in NDE Case No. 13-04, *Commissioner vs. Nathan Richter*. [Minutes](#) of the hearing are attached.
- 5.3 A hearing was held in NDE Case No. 13-05, *Commissioner vs. Ann Gigstad*. [Minutes](#) of the hearing are attached.
- 5.4 A hearing was held in NDE Case No. 13-06, *Commissioner vs. Keri Watkins*. [Minutes](#) of the hearing are attached.
- 5.5 A hearing was held in NDE Case No. 13-07, *Commissioner vs. Michael Loftin, Jr.* [Minutes](#) of the hearing are attached.
- 5.6 A hearing was held in NDE Case No. 13-08, *Reinstatement of Cherry Canas*. Minutes of the hearing are attached.

6. EXECUTIVE SESSION

Motion by Mark Quandahl, second by Lynn Cronk: To move into Executive Session to deliberate and receive advice from Legal Counsel on contested cases.

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

The motion passed. At 11:07 a.m., the Board moved into Executive Session to deliberate and receive advice from Legal Counsel on contested cases.

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

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

The motion passed. At 11:40 a.m., the State Board adjourned the Executive Session of the Board and returned to the regular business meeting.

7. ACTION ITEMS

- 7.14 Motion by John Sieler, second by Rachel Wise: In Case No. 13-02, *Mitchell v. Hershey Public Schools*, to adopt the Hearing Officer's Proposed Findings of Fact and Recommended Conclusions of Law, affirm the Respondent's decision to deny the Petitioner's option enrollment application, and adopt the Final Order prepared by Legal Counsel.

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

The motion passed.

- 7.8 Motion by Lynn Cronk, second by Molly O'Holleran: In *Commissioner v. Michael Pollock*, NDE Case No. 13-03, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, permanently revoking the Respondent's teaching certificate, and to adopt the Final Order proposed by Legal Counsel.

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

The motion passed.

- 7.9 Motion by Rachel Wise, second by Lynn Cronk: In *Commissioner v. Nathan Richter*, NDE Case No. 13-04, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, suspending the Respondent's teaching certificate for a period of one year, and to adopt the Final Order proposed by Legal Counsel.

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

The motion passed.

- 7.10 Motion by Mark Quandahl, second by John Sieler: In *Commissioner v. Ann Gigstad*, NDE Case No. 13-05, that this Board adopt the Findings of Fact and Conclusions of Law of the Nebraska Professional Practices Commission. However, this Board has determined that a one-year suspension as opposed to a revocation is warranted. Therefore, the Respondent's teaching certificate shall be suspended for a period of one year from the date of her resignation, April 27, 2012, and to adopt the final order proposed by legal counsel.

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

The motion passed.

- 7.11 Motion by Mark Quandahl, second by John Sieler: In *Commissioner v. Keri Watkins*, NDE Case No. 13-06, that this Board adopt the Findings of Fact and Conclusions of Law of the Nebraska Professional Practices Commission. However, this Board has determined that a one-year suspension as opposed to a revocation is warranted. Therefore, the Respondent's teaching certificate shall be suspended for a period of one year from the date of her resignation, April 27, 2012, and to adopt the final order proposed by legal counsel.

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

The motion passed.

7.12 Motion by Lillie Larsen, second by Molly O'Holleran: In *Commissioner v. Michael Loftin, Jr.*, NDE Case No. 13-07, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, revoking the Respondent's teaching certificates for a period of two years, and to adopt the Final Order proposed by Legal Counsel.

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

The motion passed.

7.13 Motion by Molly O'Holleran, second by Rachel Wise: In *the Matter of the Reinstatement of Cherry Canas*, NDE Case No. 13-08, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, finding that Petitioner should be allowed to apply for her teaching certificate, and to adopt the Final Order proposed by Legal Counsel.

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

The motion passed.

President Timm advised Board Members that the June 6-7, 2013, Board Work Session and Meeting will include a session with the Commissioner search firm, PROACT Search. Board Members are asked to plan on a full day on Friday, June 7.

President Timm recessed the meeting at 11:55 a.m. in order to continue the meeting with members of the Education Committee of the Nebraska Legislature.

TUESDAY, MAY 7, 2013 - LUNCH

The Nebraska State Board of Education met with members of the Education Committee of the Nebraska Legislature for a luncheon meeting. The meeting was held at the State Capitol, Room 1126, at 1445 K Street, Lincoln, Nebraska. Board members present were Patricia Timm, Mark Quandahl, Rebecca Valdez, John Sieler, Molly O'Holleran, Lynn Cronk, Rachel Wise, and Lillie Larsen. Commissioner Breed was also present.

President Timm opened the meeting at 12:40 p.m. Senator Kate Sullivan addressed the Board and discussed various education related issues. A general discussion of those issues ensued.

There being no further business to come before the Board, President Timm adjourned the meeting at 1:21 p.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. Michael Pollock, Case No. 13-03
10:30 a.m., May 7, 2013

The State Board of Education met on May 7, 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.13-03, *Roger D. Breed, Commissioner v. Michael Pollock*. 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 10:32 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 permanently revoke the Nebraska teaching certificate of the Respondent. 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 permanently revoked.

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. 13-03 at 10:36 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. Nathan Richter, Case No. 13-04
10:30 a.m., May 7, 2013

The State Board of Education met on May 7, 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.13-04, *Roger D. Breed, Commissioner v. Nathan Richter*. 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 10:36 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 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. 13-04 at 10:40 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. Ann Gigstad, Case No. 13-05
10:30 a.m., May 7, 2013

The State Board of Education met on May 7, 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.13-05, *Roger D. Breed, Commissioner v. Ann Gigstad*. 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 10:40 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 revoke the Nebraska 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 revoked 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 present and represented by counsel, Rick Wade, requesting consideration of a reprimand or suspension instead of a revocation.

There being no further testimony, President Timm adjourned the hearing on Case No. 13-05 at 10:52 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. Keri Watkins, Case No. 13-06
10:30 a.m., May 7, 2013

The State Board of Education met on May 7, 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.13-06, *Roger D. Breed, Commissioner v. Keri Watkins*. 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 10:52 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 revoke the Nebraska 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 revoked 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 but was represented by counsel, Rick Wade, requesting consideration of a reprimand or suspension instead of a revocation.

There being no further testimony, President Timm adjourned the hearing on Case No. 13-06 at 10:59 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. Michael Loftin, Jr., Case No. 13-07
10:30 a.m., May 7, 2013

The State Board of Education met on May 7, 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.13-07, *Roger D. Breed, Commissioner v. Michael Loftin, Jr.* 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 10:59 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 the Nebraska certificate the Nebraska teaching certificate of the Respondent be revoked for a period of two years and that the Iowa certificate be reinstated prior to the reinstatement of the Nebraska certificate. 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 revoked for a period of two years and that the Iowa certificate be reinstated prior to reinstatement of the Nebraska certificate.

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. 13-07 at 11:02 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
In the Matter of the Reinstatement of Cherry Canas
10:30 a.m., May 7, 2013

The State Board of Education met on May 7, 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.13-08, *In the Matter of the Reinstatement of Cherry Canas*. 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 11:02 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 allow Respondent to apply for reinstatement of the Nebraska teaching certificate. 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 be allowed to apply for reinstatement of a Nebraska certificate.

Brian Halstead, General Counsel, appeared on behalf of the Commissioner of Education.

The Petitioner appeared and asked that she be allowed to apply for a new certificate.

There being no further testimony, President Timm adjourned the hearing on Case No. 13-08 at 11:07 a.m.