

State Board of Education Meeting Minutes

May 7-8, 2015

State Board Meeting Room

Lincoln, NE 68509-4987

1. CALL TO ORDER

1.1. Roll Call

Attendance Taken at 1:35 PM:

Present Board Members:

Rachel Wise

Glen Flint

Lillie Larsen

John Witzel

Molly O'Holleran

Patricia Timm

Maureen Nickels

Patrick McPherson

Commissioner Blomstedt was also present.

1.2. Announcement of the placement of the Open Meetings Act information

2. BOARD REPORTS, DATES AND DISCUSSION ITEMS

2.1. Presentation: Competency Based Education in Iowa

Sandra Dop, Ph.D., Director of Iowa CBE Collaborative

2.2. Presentation regarding the GED program

Sharon Katt, Vicki Bauer, Nebraska Department of Education representatives; and Christopher Turner, GED Testing Service

2.2.A. Request for Appearance

Ryan Hinz, speaking to GED – Adult Education

At 2:26 p.m., President Wise called for a break. The meeting resumed at 2:35 p.m.

2.3. Meeting participation and joint meetings with policy partners

Board Members discussed meeting attendance during April 2015.

2.4. Approve request for meeting attendance

Board Members discussed upcoming meetings and conferences and possible participation.

3. COMMISSIONER'S REPORT AND AGENDA OVERVIEW

3.1. Consent agenda process

4. DISCUSSION OF ACTION ITEMS

4.1. Policy Committee report

Lillie Larsen, Chair of the Policy Committee, reported on the meeting of the Committee.

4.1.A. Discuss proposed revisions to State Board Policy, B2, "Public Statements"

Lillie Larsen, Chair, reviewed revisions of State Board Policy B2.

At 3:12 p.m., President Wise called for break. The meeting resumed at 3:20 p.m.

4.2. Discuss the contract with Questar Assessment, Inc. to deliver the ELPA21 (English Language Proficiency Assessment for the 21st Century) for the spring 2016 administration

Diane Stuehmer, Nebraska Department of Education representative, discussed the contract with Questar Assessment, Inc.

4.3. Discuss the classification of Interim-Program Schools as approved to operate for the 2015-2016 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, Nebraska Department of Education representative, discussed the classification of Interim Program schools.

4.4. Discuss approval of accreditation of ESUs for the 2015-2016 School Year under Rule 84 (92 NAC 84), Regulations for Educational Service Units

Freida Lange, Nebraska Department of Education representative, discussed the approval of accreditation of ESUs.

4.5. Discuss the contract with University of Nebraska Board of Regents

Keri Bennett, Nebraska Vocational Rehabilitation representative, discussed the contract.

4.6. Discuss the contract with DHHS

Keri Bennett, Nebraska Vocational Rehabilitation representative, discussed the contract.

4.7. Discuss adoption of proposed revisions to Rule 21 (92 NAC 21) Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer on Nebraska Schools

Sharon Katt and Kevin Peters, Department of Education representatives discussed revisions to Rule 21. Ben Anderson, First Five Nebraska; spoke in support of the Rule going forward with a focus on early childhood endorsements as a next step.

4.8. Discuss the National Association of State Boards of Education (NASBE) Data Privacy Policy development efforts

Dean Folkers, Department of Education representatives, discussed the Data Privacy Policy.

5. COMMITTEE REPORTS AND OTHER ITEMS FOR DISCUSSION

5.1. AQuESTT

5.1.A. WAIVER

Commissioner Blomstedt spoke to AQuESTT and the waiver application.

5.1.B. TEACHING AND LEARNING

President Wise spoke to the Teaching and Learning domain of AQuESTT.

5.1.B.1. College & Career Ready

Board Member Lillie Larsen reported on the tenet meeting.

5.1.B.2. Assessment

Board Member Glen Flint reported on the tenet meeting.

5.1.B.2.1. Discuss contract for Data Recognition Corporation for assessment services

Valorie Foy, John Moon, and Jeremy Heneger, discussed the contract for DRC.

5.1.B.2.2. Discuss contract for Education Measurement Consulting for psychometric services

Valorie Foy, John Moon, and Jeremy Heneger, discussed the contract.

5.1.B.3. Educator Effectiveness

Board Member Maureen Nickels discussed the tenet meeting.

5.1.B.3.1. Report on the ESEA Equity Plan to be submitted to the US Department of Education by June 1, 2015

Diane Stuehmer, Sharon Katt, pat Madsen, and Marilyn Peterson, Department of Education representatives discussed Educator Effectiveness.

5.1.B.3.2. Discuss nominations for State Board Representatives to serve on the Nebraska Council on Teacher Education

Sharon Katt and Pat Madsen, Department of Education representatives, discussed the nominations.

5.1.C. STUDENT SUCCESS AND ACCESS

President Wise discussed the Student Success and Access domain.

5.1.C.1. Positive Partnerships, Relationships & Student Success

Board Member Molly O'Holleran discussed the tenet meeting.

5.1.C.2. Transitions

Board Member John Witzel discussed the tenet meeting.

5.1.C.3. Educational Opportunities & Access

Board Member Patricia Timm discussed the tent meeting.

6. ADJOURNMENT

President Wise adjourned the meeting at 5:05 p.m. Policy and Legislation will be discussed during the business meeting on Friday, May 8, 2015.

STATE BOARD OF EDUCATION MEETING - May 8, 2015, 9:00 a.m., State Board Meeting Room, Nebraska State Office Building, Lincoln, Nebraska.

1. CALL TO ORDER

1.1. Roll Call

Attendance Taken at 9:00 AM:

Present Board Members:

Rachel Wise

Glen Flint

Lillie Larsen

John Witzel

Molly O'Holleran

Patricia Timm

Maureen Nickels

Patrick McPherson

Commissioner Blomstedt was also present.

1.2. Pledge of Allegiance

1.3. Announcement of the placement of the Open Meetings Act information

2. APPROVAL OF THE MINUTES

2.1. Approve the minutes of the April 2-3, 2015, State Board of Education meeting as published.

Motion Passed: Approval of the April 2-3, 2015, Minutes of the State Board of Education meeting passed with a motion by Lillie Larsen and a second by Patricia Timm.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

3. APPROVAL OF AGENDA

3.1. Commissioner's recommendations and items to be removed from consent agenda

Motion Passed: Approval of the Agenda as recommended to include Work Session items Policy Committee Report and Legislative Report as additional items under Special Presentations and Discussions passed with a motion by Patricia Timm and a second by John Witzel.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

4. PUBLIC COMMENT PERIOD

- Debra Andrews, speaking to competency based education
- Richard Zierke, speaking to Neb. Rev. Stat. 79-8108
- Jay Sears, Nebraska State Education Association, speaking to AQuESTT and Educator Effectiveness tenet; Rule 21 and Early Childhood education
- Rachel Pinkerton, speaking to Teacher Appreciation week

4.1. REQUEST FOR APPEARANCE

4.1.A. 2015 Draft Nebraska Mathematics Standards

Henry Burke

President Wise called for a break at 9:36 a.m. The meeting resumed at 9:49 a.m.

5. HEARINGS

5.1. Hearing in NDE Case No. 15-02, Commissioner v. Michael McIntosh

The hearing was called to order at 10:10 a.m. by President Wise. Kathy Vontz, appearing on behalf of the Nebraska Professional Practices Commission, recommended that the Nebraska teaching certificate of the Respondent be revoked for a period of two years. Brian Halstead, appearing on behalf of Commissioner Matthew Blomstedt, spoke in support of the recommendation of the Professional Practices Commission. The Respondent was not present nor represented by Counsel. The hearing was closed at 10:14 a.m.

6. EXECUTIVE SESSION

Motion Passed: To move the State Board into executive session at 10:14 a.m. to deliberate and receive advice from Legal Counsel on contested cases passed with a motion by Lillie Larsen and a second by Molly O'Holleran.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

The State Board moved into executive session at 10:14 a.m. to deliberate and receive advice from Legal Counsel on contested cases.

Motion Passed: To adjourn the Executive Session of the State Board and return to the regular business meeting at 10:43 a.m. passed with a motion by Lillie Larsen and a second by Patricia Timm.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes

Molly O'Holleran Yes
Patricia Timm Yes
Maureen Nickels Yes
Patrick McPherson Yes

The Executive Session of the State Board adjourned and returned to the regular business meeting at 10:43 a.m.

7. ACTION ITEMS

7.1. Approve proposed revisions to State Board Policy B2, "Public Statements"

Motion Passed: Approval of proposed revisions to State Board Policy B2, "Public Statements" passed with a motion by Lillie Larsen and a second by Patricia Timm.

Rachel Wise Yes
Glen Flint Yes
Lillie Larsen Yes
John Witzel Yes
Molly O'Holleran No
Patricia Timm Yes
Maureen Nickels Yes
Patrick McPherson No

7.2. Grant the Commissioner the authority to classify Interim-Program Schools as approved to operate for the 2015-2016 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

Motion Passed: Approval to grant the Commissioner the authority to classify Interim-Program Schools as approved to operate for the 2015-2016 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 passed with a motion by John Witzel and a second by Patricia Timm.

Rachel Wise Yes
Glen Flint Yes
Lillie Larsen Yes
John Witzel Yes
Molly O'Holleran Yes
Patricia Timm Yes
Maureen Nickels Yes
Patrick McPherson Yes

7.3. Grant the Commissioner the authority to approve accreditation of ESUs for the 2015-2016 school year under Rule 84 (92 NAC 84), Regulations for Educational Service Units

Motion Passed: Approval to grant the Commissioner the authority to approve accreditation of ESUs for the 2015-2016 school year under Rule 84 (92 NAC 84), Regulations for Educational Service Units passed with a motion by Patricia Timm and a second by Patrick McPherson.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.4. Grant the Commissioner the authority to contract with Questar Assessment, Inc. to deliver the ELPA21 (English Language Proficiency Assessment for the 21st Century) for the spring 2016 administration

Motion Passed: Approval to grant the Commissioner the authority to contract with Questar Assessment, Inc. to deliver the ELPA21 (English Language Proficiency Assessment for the 21st Century) for the spring 2016 administration passed with a motion by John Witzel and a second by Maureen Nickels.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.5. Grant the Commissioner the authority to approve a contract with University of Nebraska Board of Regents

Motion Passed: Approval to grant the Commissioner the authority to approve a contract with University of Nebraska Board of Regents passed with a motion by Molly O'Holleran and a second by John Witzel.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.6. Grant the Commissioner the authority to approve a contract with DHHS

Motion Passed: Grant the Commissioner the authority to approve a contract with DHHS passed with a motion by John Witzel and a second by Patricia Timm.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.7. Consider the PPC's Recommended Decision in NDE Case No. 15-02, Commissioner v. Michael McIntosh

Motion Passed: In Commissioner v. Michael A. McIntosh, NDE Case No. 15-02, that this Board adopts the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, revoking Respondent's teaching certificate for a period of two years, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Glen Flint and a second by John Witzel.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.8. Adopt proposed revisions to Rule 21 (92 NAC 21) Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools

Motion Passed: Adopt the proposed revisions to Rule 21 (92 NAC 21) Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools and begin to explore include early childhood specialty passed with a motion by Patricia Timm and a second by Molly O'Holleran.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.9. Appoint State Board Representatives to the Nebraska Council on Teacher Education (NCTE)

Motion Passed: The State Board appoints the following individuals to serve on the Nebraska Council on Teacher Education (NCTE): Debra Freeze to continue to serve another term; the second position to remain vacant until a name is brought forward from the Board passed with a motion by Patricia Timm and a second by John Witzel.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.10. Consider Hearing Officer's Recommended Decision in Option Enrollment Case No. 15-01, Fisher v. Heartland Community Schools

Motion Passed: In Fisher v. Heartland Community Schools, Case No. 15-01, that this Board adopt the Hearing Officer's Proposed Findings of Fact, Recommended Conclusions of Law and Recommended Decision, affirm the Respondent's decision to deny the Petitioner's option enrollment application, and adopt the Final Order prepared by Legal Counsel passed with a motion by John Witzel and a second by Patricia Timm.

Rachel Wise	Yes
Glen Flint	No
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

8. APPROVAL OF CONSENT AGENDA

Motion Passed: Approval of the Consent Agenda passed with a motion by Lillie Larsen and a second by Glen Flint.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

9. SPECIAL PRESENTATIONS AND DISCUSSIONS

9.1. POLICY (Work Session carry over)

9.1.A. Policy Committee Report

Lillie Larsen, Chair, reported on the Policy Committee meeting.

9.2. LEGISLATION (Work Session carry over)

9.2.A. Legislative Committee report

Rachel Wise, Chair, reported on the Legislative Committee report.

9.2.B. State Legislation and Board Actions on legislative issues

Brian Halstead, Assistant Commissioner, reported on state legislation.

9.2.C. Federal Legislation and Board Actions on Federal Legislation

Brian Halstead, Assistant Commissioner, reported on federal legislation.

President Wise called for a break at 11:30 a.m. The meeting resumed at 11:40 a.m.

9.3. Voice Advocacy Center

Clarice Jackson, Director of Voice Advocacy Center, speaking about services of the Center for kids with dyslexia.

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

10.1. Meeting participation approval

Motion Passed: Approval of State Board Members requests to travel and attend meetings passed with a motion by Molly O'Holleran and a second by Maureen Nickels.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

12. ADJOURNMENT. President Wise adjourned the meeting at 12:06 p.m. The next meeting of the State Board of Education will be June 4 and 5, 2015.