

copy of the Final Order of Revocation to the Answer. He asked that the Commission hold a public hearing on the Petition and make an appropriate recommendation to the State Board of Education as is warranted by the evidence.

On or about February 28, 2011, Kathi Vontz, Clerk of the Commission, filed a Notice of Hearing which was sent to the Petitioner by U.S. Mail, postage prepaid and delivered by hand a copy of the same to the Commissioner's General Counsel. The Notice of Hearing advised that a public hearing on the Petition and Answer would be held on the 19th day of March, 2011, commencing at approximately 9:05 a.m., in the State Board Hearing Room, 6th Floor, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The Notice further advised that the hearing would be held before a designated hearing committee of the Commission, with Samuel Van Pelt serving as legal counsel to advise the Chair in the performance of his duties.

On or about March 3, 2011, Brian Halstead, General Counsel, filed a Motion to Continue the above referenced hearing. On or about March 4, 2011, Kathi Vontz, Clerk of the Commission, filed a Response to Motion for Continuance granting the motion.

On or about March 4, 2011, Kathi Vontz, Clerk of the Commission, filed a Rescheduled Notice of Hearing which was sent to the Petitioner by U.S. Mail, postage prepaid and delivered by hand a copy of the same to the Commissioner's General Counsel. The Notice of Hearing advised that a public hearing on the Petition and Answer would be held on the 15th day of June, 2011, commencing at approximately 9:15 a.m., in the State Board Hearing Room, 6th Floor, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The Notice further advised that the hearing would be held before a designated hearing committee of the Commission, with Samuel Van Pelt serving as legal counsel to advise the Chair in the performance of his duties.

The Petition and Answer came on for hearing at approximately 9:15 a.m. at the above time and place before a Hearing Panel of the Commission consisting of Commission Members Susan J. Anglemyer, Robert Beck, Sarah Brown, Susan Johnson, Raymond Keller, Jodi Kupper, Brian Maher, Cindy Serfass, Karen Shelton, Lana Sides, Jane Stavem and Lynn Strack. Commissioner Beck served as Chairperson. The proceedings were reported by Wendy Cutting of General Reporting Services, Lincoln, Nebraska. The Petitioner appeared in person. The Commissioner appeared by his General Counsel, Brian L. Halstead. Exhibits and testimony were received in evidence. Thereafter, the Petitioner and the Commissioner's General Counsel made their closing arguments.

Thereupon, the Commission adjourned and deliberated based on the record before it, and makes the following Findings of Fact, Conclusions of Law, and Recommendation to the State Board of Education:

II. FINDINGS OF FACT

1. The Petitioner, previously held a public Nebraska standard certificate number XXX-XX-0885, endorsed in Mild/Moderate Disabilities K-12, with an expiration date of August 31, 2009.
2. From the date of revocation until the date of the hearing, the Petitioner has not violated any laws, and has been gainfully employed.
3. The Petitioner has met the requirements of Neb. Rev. Stat., Section 79-1282 (Supp.1996) and Title 92, Nebraska Administrative Code, Chapter 21, for the issuance of teaching certificates, all as required by Neb. Rev. Stat. Section 79-869 (Supp.1996). The Petitioner understands those requirements and has stated that she will not violate nor fail to comply with any of the same if she is issued a new teaching certificate.

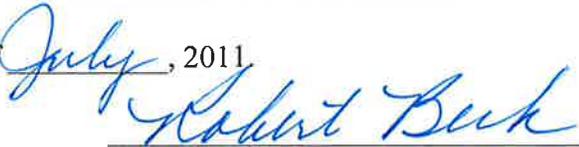
III. CONCLUSIONS OF LAW

1. The Commission has jurisdiction in this case and all proceedings have been in accordance with applicable Constitutional, Statutory, and Regulatory Requirements.
2. The Petitioner has proven by a preponderance of the evidence that she has met all the requirements of Neb. Rev. Stat. Section 79-806 through 79-815 (Reissue 2003), and Title 92, Nebraska Administrative Code, Chapter 21, for the issuance of a Nebraska teaching certificate, all as required by Neb. Rev. Stat. 79-869 (Reissue 2003).
3. The Petitioner has further proven by a preponderance of the evidence that she should be allowed to apply to the State Department of Education for the issuance of a new teaching certificate.

IV. RECOMMENDATION

Therefore, the Commission respectfully recommends to the State Board of Education that Sharon M. Kramer has met all of the statutory and regulatory requirements for the issuance of a Nebraska public schools teaching certificate, and that she accordingly be allowed to apply for the same before the Commissioner of Education, State of Nebraska.

Dated this 8th day of July, 2011.



Robert Beck, Chairperson
Hearing Committee
Nebraska Professional Practices Commission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Findings of Fact, Conclusions of Law, and Recommendation of the Commission was served upon Petitioner, Sharon M. Kramer, by U.S. Mail, postage prepaid. It was also hand delivered to Brian Halstead, General Counsel for the Commissioner, on this 8th day of July, 2011, at the following addresses.

Sharon M. Kramer
Petitioner
2802 Birchwood Road
North Platte, NE 69101

Brian L. Halstead
Attorney for Respondent
301 Centennial Mall South
Lincoln, NE 68528



Kathi Vontz
Clerk of the Commission

BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
STATE OF NEBRASKA

IN THE MATTER OF THE
REINSTATEMENT OF

Case No. 11-02

TRANSCRIPT

Sharon M. Kramer
2802 Birchwood Road
North Platte, NE 69101

VOLUME I of I
(Pages 1 through 15)
EXHIBITS 1-4

Nebraska State Office Building
301 Centennial Mall South
Department of Education Board Room
Sixth Floor
Lincoln, NE

Convened, pursuant to notice, at 9:30 a.m., on
June 15, 2011,

BEFORE:

ROBERT BECK, Hearing Officer.

COMMISSION MEMBERS PRESENT:

BRIAN MAHER, Chairperson; SUSAN ANGLEMEYER; SARAH
BROWN; SUSAN JOHNSON; RAYMOND KELLER; JODI KUPPER; CINDY
SERFASS; KAREN SHELTON; LANA SIDES; JANE STAVEM; and LYNN
STRACK.

OTHERS PRESENT:

KATHI VONTZ, Clerk of the Commission

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I N D E X

WITNESSES:

Direct Cross Redirect Recross

FOR THE PETITIONER:

Sharon Kramer	7	8	--	--
	- - -			

EXHIBITS:

Marked Offered Ruled On Found

1 Pleadings (15 pages)	5	6	6	Appendix
2 Title 92, Nebraska Administrative Code, Chapter 27 (16 pages)	5	6	6	Appendix
3 Title 95, Nebraska Administrative Code, Chapter 2 (11 pages)	5	6	6	Appendix
4 Letters of Reference (4 pages)	5	6	6	Appendix

- - -

Appearances				2
Reporter's Certificate				4
Motion				14
Decision				15

- - -

1 PROCEEDINGS:

2 (Exhibits 1 through 4 were marked for
3 identification.)

4 THE HEARING OFFICER: Ladies and gentlemen, I am
5 Robert Beck, chairperson of the hearing panel of the
6 Nebraska Professional Practices Commission. I convene this
7 hearing at 9:30 a.m. for the purpose of receiving evidence
8 on a petition filed by Sharon Kramer, Petitioner, against
9 Roger D. Breed, Commissioner of Education, Respondent, Case
10 No. 11-02.

11 The other members of the hearing committee are
12 Susan J. Anglemeyer, Sarah Brown, Susan Johnson, Raymond
13 Keller, Jodi Kupper, Brian Maher, Karen Shelton, Lana Sides,
14 Jane Stavem, Lynn Strack, and Cindy Serfass.

15 The court reporter is Wendy Cutting. Her purpose
16 is to record the testimony of the witnesses and mark the
17 exhibits.

18 The Clerk of the Commission is Kathi Vontz. Her
19 purpose is administrative.

20 This case arises from a request by the State Board
21 of Education that the Commission hear this matter pursuant
22 to Sections 79-859 through 79-871 of the Nebraska statutes
23 and the rules and regulations thereunder.

24 At this time, I ask the attorney and the
25 respondent to make their appearance. Go ahead, state your

1 name.

2 MS. KRAMER: My name is Sharon Kramer, address
3 2802 Birchwood Road, North Platte, Nebraska 69101.

4 MR. HALSTEAD: Brian Halstead, 301 Centennial Mall
5 South, Sixth Floor, Lincoln, Nebraska 68509, on behalf of
6 the Commissioner of Education.

7 THE HEARING OFFICER: Would you like to make an
8 opening statement?

9 MS. KRAMER: I would waive my opening statement.

10 THE HEARING OFFICER: Is there any evidence that
11 you would like to present to us?

12 MS. KRAMER: I would like to present Exhibit 4,
13 letters of support to give to the Commission at this time.

14 MR. HALSTEAD: I have no objections to Exhibit No.
15 4, Your Honor.

16 THE HEARING OFFICER: Exhibit 4 will be received.
17 (Exhibit 4 was received in evidence. See Index.)

18 MR. HALSTEAD: And, Your Honor, as a procedural
19 matter, did you receive already Exhibits 1, 2, and 3, the
20 pleadings and the rules?

21 THE HEARING OFFICER: Yes, we did.

22 (Exhibits 1 through 3 were received in evidence.
23 See Index.)

24 MR. HALSTEAD: Thank you.

25 THE HEARING OFFICER: Okay, we're going to give
08.17.11 State Board of Education 7.10.11

1 everyone about five minutes to look over these, if that's
2 okay.

3 (Off the record.)

4 THE HEARING OFFICER: Does anyone need any more
5 time to look over the evidence?

6 (No response.)

7 Okay, did you have any other -- anything else
8 you'd like to share with us?

9 MS. KRAMER: I would like to testify on my behalf.
10 Just to let the Commission know --

11 THE HEARING OFFICER: You need to be sworn in by
12 the court reporter.

13 THE REPORTER: Will you raise your right hand,
14 please? Do you solemnly swear or affirm the testimony
15 you're about to give will be the truth, the whole truth, and
16 nothing but the truth?

17 MS. KRAMER: I do.

18 SHARON KRAMER

19 Called as a witness on her own behalf, having been
20 first duly sworn, testified as follows:

21 THE HEARING OFFICER: Go ahead and proceed.

22 DIRECT TESTIMONY

23 BY MS. KRAMER:

24 Since my revocation, I'd like the Commission to
25 know what I've been doing and re-emphasize a passion for

1 being a teacher. In 2009, I was employed with North Platte
2 Public Schools as a para. Due to a reduction in force, my
3 position was eliminated. I continued to work with kids
4 through a volunteer basis through one of the elementaries.
5 I volunteer coach a softball team. I even do respite care
6 for former students, special needs students that I had
7 taught many years ago. So, I'm pleased to say that I have
8 kept myself in the educational capacity, and I'm very
9 passionate of what I do and the lives that I have touched
10 during this process.

11 This has been very humbling to me and just, you
12 know, hoping to be reinstated so that I can be in a full
13 capacity in a classroom doing what I enjoy doing.

14 THE HEARING OFFICER: Thank you.

15 Brian?

16 MR. HALSTEAD: If I could ask her a few questions,
17 that'd be good.

18 CROSS-EXAMINATION

19 BY MR. HALSTEAD:

20 Q Ms. Kramer, in your petition, you listed for
21 No. 3, Klawn Fertilization & Mowing and Steve Kramer.

22 A Right, that's a family business.

23 Q Okay, so did you assist your husband in the family
24 business during this time?

25 A Yes.

1 Q Okay.

2 A Seasonal, yes.

3 Q And then you listed North Platte Public Schools,
4 paraeducator, with Tami Eshleman, HR. Is that your role as
5 a paraeducator with the North Platte Public Schools that you
6 mentioned in your statement?

7 A Correct.

8 Q And you did that from August 17th of 2009 until
9 the end of the 2010 school year.

10 A Right.

11 Q And they had a reduction in force, so you were no
12 longer continued on as a para.

13 A Correct.

14 Q Right below that, you have North Platte Public
15 Schools, Dawn Folchert, volunteer, Cody Elementary.

16 A This past semester, starting January 2011, I
17 volunteered in classrooms at an elementary to keep my skills
18 up to par. And I worked with -- actually, I worked in
19 probably three different classrooms at that time.

20 Q What would be an example of some of the things you
21 volunteered and did at Cody Elementary?

22 A I worked -- I would listen to students read,
23 basically worked with some lower level students who needed
24 to be caught up on some educational work. I would assist
25 the teacher in any instructional activity that she may give

1 direction in.

2 Q Was there a particular grade or grade levels at
3 Cody Elementary that you primarily worked in?

4 A Second and third grade.

5 Q Okay. And then next to that, you have child care,
6 Matt and Crystal Welch.

7 A Right. I did child care for both of those
8 families.

9 Q And how old were their children that you were
10 caring for?

11 A From infant to three years old, both families.

12 Q And how often would you do child care for them?

13 A For the Evert family, probably three, four days a
14 week, and the Welch family, probably seven or eight times a
15 month.

16 Q Any other employment or any other activities
17 you've been involved in since your certificate was revoked?

18 A Recently, probably back as far as February, I was
19 contacted by a former parent to do some respite care for a
20 special needs student. And I also do some recreational
21 activities with him. I take him to the gym three or four
22 times a week, and I would keep him on certain days -- he's a
23 31-year-old autistic adult, so needed quite a bit of
24 supervision. And I've done respite care for that family. I
25 recently was just contacted to start some respite care for

1 another former student who is in need of that, so I will be
2 starting that here probably in the next few weeks.

3 Q Have you taken any college credit courses or any
4 other professional development to assist you as being a
5 teacher?

6 A Not in the level of that, no.

7 Q And you had your certificate revoked because of a
8 theft conviction out of the Lincoln County Court, correct?

9 A Correct.

10 Q And at that time, you had been sentenced to pay a
11 fine and restitution, correct?

12 A Correct.

13 Q And did you satisfy all terms and conditions of
14 that sentence?

15 A I have complied with -- fully complied with the
16 Lincoln County Court and with the Professional Practice
17 Commission in regards to my revocation.

18 Q Did you seek to have your conviction set aside by
19 the Lincoln County Court?

20 A Yes, I did.

21 Q And was that granted by the Court?

22 A Yes, July of 2010.

23 Q Have you had any other contacts with law
24 enforcement or the criminal justice system since then?

25 A No.

1 Q And if I remember correctly, your theft conviction
2 is your only criminal conviction.

3 A Yes.

4 Q You mentioned this was a humbling experience for
5 you. What would you say you learned from the whole episode?

6 A The effects, not effects on myself, but the
7 effects that how it affected my students, parents, my own
8 family. I feel that it has taken a big part of me away in
9 regards to who I am. I truly believe I'm starting to build
10 myself back up personally and professionally. I'm very
11 pleased with the fact that I was able to continue working in
12 some capacity in the education field. I'm hoping that today
13 and maybe through the State Board, that this can be behind
14 me. And I'm truly sorry for my transgressions, and I hope
15 that I'll get a new beginning out of this.

16 Q You recognize that in the future on applications
17 for employment or an application for a certificate you're
18 going to be asked questions about do you have any criminal
19 convictions or have you ever had a certificate revoked or
20 suspended. You're familiar with those questions?

21 A Yes.

22 Q Do you intend to answer those questions honestly
23 to those who ask them?

24 A Yes, I do.

25 Q Do you intend to fully explain to them the

1 circumstances surrounding the conviction in that?

2 A Yes, I do.

3 MR. HALSTEAD: I don't have any more questions,
4 thank you very much.

5 THE HEARING OFFICER: Thank you, Mrs. Kramer. Is
6 there anything else you would like to share with the
7 Commission?

8 MS. KRAMER: Not at this time.

9 THE HEARING OFFICER: Are there any questions by
10 anyone on the Commission?

11 (No response.)

12 The hearing committee will now adjourn and will
13 consider the evidence. The hearing committee's decision
14 will be reduced to writing. A copy of the hearing
15 committee's findings, conclusions, and decision will be
16 furnished to the parties. If the decision includes a
17 recommendation to allow the petitioner to apply for a new
18 certificate, the findings, conclusions, and recommendation
19 will be presented to the State Board of Education.

20 I declare this hearing adjourned at 9:45 a.m.

21 (Whereupon, the hearing was adjourned at 9:45 a.m.
22 to be reconvened after executive session and deliberation of
23 the evidence.)

24 (Back on the record 3:37 p.m.)

25 CHAIRPERSON MAHER: Is there a motion regarding

1 the Commission's recommendation on Case No. 11-02? That is
2 the Kramer case.

3 COMMISSIONER SHELTON: I move that the Nebraska
4 Professional Practices Commission adopts the findings of
5 facts and conclusions of law and recommend to the State
6 Board of Education that Sharon Kramer be allowed to apply
7 for issuance of a public school teaching certificate.

8 COMMISSIONER SERFASS: I'll second.

9 CHAIRPERSON MAHER: It has been moved and seconded
10 to accept the findings of fact and the conclusions of law
11 and recommend --

12 Will you please tell me again?

13 COMMISSIONER SHELTON: Sharon Kramer.

14 COMMISSIONER MAHER: -- that Sharon Kramer be
15 allowed to apply for reinstatement. Is there discussion?

16 (No response.)

17 Will the clerk please call the roll?

18 THE CLERK: Anglemeyer.

19 COMMISSIONER ANGLEMEYER: Yes.

20 THE CLERK: Beck.

21 COMMISSIONER BECK: Yes.

22 THE CLERK: Brown.

23 COMMISSIONER BROWN: Yes.

24 THE CLERK: Johnson.

25 COMMISSIONER JOHNSON: Yes.

1 THE CLERK: Keller.

2 COMMISSIONER KELLER: Yes.

3 THE CLERK: Kupper.

4 COMMISSIONER KUPPER: Yes.

5 THE CLERK: Maher.

6 CHAIRPERSON MAHER: Yes.

7 THE CLERK: Serfass.

8 COMMISSIONER SERFASS: Yes.

9 THE CLERK: Shelton.

10 COMMISSIONER SHELTON: Yes.

11 THE CLERK: Sides.

12 COMMISSIONER SIDES: Yes.

13 THE CLERK: Stavem.

14 COMMISSIONER STAVEM: Yes.

15 THE CLERK: Strack.

16 COMMISSIONER STRACK: Yes.

17 (Whereupon, at 3:38 p.m. on June 15, 2011, the

18 proceedings were concluded.)

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BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
STATE OF NEBRASKA

Sharon M. Kramer)
2802 Birchwood Road)
North Platte, NE 69101)

Petitioner,)

vs.)

Roger D. Breed, Ed.D.)
Commissioner of Education)
301 Centennial Mall South – 6th Floor)
P.O. Box 94933)
Lincoln, NE 68509-4933,)

Respondent.)

NPPC Case No. 11-02

RESCHEDULED
NOTICE OF HEARING

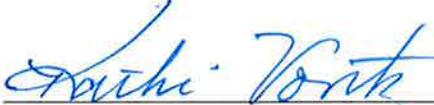
Petitioner and Respondent are hereby notified that a hearing on the Petition filed by Sharon M. Kramer on February 10, 2011, will be held in the Hearing Room, 6th Floor, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, on Wednesday, the 15th day of June, 2011, commencing at 9:15 a.m. or immediately following the preceding hearing.

Commission members of the Nebraska Professional Practices Commission will hear and consider the case.

Samuel Van Pelt, Route 1, Box 169, Hickman, Nebraska 68372 has been appointed legal counsel to advise the chairperson in the performance of the chairperson's duties.

Dated March 4, 2011

Robert Beck, Chairperson, Hearing Panel
NEBRASKA PROFESSIONAL PRACTICES COMMISSION


By Kathi Vontz, Clerk of the Commission
NEBRASKA PROFESSIONAL PRACTICES COMMISSION



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above Notice dated March 4, 2011, for Case Number 11-02, was mailed to Sharon M. Kramer, Petitioner, by U.S. Mail postage prepaid, and delivered by hand to Brian Halstead, Attorney for the Respondent, on this 4th day of March, 2011, at the following addresses.

Sharon M. Kramer
Petitioner
2801 Birchwood Road
North Platte, NE 69101

Brian Halstead
Attorney for Respondent
301 Centennial Mall South
Lincoln, NE 68509



Kathi Vontz
Clerk of the Commission

BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
STATE OF NEBRASKA

Sharon M. Kramer)	
2802 Birchwood Road)	
North Platte, NE 69101)	N.P.P.C. Case No. 11-02
)	
)	
)	
Petitioner,)	
)	
vs.)	
)	Response to Motion for
)	Continuance
Roger Breed, Ed.D.)	
Commissioner of Education)	
301 Centennial Mall South - 6 th Floor)	
P.O. Box 94933)	
Lincoln, NE 68509-4933,)	
)	
Respondent.)	

Petitioner and Respondent are hereby notified that the Respondent's Motion to Continue the hearing scheduled on March 19, 2011 is granted. The hearing on the above case will be rescheduled and a notice will be provided to all parties.

Robert Beck, Chairperson, Hearing Panel
NEBRASKA PROFESSIONAL PRACTICES COMMISSION


By Kathi Vontz, Clerk of the Commission
NEBRASKA PROFESSIONAL PRACTICES COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Response to Motion for Continuance was served upon Petitioner, Sharon M. Kramer, by U.S. Mail, postage prepaid. It was also hand delivered to Brian Halstead, General Counsel for the Commissioner, on this 4th day of March, 2011, at the following addresses.

Sharon M. Kramer
Petitioner
2802 Birchwood Road
North Platte, NE 69101

Brian L. Halstead
Attorney for Respondent
301 Centennial Mall South
Lincoln, NE 68528



Kathi Vontz
Clerk of the Commission

BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
STATE OF NEBRASKA

Sharon M. Kramer
2802 Birchwood Road
North Platte, NE 69101,

Petitioner,

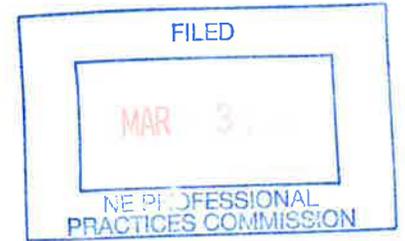
vs.

Roger D. Breed, Ed.D.
Commissioner of Education
301 Centennial Mall South – 6th floor
P.O. Box 94933
Lincoln, NE 68509-4933

Respondent.

PPC Case No. 11-02

MOTION TO CONTINUE



COMES NOW the Respondent, by and through the undersigned attorney of record, and moves the Commission for an order of continuance of the hearing scheduled at 9:05 a.m. on March 19, 2011, for the reason that the attorney for the Respondent has a conflict with another work-related assignment.

Brian L. Halstead #18077
General Counsel
Nebraska Department of Education

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Motion was mailed to the following person, postage prepaid, this 3rd day of March 2011:

Sharon Kramer
2802 Birchwood Road
North Platte, NE 69101

Brian L. Halstead #18077
General Counsel
Nebraska Department of Education

BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
STATE OF NEBRASKA

Sharon M. Kramer)
2802 Birchwood Road)
North Platte, NE 69101)

Petitioner,)

vs.)

Roger D. Breed, Ed.D.)
Commissioner of Education)
301 Centennial Mall South – 6th Floor)
P.O. Box 94933)
Lincoln, NE 68509-4933,)

Respondent.)

NPPC Case No. 11-02

NOTICE OF HEARING

Petitioner and Respondent are hereby notified that a hearing on the Petition filed by Sharon M. Kramer on February 10, 2011, will be held in the Hearing Room, 6th Floor, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, on the 19th day of March, 2011, commencing at 9:05 a.m.

Commission members of the Nebraska Professional Practices Commission will hear and consider the case.

Samuel Van Pelt, Route 1, Box 169, Hickman, Nebraska 68372 has been appointed legal counsel to advise the chairperson in the performance of the chairperson's duties.

Dated

February 28, 2011

Robert Beck, Chairperson, Hearing Panel
NEBRASKA PROFESSIONAL PRACTICES COMMISSION



By Kathi Vontz, Clerk of the Commission
NEBRASKA PROFESSIONAL PRACTICES COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above Notice dated February 28, 2011, for Case Number 11-02, was mailed to Sharon M. Kramer, Petitioner, by U.S. Mail postage prepaid, and delivered by hand to Brian Halstead, Attorney for the Respondent, on this 28th day of February, 2011, at the following addresses.

Sharon M. Kramer
Petitioner
2801 Birchwood Road
North Platte, NE 69101

Brian Halstead
Attorney for Respondent
301 Centennial Mall South
Lincoln, NE 68509


Kathi Vontz
Clerk of the Commission

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

Marge Harouff, Ed.D.)
Deputy Commissioner of Education)
301 Centennial Mall South)
P.O. Box 94933)
Lincoln, NE 68509-4933,)

Petitioner,)

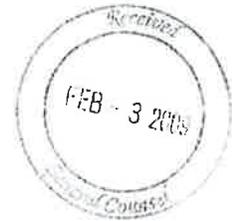
v.)

Sharon Kramer)
2802 Birchwood Rd.)
North Platte, NE 69101,)

Respondent.)

NDE Case No. 09-01

FINAL ORDER



This matter came before the State Board of Education ("State Board"), Lincoln, Nebraska, on February 3, 2009, upon the recommendation of the Nebraska Professional Practices Commission ("NPPC") that the public school certificate of the Respondent, Sharon Kramer, be revoked for a period of two (2) years. The parties were notified of the State Board's consideration in this matter. Appearing before the State Board was Brian L. Halstead, Assistant Commissioner/General Counsel, who presented a statement on behalf of the Deputy Commissioner of Education, and Kathi Vontz, Clerk of the NPPC. The Respondent appeared with counsel Rick Wade.

The record of the NPPC proceeding, containing the "Findings of Fact, Conclusions of Law, and Recommendation of the Commission," all of the pleadings, exhibits, and a written transcript of the NPPC hearing, was received by the State Board into evidence as "Exhibit 1." The Notices of Disposition and the certified return receipts



were received into evidence as "Exhibit 2." Upon its independent review of the entire record, the State Board finds, concludes, and orders as follows:

1. The State Board has jurisdiction in this case pursuant to Neb. Rev. Stat. Section 79-866 (2008);

2. The Petitioner is Marge Harouff, Ed.D., Deputy Commissioner of Education, 301 Centennial Mall South, P.O. Box 94933, Lincoln, NE 68509;

3. The Respondent is Sharon Kramer, 631 E. Kabec, North Platte, Nebraska 69103;

4. The Respondent holds a public Nebraska standard certificate, number XXX-XX-0885, endorsed in Mild/Moderate Disabilities K-12, with an expiration date of August 31, 2009;

5. On or about June 20, 2008, in the Lincoln County Court, Nebraska, the Respondent was found guilty of Theft by Taking, Value \$200.00 or Less, a Class II Misdemeanor, and was fined \$150.00 and ordered to pay restitution to the North Platte Booster Club in the amount of \$907.00;

6. The Respondent has violated Section 79-866(2) (2008), which states in pertinent part: "The board may, for just cause, revoke or suspend any teacher's or administrator's certificate. Violation of the standards established pursuant to this section, commission of an immoral act, or conviction of a felony under the laws of this state shall constitute just cause for the revocation or suspension of a teacher's or administrator's certificate by the board"; Title 92, *Nebraska Administrative Code*, Chapter 27, Section 004.04B (effective date: November 12, 2003) ("the educator . . . shall not use institutional privileges for private gain or to promote political candidates,

political issues, or partisan political activities"); and Section 004.04E (same effective date) ("the educator. . . shall not commit any act of moral turpitude or any felony under the laws of the United States or any state or territory, and shall not have a misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.12 through 003.14 of 92 NAC 21");

9. By a preponderance of the evidence, just cause exists pursuant to Neb. Rev. Stat. Section 79-866(2) (2008) to revoke the Respondent's certificate for a period of two (2) years; and

10. The public Nebraska standard teaching certificate of Sharon Kramer, number XXX-XX-0885, endorsed in Mild/Moderate Disabilities K-12, with an expiration date of August 31, 2009, shall be revoked for a period of two (2) years beginning this date.

Dated this 3rd day of February, 2009.

STATE BOARD OF EDUCATION

BY: Kandy Imes
Kandy Imes, President

The vote by the State Board of Education to approve the Final Order in Case No. 09-01, on February 3, 2009, was 7 in favor, _____ against, _____ abstaining, and 1 absent. Individual State Board members voted as follows:

IN FAVOR: K. Imes, R. Evnen, K. Winterer, J. Scheer, R. Valdez, P. Timm, J. Higgins

AGAINST: _____

ABSTAINING: _____

ABSENT: F. Meyer

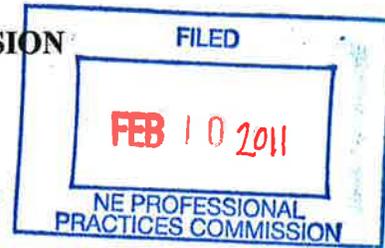
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Final Order was served upon Sharon Kramer, 2802 Birchwood Rd., NE 69101, via United States mail; Rick Wade, Esq., 605 S. 14th Street, Suite 100, Lincoln, NE 68508, via United State mail; Kathi Vontz, NPPC Clerk, 301 Centennial Mall South, Lower Level, Lincoln, NE 68509, via interoffice mail; and Brian L. Halstead, Assistant Commissioner/General Counsel, Nebraska Department of Education, 301 Centennial Mall South, Sixth Floor, Lincoln, NE 68509, via interoffice mail, all on this 3rd day of February, 2009.

Brenda L. Wade

49-208-20

**BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
STATE OF NEBRASKA**



IN THE MATTER OF THE)
REINSTATEMENT OF:)

Case No. 11-02

PETITION FOR REINSTATEMENT

Sharon M. Kramer
2802 Birchwood Road
North Platte, NE. 69101

The undersigned Petitioner for reinstatement of a revoked Nebraska teaching, administrative and supervisory, or special services counseling public school certificate alleges:

1. Type 2, rank B, level 7 Mild/ Moderate Disabilities K-12, expiration date 08/31/2009, social security number 507-84-0885
2. 2 year revocation of teaching certificate 2/3/2009
3.

KLawn Fertilization & Mowing Steve Kramer 2802 Birchwood Road North Platte Ne. 69101 (308) 530-2961 3/01/2009 – present (seasonal)	North Platte Public School -Para educator Tami Eshleman- HR 301 West F. Street North Platte, NE 69101 (308) 535-7100 08/17/2009 –05/ 25/2010 RIF
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Child Care Kirk & Rachael Evert 2312 West 1st North Platte, NE 69101 (308) 530-3069 06/2009 – present	Child Care Matt and Crystal Welch 2317 Alpha Street North Platte, NE. 69101 (308)532-2008 08/03/2009 – present	North Platte Public Schools Dawn Folchert Volunteer- Cody Elementary 2000 West 2nd Street North Platte, NE. 69101 (308) 535 -7132 1/2011 – present
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4. **Sharon M. Kramer**
2802 Birchwood Road
North Platte, NE. 69101

5. I have fully complied with the Order of Revocation, and will not in the future engage in any practice which is listed in the statues or regulations as grounds for revocation or suspension of my certificate, and that I am familiar with the Criteria of Professional Practices adopted pursuant to Neb. Rev. Stat. 79-866 (2) (2008). I affirm the statements in this Petition are true, correct, and complete to the best of my knowledge and belief.

Dated this 9th day of February, 2011

Sharon M. Kramer

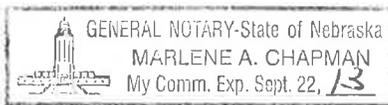
Sharon M. Kramer
2802 Birchwood Road
North Platte, Ne. 69101
(308) 530 -7929

State of Nebraska)
County of Lincoln)

I, Sharon M. Kramer, being first duly sworn under oath, disposes and says that I am the Petitioner named in the foregoing Petition, that I have read it, know the contents therein, and that the facts therein contained are accurate and complete to the best of my knowledge and belief.

Sharon M. Kramer
Signature of Petitioner

Subscribed and sworn before me this 9th day of February, 2011



Marlene A. Chapman
Notary Public

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Petition, was served upon the Commissioner of Education, Dr. Roger Breed, by certified mail, return receipt requested, at the following address; 2802 Birchwood Road, North Platte, NE. 69101

Dated this 9th day of February, 2011

Sharon M. Kramer

NEBRASKA DEPARTMENT
OF EDUCATION

RULE 27

REGULATIONS AND STANDARDS FOR
PROFESSIONAL PRACTICES CRITERIA

TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 27

EFFECTIVE DATE
November 12, 2003
(REVISED)

State of Nebraska
Department of Education
301 Centennial Mall South
Lincoln, Nebraska 68509
Douglas D. Christensen, Ph.D.
Commissioner



08.11.11 State Board of Education



NEBRASKA PROFESSIONAL PRACTICES COMMISSION

TITLE 95, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 2

REGULATIONS CONCERNING TEACHER AND
ADMINISTRATOR CERTIFICATE REINSTATEMENT



Effective Date
October 30, 1993



To Whom It May Concern:

I am writing a letter of reference for Sharon Kramer. I taught with Sharon for fourteen years at North Platte High School. Sharon has the "heart of a teacher." Sharon worked with students who have severe and profound disabilities. She exhibited patience and guidance for these students. Sharon was a great advocate for students while they were in school and once they graduated as well.

Sharon worked as a paraeducator at an elementary school after her revocation for the 2009-2010 school year. North Platte Public Schools had to reduce our paraeducator employees because of budget constraints, which is why she is not currently employed as a paraeducator.

I would support the reinstatement of Sharon's teaching certificate. We teach our students that we must learn from our mistakes. Sharon has been humbled by this experience and has patiently waited for the day when she can teach again. If I were asked the question, would I want Sharon to teach my own children? I would confidently answer, yes. My children would be lucky to have Sharon as a teacher.

Respectfully,



Tami Eshleman
Interim Superintendent
North Platte Public Schools
POB 1557
North Platte, NE 69101



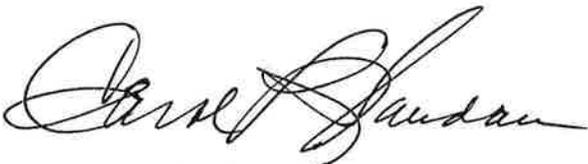
Carol L Sandau

2201 West Philip Ave.

North Platte, NE 69101

To Whom It May Concern:

I have known Sharon Kramer for 20 years, I worked with Special Needs students with her as a teacher and then I was a counselor for students assigned to her. I have observed her working with Special Needs students, athletes, and as a partner with agencies and parents. The incident that set the wheels in motion to revoke her teaching certificate in my opinion was a one time incident. Sharon has not taught for two years. She has complied with the restraints set forth by the Commission. IN my opinion she has accepted responsibility for her actions, paid fines etc. I truly feel Sharon will not have a problem with honesty and integrity again.



Carol L Sandau MS

Retired Counselor NPPS

May 11, 2011

To Whom It May Concern:

As a current employee of North Platte Public Schools, I had the pleasure of having Mrs. Sharon Kramer assist in my classroom during the 2009-2010 school year. She also volunteered on several occasions the spring semester of 2011. She was a tremendous asset to our school and classrooms. I would like to take this opportunity to recommend Sharon for a teaching position.

Sharon is confident in working with any group of students. She is dedicated to helping others. She has proven to be a take-charge person who is able to successfully work with small and large groups of students and implement a variety of activities.

Sharon successfully demonstrated that she was very reliable. She worked one-on-one with students, worked in small groups, lead small intervention groups, and assisted in charting Dibels reading fluency progress. She always had a positive attitude and was empathetic and caring with the students. Sharon was also compassionate about helping the students be successful and was able to build a positive rapport with the children.

It is for these reasons I offer high recommendations for Sharon Kramer. Her skills and abilities will truly be an asset to any job that she is given. If you have any questions regarding Sharon or this recommendation, please contact me.

Sincerely,



Dawn Folchert

Cody Elementary, 3rd grade

dfolcher@nppsd.org

May 5, 2011

To Whom It May Concern:

I am writing to you on behalf of Sharon Kramer. I have known Sharon for 15 years as a teacher to my autistic son Curtis, a softball coach, and as my co-worker at North Platte High School.

Sharon is a remarkable teacher to those with disabilities. She teaches with respect, dignity, and humor. Her classroom was a safe environment in which the students thrived. Sharon was always looking for creative new ways to teach necessary life skills as well as academics. She could see the potential of all her students and worked diligently with them so they could succeed. My son made enormous gains while in her classroom and was able to find employment immediately after graduation.

As a parent, she taught me a lot about how to handle Curtis' behaviors in different situations. She informed me of new teaching strategies and kept me focused on his true potential. She kept me informed on his progress and what we both needed to work on. Sharon ending up being a great teacher of mine also.

Sharon's teaching skills do not end at the classroom doors or when students graduate. My son graduated from high school almost 10 years ago and now Sharon works with him on his gross motor and social skills while working out at our local fitness center. Sharon was born to teach and she is very passionate about it.

As a softball coach, Sharon was driven by the success she had as a player in her youth. She knew the joys and benefits of competing and working as a team and passed that enthusiasm on to her players. She gave as much to her team as she expected from them. Sharon was well liked by her players, their parents, and the NPHS coaching staff.

As a co-worker, she was competent, punctual, and accessible. Sharon learns quickly and doesn't make the same mistakes twice. She readily volunteered when help was needed and was a team player. She treated staff members with respect and was a friend to all.

It is with utmost confidence that I write this recommendation for Sharon Kramer. If you have any questions or would like to discuss anything else about Sharon please feel free to contact me.

Sincerely yours,


Marlene Chapman
520-0473

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