

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

MELISSA CONVERSE,	)	NDE Case No. 11 - 11
)	
Petitioner,)	
	)	HEARING OFFICER'S
vs.	)	PROPOSED FINDINGS OF FACT,
	)	RECOMMENDED CONCLUSIONS
ROGER D. BREED, Ed.D.	)	OF LAW AND RECOMMENDED
COMMISSIONER OF EDUCATION,	)	DECISION
)	
Respondent.)	

INTRODUCTION

This matter comes before the Hearing Officer, Jim R. Titus, appointed by the State Board of Education on September 8, 2011. Petitioner, Melissa Converse, filed an Application for a Nebraska Teaching Certificate on or about April 25, 2011. On May 31, 2011, the Director of the Teacher Certification Office sent Petitioner a letter notifying her of an intent to deny her application. On June 31, 2011, Petitioner requested a review of her application by the Commissioner of Education. On July 11, 2011, the Commissioner of Education denied Petitioner's application for a renewal of a Nebraska Teaching Certificate for the following stated reasons:

- “1. You have a 2007 Driving Under the Influence fourth Offense felony conviction for which you were sentenced to a term of imprisonment for not less than one year, nor more than two years, and your driving privileges were revoked for a period of fifteen years;
2. This conviction is prohibited by 92NAC21, Sec. 003.11; and
3. Sec. 005.01J states that applicants be of good moral character.”

Petitioner filed an appeal to the State Board of Education of this denial on August 2, 2011. An

Answer was filed by the Respondent, Roger D. Breed, Commissioner of Education, on August 12, 2011. Petitioner is appealing the Respondent's decision pursuant to the provisions of Title 92, Chapters 21 and 61, Neb. Adm. Code (NAC), and requests that the Board grant her a Nebraska Teaching Certificate.

A hearing was held on September 27, 2011 at approximately 8:00 a.m. in a conference room of the Nebraska Department of Education in the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The parties were issued written notice of the hearing. The Petitioner appeared on her own behalf and offered testimony under oath. Respondent was represented by Brian L. Halstead, Assistant Commissioner/General Counsel, who cross-examined the Petitioner. The proceeding was recorded by Precision Reporting, Inc., Lincoln, Nebraska. The parties jointly offered Exhibits 1 through 5, which were received without objection. The exhibits are as follows:

1. NDOE case file;
2. Title 92, NAC Chapter 21;
3. Title 92, NAC Chapter 61;
4. Petitioner's Application to renew her Nebraska Teaching Certificate; and
5. A compilation of information regarding her felony drunk driving conviction from 2006.

Having considered the sworn testimony of the witness and the exhibits, the Hearing Officer makes the following proposed findings of fact, recommended conclusions of law, and recommended decision. A copy of the transcript of the hearing is attached.

PROPOSED FINDINGS OF FACT

1. Petitioner is 28 years old and graduated in May of 2006 from the University of Nebraska at Lincoln with a degree in education.
2. Petitioner did obtain a Nebraska Teaching Certificate during 2006 and moved to Arizona where she taught 7th grade in Glendale for one year.
3. Petitioner was charged with fourth offense driving under the influence on April 16, 2006. She pled guilty in the District Court of Lancaster County, Nebraska, and was sentenced to a term of one to two years and had her driver's license revoked for fifteen years. Her sentence commenced on June 13, 2007. Petitioner was released after approximately ten months.
4. Petitioner's first driving under the influence offense occurred in the first part of March of 2002 while a freshman at the University of Nebraska Lincoln. She was 18 years of age at the time. She was given probation.
5. Petitioner's second driving under the influence offense occurred on March 28, 2002 and she again received probation.
6. Petitioner's next citation was in June of 2004, for maintaining a disorderly house for a party at her home in Lincoln, with too many people over and alcohol being served, for which she received a fine.
7. Petitioner's next citation was for consuming alcohol in public in August of 2004, for which she received a fine.
8. Petitioner's next offense for driving under the influence was on October 2, 2004, with another citation for driving under the influence in December 2004, both considered third offenses for which she received probation.

9. Petitioner also received a citation in August of 2005 for having an open alcohol container in public in Nemaha County, Nebraska, for which she paid a fine.

10. Her probation for the third offense driving under the influence was revoked and she was sentenced together with her fourth offense driving under the influence from the April 16, 2006 offense, for which she served approximately ten months beginning in June of 2007.

11. After Petitioner's release from jail in the Spring of 2008, she worked for a before and after school program and an Air Park Recreation Center summer program for children. She also worked part time for Cornhusker Place and began working full time as a counseling assistant at Touchstone Treatment Center in Lincoln, Nebraska in August, 2008, continuing to the present date. She also has worked as a substitute teacher in the Lincoln Public Schools since January, 2011.

12. Petitioner also works occasionally for a chiropractor. Her community activity consists of fund raising and assisting for the Relay for Life charitable event and organizing Alcoholics Anonymous functions, as well as unspecified volunteer work for Project Homeless Connect and Clinic with a Heart.

13. Petitioner has offered ten letters, contained in Exhibit 1 as character references. All but the one written from Professor Michael Dempsey in April 4, 2006 were aware of her criminal history. The first letter is from a technician supervisor at Touchstone Treatment Center, dated June 16, 2011, confirming that Petitioner is employed as a counseling assistant dealing with men and women struggling with addictions in drugs and alcohol.

14. Petitioner has been sober since June 7, 2007, and became actively involved in the Alcoholics Anonymous Program while incarcerated and continues to attend AA meetings two or three times a week and talks to her sponsor almost daily. She has a boyfriend who also attends

AA meetings with her. She is currently taking Master's courses through Peru State College in curriculum instruction and has a 4.0 GPA.

RECOMMENDED CONCLUSIONS OF LAW

1. Neb. Rev. Stat. §79-808 (1) (Reissue 2008) provides that “the Board shall establish, adopt and promulgate appropriate rules, regulations, and procedures governing the issuance, renewal, conversion, revival, cancellation, suspension, and revocation of certificates and permits to teach, provide special services, and administer, based upon . . .(f) moral, mental and physical fitness for teaching, all in accordance with sound educational practices.”

2. Title 92 NAC 21 Sec. 005.01D provides that an applicant for a teaching certificate shall not have any felony convictions; and NAC 21 Sec. 005.01J requires that the applicant “be of good moral character.”

3. Title 92 NAC 21 Sec. 009.03 provides that within twenty calendar days of receipt of the notice of Commissioner's denial of the certificate, the applicant may appeal the Commissioner's decision to the Board of Education pursuant to Title 92 NAC 61.

4. Pursuant to Title 92 NAC 21 Sec. 009.03, if the Board finds in the case of an applicant who is rejected due to a criminal conviction, that the applicant has good moral character and possesses the moral fitness for teaching, then the Board may direct the Commissioner to issue a certificate to the applicant.

5. Pursuant to Title 92 NAC 21 Sec. 009.04, in consideration of whether to deny, not issue or not renew a certificate to an applicant based upon a criminal conviction, the Board shall take into account the following factors in determining moral character and moral fitness to teach:

009.04A The nature of the crime, the facts and circumstances surrounding the applicant's conviction, including whether the conduct of the applicant would constitute a crime in

Nebraska, the sentence received, and whether the sentence was commuted, set aside, or pardoned;

009.04B The applicant's age at the time of the conduct;

009.04C The recency of the conduct;

009.04D The applicant's positive social contributions since the conduct; and

009.04E The reliability of the information concerning the conduct.

6. A teacher in a public school system is regarded by the public and pupils in light of an exemplar, whose words and actions are likely to be followed by the children coming under his or her care and protection. Teacher's actions set an example for others to follow, and as such affects the teacher's ability to teach. *Clark v. Board of Education, School Dist. of Omaha*, 215 Neb. 250, 338 N.W. 2d 272, 275 (1983).

RECOMMENDED DECISION

Petitioner has complied with the procedural requirements in this case and she is properly before the State Board of Education for a determination. While it is not clear the date of receipt of the certified mail from the Commissioner of Education to commence the twenty day appeal period, the receipt by the Department on August 2, 2011 appeared to reasonably be within the twenty day appeal period and the Department has not challenged the timing that the petition is beyond the required appeal.

Petitioner pled guilty to and was sentenced for a fourth offense driving under the influence felony for an offense occurring on April 16, 2006. She was incarcerated for approximately ten months and had her driver's license revoked for fifteen years. It is evident from her conviction history and her testimony that during her undergraduate years at the University of Nebraska at Lincoln she saw no problems with her alcohol consumption, was not deterred by probation or fines

and felt alcohol consumption was necessary for a college social life. Her many convictions regarding alcohol-related offenses, including the felony conviction for the April 16, 2006 offense certainly showed a lack of good moral character and the failure to meet the requirements for a teaching certificate absent the guidelines for review in Title 92 NAC 21 Sec. 009.04.

It has been five and one-half years since her last offense, the felony offense for driving under the influence. She has been sober for over four years and is not only actively attending Alcoholics Anonymous meetings but also has been employed for three years in a program helping individuals with drug and alcohol addiction problems. Her character references show recommendations for the teaching profession, and a positive change in her life over the last five years.

The passage of time, the positive change in Petitioner's life over the last five years and her social contributions in the workplace, in addition to an awareness of her problem and the need for continuing support through a support organization like Alcoholics Anonymous, together with the other evidence demonstrate that Petitioner is a person of good moral character and possesses the moral fitness for teaching and should have renewal of her teaching certificate be granted.

Therefore, the Hearing Officer recommends that the State Board of Education enter an order overturning the Commissioner's denial of the application and authorizing the renewal of a Nebraska teaching certificate to the Petitioner as requested.

Dated this 11th day of October, 2011.



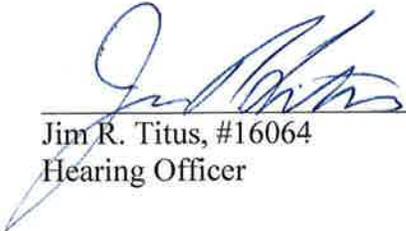
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CERTIFICATE OF SERVICE

The undersigned, Jim R. Titus, hereby certifies that the original of the foregoing with attached transcript was hand delivered to Leslie S. Donley, Assistant Attorney General, Nebraska Department of Justice, 2115 State Capitol, Lincoln, Nebraska on October 12, 2011, and a true and correct copy of the foregoing was served by first-class United States mail, postage prepaid on October 12, 2011 to the following parties:

Brian L. Halstead
Assistant Commissioner/General Counsel
Nebraska Department of Education
301 Centennial Mall South, 6th Floor
P.O. Box 94933
Lincoln, NE 68509-4933

Melissa Converse
5840 Abigail Drive
Lincoln, NE 68516



Jim R. Titus, #16064
Hearing Officer

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

1			
2			
3	MELISSA CONVERSE,	)	NDE Case No. 11 - 11
4)	
5	Petitioner,	)	<u>REQUESTED TRANSCRIPT</u>
6)	
7	vs.	)	VOLUME I - TESTIMONY
8		)	(Pages 1 - 48, incl.)
9	ROGER D. BREED, Ed.D.)	
10	COMMISSIONER OF	)	VOLUME I - EXHIBITS
11	EDUCATION,	)	(Exhibits 1 - 5, incl.)
12)	
13	Respondent.)	

ORIGINAL

Proceedings had before JIM R. TITUS, HEARING
OFFICER, at Lincoln, Nebraska, on **September 27,**
2011.

A P P E A R A N C E S

17	For the Nebraska	MR. BRIAN L. HALSTEAD
18	Department of	Assistant Commissioner/ General Counsel
19	Education:	NE Department of Education 301 Centennial Mall South Sixth Floor P.O. Box 94933 Lincoln, NE 68509-4933

For Melissa Converse: Pro se

I N D E X

WITNESSES: Direct Cross Redirect Recross

MELISSA CONVERSE	7	8		
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EXHIBITS: Marked Offered Ruled
On Found

1. Pleadings	4	5	5	ATT
2. NE Department of Education Rule 21	4	5	5	ATT
3. NE Department of Education Rule 61	4	5	5	ATT
4. Teacher Certification Application for a NEI	4	5	5	ATT
5. Justice Case Search Information with Attachments	4	5	5	ATT

ATT - Attached

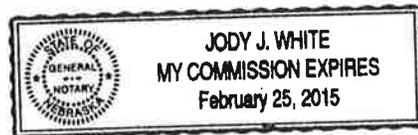
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C E R T I F I C A T E

I, Jody J. White, Registered Merit Reporter,
do hereby certify that the within and following
transcript contains all the evidence requested to
be transcribed by me from the proceedings had in
the foregoing cause; that said transcript is a
correct and complete transcription of the
proceedings requested to be transcribed from the
record made at the time of said proceedings.

Dated this 7th day of October, 2011.


General Notary Public



1 (At 8:07 a.m. on September 27, 2011, at
2 301 Centennial Mall South, Sixth Floor, Lincoln,
3 Nebraska, before JIM R. TITUS, HEARING OFFICER,
4 with Mr. Brian L. Halstead appearing as counsel for
5 the Nebraska Department of Education, the following
6 proceedings were had:)

7 (Exhibit Nos. 1 through 5 were
8 marked for identification.)

9 HEARING OFFICER: I'm Jim Titus. I'll
10 be the Hearing Officer on this matter, and this is
11 the matter of the appeal of Melissa Converse with
12 regard to declining her application for a
13 certificate to teach, I believe.

14 And if you have a cell phone on, I'd
15 appreciate it if you'd turn it to vibrate or turn
16 it off. It's an easy thing to forget, but it's so
17 we don't get interrupted.

18 You have an opportunity to present evidence.
19 I understand it's going to be a fairly short
20 hearing from what you two have told me, so go
21 ahead and jump right into it, and I believe
22 it's -- do -- we usually would start --

23 MR. HALSTEAD: That -- that is fine.
24 I think before the hearing started --

25 HEARING OFFICER: Are there any

1 preliminary matters?

2 MR. HALSTEAD: Based on the prehearing
3 conference we've had, I showed Ms. Converse the
4 five exhibits that I thought we all agreed on in
5 that, Exhibit No. 1 being the pleadings in the
6 case that have been filed to date; Exhibit No. 2
7 being a copy of Rule 21, the rules and regulations
8 for obtaining a certificate from the Department of
9 Education; Exhibit No. 3 which is Title 92,
10 Nebraska Administrative Code, Chapter 61, the
11 rules and regulations for petitions and hearings
12 before the State Board of Education; Exhibit No. 4
13 which is her application to renew a certificate;
14 and Exhibit No. 5 which is a compilation of
15 information regarding her felony drunk driving
16 conviction from 2006.

17 So I think we would all jointly offer
18 Exhibits 1 through 5 for your consideration and
19 the State Board.

20 HEARING OFFICER: Is that true?

21 MS. CONVERSE: Yes.

22 HEARING OFFICER: Okay. Exhibits 1
23 through 5 are received.

24 (Exhibit Nos. 1 through 5 are
25 made a part of this Requested

1 Transcript and maybe found
2 attached hereto.)

3 MR. HALSTEAD: With that, I believe
4 it's Ms. Converse's opportunity to provide us with
5 evidence.

6 HEARING OFFICER: Do you have any
7 further exhibits?

8 MS. CONVERSE: Only what I've
9 submitted which is -- and I believe you have a
10 copy of these also.

11 MR. HALSTEAD: It's in Exhibit 1.

12 HEARING OFFICER: Which would be in
13 Exhibit 1. Okay.

14 Before you give testimony, I'm going to --
15 and I take it you're going to give some testimony
16 about -- about your -- your matter.

17 MS. CONVERSE: Yeah.

18 HEARING OFFICER: Okay. I'll swear
19 you in.

20 **MELISSA CONVERSE,**

21 called as a witness on her own behalf,
22 having been first duly sworn,
23 testified as follows:

24 HEARING OFFICER: Okay. Usually, we
25 do it in question-and-answer format, but I think
with the informality of this, if you wish to just

MELISSA CONVERSE - Direct

1 go ahead and tell me what you -- the facts that
2 you think are important, you can just go ahead.

3 DIRECT EXAMINATION

4 THE WITNESS: Okay. Well, the reason
5 I've appealed this decision is I've received
6 paperwork that said that considerations would be
7 given based on the time lapsed since this arrest
8 which was five and a half years ago. It said
9 based on the age at the time of the arrest which
10 was when I was twenty-two -- I'm now twenty
11 eight -- and, also, societal contributions since
12 that time.

13 I've been working at a treatment center for
14 drug and alcohol addiction since 2007. That
15 treatment center is called Touchstone. There's
16 also a letter from my supervisor at Touchstone
17 fully supporting my career in education. Prior to
18 working at Touchstone, I was working at Cornhusker
19 Place also known as the detox center, and there I
20 worked as a case manager.

21 I've been in sobriety since 2007, and my
22 reason for appealing this was I just noted that
23 there could be considerations given based upon
24 those. I'm also in grad school in education,
25 courses through Peru State College, and I have a

MELISSA CONVERSE - Cross (Halstead)

1 4.0 through them.

2 I guess at this point I'm not really sure
3 what else -- positive moves I can take in my life.
4 I haven't had any citations or arrests whatsoever
5 since -- that was April 6th, 2006, that this last
6 DUI happened. I -- I was subbing through Lincoln
7 Public Schools. I've been fully supported by
8 Dr. Mary Beth Lehmanowsky, the Director of
9 Secondary Education with Lincoln Public Schools.
10 I've passed their criminal background searches and
11 had a conference with Mr. Jeff Gade and been
12 passed on through him. I was actually offered a
13 job through LPS teaching middle school. This was
14 in August, but due to the certification issues, I
15 was unable to take that.

16 So that's really all I have.

17 HEARING OFFICER: Do you have any
18 questions?

19 MR. HALSTEAD: I do.

20 CROSS-EXAMINATION

21 BY MR. HALSTEAD:

22 Q. Melissa, why don't we get a little
23 background. Where -- where did you graduate from
24 high school?

25 A. Beatrice High School.

MELISSA CONVERSE - Cross (Halstead)

1 Q. And when did you graduate from high
2 school?

3 A. 2001.

4 Q. Okay. And after you graduated from
5 Beatrice High School, what did you do next in your
6 life?

7 A. I went to UNL.

8 Q. And when did you enroll at UNL?

9 A. I began in August 2001.

10 Q. Okay. And when you enrolled at UNL, had
11 you declared a major at that point?

12 A. No.

13 Q. Okay. And how long did you attend UNL?

14 A. Until 2006. May of 2006 I graduated.

15 Q. And what degree did you graduate with in
16 May of 2006?

17 A. With education.

18 Q. Okay.

19 A. An emphasis in English.

20 Q. Okay. And when you graduated from UNL,
21 did you get a Nebraska teaching certificate?

22 A. Yes.

23 Q. Okay. And once you got a certificate from
24 us at the Department of Education, were you
25 employed as a teacher?

MELISSA CONVERSE - Cross (Halstead)

1 A. Not in Lincoln.

2 Q. Where did --

3 A. I moved to Arizona.

4 Q. Okay. And where in Arizona?

5 A. I lived in Scottsdale --

6 Q. Okay.

7 A. -- but was teaching in Glendale.

8 Q. Greater Phoenix area?

9 A. Yeah.

10 Q. Okay. And what was your -- would this
11 have been in the fall of 2006?

12 A. Right.

13 Q. And where were you teaching there?

14 A. Glendale Elementary -- or -- sorry.
15 Bicentennial North.

16 Q. Okay. Is that a --

17 A. It was called --

18 Q. -- high school?

19 A. It was called elementary, but I taught
20 seventh grade --

21 Q. Okay.

22 A. -- 'cause they had "K" through -- no. We
23 had three through eight at our, quote,
24 elementary --

25 Q. Okay.

MELISSA CONVERSE - Cross (Halstead)

1 A. -- but that was the Glendale Elementary
2 School District.

3 Q. Okay. And how long did you teach for that
4 school district?

5 A. Just the one year.

6 Q. Okay.

7 A. And after that I -- well, during this time
8 I was going back and forth for this pending DUI,
9 and I had to come back --

10 Q. Okay.

11 A. -- in June.

12 Q. So you -- you completed one year of
13 teaching in Arizona?

14 A. Yeah.

15 Q. And due to some criminal charges, that was
16 the end of your employment in Arizona?

17 A. Yeah, 'cause I --

18 Q. Okay.

19 A. -- had to come back in June, and I've been
20 here ever since.

21 Q. Okay.

22 A. That was June 2007.

23 Q. Let's -- let's talk about your criminal
24 history. When was your first driving under the
25 influence offense?

MELISSA CONVERSE - Cross (Halstead)

1 A. March 2002.

2 Q. And I take it -- would that have been when
3 you were a freshman at UNL?

4 A. Uh-huh.

5 Q. And do you remember what the facts were
6 related to that drunk driving offense?

7 A. Yeah. I was downtown. I remember we were
8 celebrating Nebraska's entrance to the NIT.

9 Q. Okay.

10 A. Was pulled over in a snowstorm.
11 Originally my car wouldn't start. My parents
12 actually came down to help me --

13 Q. Okay.

14 A. -- and saw it all happen. It was a really
15 bad deal.

16 Q. How old were you at the time?

17 A. Just eighteen.

18 Q. Okay.

19 A. No. Yeah, I would have been eighteen.

20 Q. What's your date of birth?

21 A. 3/12/83.

22 Q. Okay.

23 A. My birthday was just right in that time.

24 Q. And this was March 2nd of 2002?

25 A. Yeah.

MELISSA CONVERSE - Cross (Halstead)

1 Q. Do you remember what your breath alcohol
2 or blood alcohol was, if you know? If --

3 A. I don't.

4 Q. -- you don't -- that's all right. And
5 were you subsequently found guilty of that
6 March 2nd driving under the influence offense?

7 A. Yeah.

8 Q. Okay. And do you remember what your
9 sentence was for that offense?

10 A. Probation.

11 Q. Okay. Let me ask you, did you have a
12 subsequent driving under the influence charge
13 later that March?

14 A. Yeah.

15 Q. And when did that occur?

16 A. March 28th.

17 Q. Okay. And do you remember what the
18 circumstances were around that arrest?

19 A. I was on Highway 77 --

20 Q. Okay.

21 A. -- about by Pickrell. Like I said, I'm
22 from Beatrice and was going down there and -- just
23 crossed the center line and was pulled over there.

24 Q. Do you remember what your blood or breath
25 alcohol was at that time?

MELISSA CONVERSE - Cross (Halstead)

1 A. No.

2 Q. But it was over the legal limit?

3 A. Oh, yeah.

4 Q. Okay. So we have two DUI arrests in a
5 month; right?

6 A. Uh-huh.

7 Q. Okay. And the second one, did that -- was
8 there a criminal charge in Gage County for that
9 offense, the DUI?

10 A. I ended up -- no. I -- I didn't do any
11 jail time, I know. Must have been probation that
12 was transferred up to Lincoln.

13 Q. Okay. But there was a second criminal
14 charge? You had the first DUI offense that you
15 were put on probation, and that occurred on
16 March 2nd; correct?

17 A. Correct.

18 Q. And this is a second DUI charge in the
19 month of March; correct?

20 A. Uh-huh.

21 Q. And you were criminally charged with that
22 offense?

23 A. Yeah.

24 Q. And you were put on probation also for
25 that offense; correct?

MELISSA CONVERSE - Cross (Halstead)

1 A. Right.

2 Q. Okay. So we have two DUI convictions in
3 one month, correct, for the --

4 A. Yeah.

5 Q. -- events occurring -- all right. Did you
6 complete your probation?

7 A. Yes.

8 Q. Okay. What was your next criminal
9 offense, do you remember? Well, let me ask you,
10 after these two criminal convictions and
11 probation, I take it you were still attending UNL.

12 A. Yeah.

13 Q. Okay. So you still were going to school
14 and classes?

15 A. Yeah.

16 Q. Okay. Were you working at the time you
17 were going to UNL?

18 A. For a while at NETV --

19 Q. Okay. And what did you --

20 A. -- through the Reading Rainbow program.

21 Q. And help us out. What's the Reading
22 Rainbow program?

23 A. It used to be a show --

24 Q. Okay.

25 A. -- that LeVar Burton --

MELISSA CONVERSE - Cross (Halstead)

1 Q. Okay.

2 A. It's a part of NETV.

3 Q. Okay. And was --

4 A. It was --

5 Q. -- this a paid job or --

6 A. Yeah. And it was just part-time.

7 Q. Okay. Do you remember your time frame for
8 that event?

9 A. March 2002 to March 2004.

10 Q. Okay. And was there a reason why it ended
11 in 2004?

12 A. Just a reduction in force as part -- a lot
13 of people lost their jobs. Budget cuts.

14 Q. Okay. Do you remember getting a citation
15 from the Lincoln Police Department in June of 2004
16 for maintaining a disorderly house?

17 A. Yes.

18 Q. What was -- what was going on for you to
19 receive this citation?

20 A. A party at our house. We had a pool in
21 the back yard, like an underground pool, and --
22 just too many people over and . . .

23 Q. Okay. Alcohol being served there?

24 A. Yeah.

25 Q. Okay. And this house was here in Lincoln?

MELISSA CONVERSE - Cross (Halstead)

1 A. Yep.

2 Q. Okay.

3 A. 28th and Old Cheney.

4 Q. Okay.

5 A. Sequoia Drive.

6 Q. You lived at this house?

7 A. Right.

8 Q. Were there others who lived at the house?

9 A. Two others.

10 Q. Okay. Were they, what, roommates going to
11 college?

12 A. Right.

13 Q. Okay. So do you remember what your
14 sentence was for the disorderly house offense?

15 A. A fine.

16 Q. Okay. Considering you'd had two DUI
17 offenses in one month, you still continued on
18 drinking after that, I take it.

19 A. Uh-huh.

20 Q. Okay. Do you remember what your next
21 criminal offense was? I can help you out. Did
22 you --

23 A. Okay.

24 Q. -- receive a citation for consuming
25 alcohol in public in August of 2004?

MELISSA CONVERSE - Cross (Halstead)

1 A. Uh-huh. It was in a parking garage
2 downtown.

3 Q. And were you drinking again?

4 A. Yeah.

5 Q. Were you with friends again?

6 A. Yes.

7 Q. Do you remember what your sentence was for
8 that offense?

9 A. Just a fine.

10 Q. Okay. I take it you were carrying around
11 an open liquor container.

12 A. It was in the car.

13 Q. It was in the car?

14 A. Uh-huh.

15 Q. Okay.

16 A. My friend was driving.

17 Q. And you -- both of you were drinking or
18 you were just drinking?

19 A. Yeah. I -- I know -- we both had been.
20 He was -- it was my car. He was driving it --

21 Q. Okay.

22 A. -- and I think I just said it was mine.

23 Q. Okay. All right. 2000 -- later that fall
24 did you get arrested again for drunk driving?
25 October 2nd, 2004.

MELISSA CONVERSE - Cross (Halstead)

1 A. Yeah.

2 Q. Do you remember the events surrounding
3 that offense?

4 A. Yes. I just -- again, right off of
5 Highway 77, that pull-off just right headed
6 down -- I guess it would be Old Cheney going home.

7 Q. Okay.

8 A. And, again, just thought I could drive,
9 and I shouldn't have been.

10 Q. Had you been downtown drinking at the
11 bars?

12 A. Yeah.

13 Q. Do you remember what your breath or blood
14 alcohol was for this offense?

15 A. I believe .186.

16 Q. Okay. And for this one you were convicted
17 of a DUI as a third offense; is that correct?

18 A. Yeah.

19 Q. Okay.

20 A. That and another one.

21 Q. Okay. I was going to say your sentencing
22 date for this DUI isn't until June of 2007.

23 A. Uh-huh. That's -- okay -- 'cause I was on
24 probation --

25 Q. Uh-huh.

MELISSA CONVERSE - Cross (Halstead)

1 A. -- and then they revoked my probation --

2 Q. Okay.

3 A. -- so I got resentenced when -- with the
4 last one.

5 Q. Okay. So for this -- this is your third
6 DUI conviction, though --

7 A. Uh-huh.

8 Q. -- that we're talking about here, the
9 October of 2004?

10 A. Right.

11 Q. And you were put on probation once again
12 for that?

13 A. Yeah.

14 Q. Okay.

15 A. And I did ten days at LCF.

16 Q. Okay. And then did you have another
17 driving under the influence in December of 2004?

18 A. Uh-huh.

19 Q. And where did that one occur?

20 A. Lancaster County.

21 Q. Okay. So it wasn't in the city of
22 Lincoln? It was out in the county somewhere or
23 were you in town or do you remember?

24 A. I did know all of them. I can't remember
25 now, though.

MELISSA CONVERSE - Cross (Halstead)

1 Q. That's all right. If you don't remember,
2 don't try to make up something.

3 A. Well, one of them was Lancaster County,
4 and the other one would have been Lincoln --

5 Q. Okay.

6 A. -- those last ones.

7 Q. Do you remember what the circumstances
8 were around the December 8th, 2004, arrest?

9 A. Huh-uh.

10 Q. Do you remember what your breath or blood
11 alcohol was for that?

12 A. .186. Exactly the same.

13 Q. Okay. And do you -- were you, what, just
14 out drinking again with friends or do you
15 remember?

16 A. Just with friends.

17 Q. Okay. So while you were on probation for
18 the -- were you on probation for the --

19 A. No.

20 Q. Okay. So that charge was --

21 A. They were --

22 Q. -- still pending?

23 A. Yeah. They were put in together.

24 Q. Okay. So you're pending a criminal charge
25 for DUI third from an October offense --

MELISSA CONVERSE - Cross (Halstead)

1 A. Uh-huh.

2 Q. -- and you're caught again in December of
3 2004 for driving under the influence?

4 A. Uh-huh.

5 Q. Okay. And then did you -- were you
6 serving any sentence on those two when you were --
7 when your felony arrest occurred in 2006?

8 A. I was on probation.

9 Q. For both of these two at --

10 A. Right.

11 Q. -- that time? Okay. So you got -- you,
12 obviously, were found guilty and put on probation
13 for the October 2004 and the December 2004 DUI
14 third offenses?

15 A. Right.

16 Q. Okay. All right. Let me just look to
17 make sure -- were you -- I have down here in March
18 of 2005 you were arrested for driving under
19 suspended or revoked driver's license. Do you
20 remember that?

21 A. Uh-huh.

22 Q. And that occurred here in Lancaster
23 County?

24 A. Right.

25 Q. I take it you were driving even though

MELISSA CONVERSE - Cross (Halstead)

1 your license had been suspended because of your
2 DUIs.

3 A. To class.

4 Q. Did you know you couldn't drive?

5 A. Yeah.

6 Q. But you just went ahead and did it anyway?

7 A. Yeah.

8 Q. Okay. Were you drinking?

9 A. No.

10 Q. Okay.

11 A. It was in the morning in the middle of the
12 week.

13 Q. Okay. Were you found guilty of that
14 offense, driving under suspended license?

15 A. Yeah.

16 Q. Do you remember what your sentence was?

17 A. I think it actually got dropped 'cause
18 they sentenced me for everything all in June of
19 2007.

20 Q. Let me show you what the -- according to
21 the paperwork --

22 A. Okay. So a fine.

23 Q. Okay. So you were fined for that offense?

24 A. Right.

25 Q. Okay. It looks like you were also charged

MELISSA CONVERSE - Cross (Halstead)

1 with not having a seat belt on and speeding, but
2 they dismissed those two charges.

3 A. Okay.

4 Q. Does that make --

5 A. Yeah.

6 Q. Okay. Do you remember getting a citation
7 in August of 2005 for, again, having an open
8 alcohol container in public? This is in
9 Nemaha County, Auburn.

10 A. Yeah.

11 Q. Do you remember what you were doing?

12 A. Just at a party at Peru State --

13 Q. Drinking again?

14 A. -- College. Yeah.

15 Q. Help me out. I mean, you're -- you're on
16 probation for two DUIs, and you continue drinking?

17 A. I didn't care --

18 Q. Okay.

19 A. -- at the time. I mean, that's why I
20 stopped drinking is 'cause I had no regard for the
21 law.

22 Q. Okay.

23 A. I was going to make my own decisions.

24 Q. Okay. This says that you paid a fine for
25 the open alcohol container in Nemaha County. Does

MELISSA CONVERSE - Cross (Halstead)

1 that --

2 A. Yes.

3 Q. -- sound right? Okay. So now we get to
4 April 16th of 2006 --

5 A. Uh-huh.

6 Q. -- and I believe in your stuff you said
7 that was after the Red-White football game?

8 A. Right.

9 Q. So, again, didn't care? You were just
10 going to drink?

11 A. I remember I didn't drink very much
12 because I knew I wasn't supposed to be, but -- and
13 my BAC by the time I was placed at Cornhusker
14 Place was a .10.

15 Q. Okay. Still over the .8 --

16 A. Right.

17 Q. -- .08 legal limit?

18 A. Right.

19 Q. Okay. You were still on probation for two
20 DUI offenses; correct?

21 A. Uh-huh.

22 Q. So you shouldn't have been drinking
23 alcohol at all, should you?

24 A. No.

25 Q. Okay. What subsequently was your sentence

MELISSA CONVERSE - Cross (Halstead)

1 for the DUI fourth offense?

2 A. First, I did six months in York, and then
3 because I was revoked from my probation for the
4 other two, I had to do a sentence at LCF here in
5 Lincoln.

6 Q. Okay. And the six months in York, that's
7 the correctional facility for women; right?

8 A. Right.

9 Q. Okay. So you were sentenced to prison,
10 basically, at the Department of Corrections?

11 A. Right.

12 Q. And then your two DUI third offenses for
13 which you were on probation, you had an
14 additional --

15 A. 180 days.

16 Q. In jail here in Lincoln?

17 A. Lincoln.

18 Q. Basically, the Community Corrections
19 facility that Lincoln runs?

20 A. Right.

21 Q. Okay. And I think you mentioned in your
22 opening you've been sober for -- since 2007.

23 A. 2007. I was sentenced on June 7th, 2007.

24 Q. So from that date forward --

25 A. (Witness nods head.)

MELISSA CONVERSE - Cross (Halstead)

1 Q. -- you've been sober?

2 A. Uh-huh.

3 Q. Do you attend AA meetings?

4 A. Yes.

5 Q. Do you have a sponsor?

6 A. Yes.

7 Q. Okay. How often do you attend AA?

8 A. Two, three times a week. In the beginning
9 I went much more.

10 Q. Okay.

11 A. I go a lot with clients, but -- at work,
12 but I don't really count that because I'm there
13 with them.

14 Q. That's part of your job?

15 A. Yeah.

16 Q. Okay.

17 A. So outside of that, two to three times.

18 Q. Okay.

19 A. And my boyfriend's also in the program.

20 Q. Okay. You're still single?

21 A. Well -- not married, yeah.

22 Q. Okay.

23 A. Yeah.

24 Q. I just --

25 A. Yeah. We live together --

MELISSA CONVERSE - Cross (Halstead)

1 Q. That's all right.

2 A. -- but --

3 Q. I just want to -- you're -- you're not
4 married?

5 A. No.

6 Q. That's fine. Help me out. So you did
7 your time at York and in Community Corrections
8 here in Lincoln?

9 A. Uh-huh.

10 Q. When did you -- when were you released
11 from that?

12 A. April 2007.

13 Q. Okay. So when you were released in April
14 of 2007, what did you do then in your life?

15 A. During -- I -- originally -- before I was
16 even sentenced in this, I was working at Air Park
17 Rec Center doing a summer program for kids --

18 Q. Was that part of --

19 A. -- for a before-and-after-school program.
20 So while I was in LCF, I was on work release, and
21 I was working at that Air Park also. They gave me
22 my job back. And then after I got out of LCF, I
23 continued to work there throughout the summer, so
24 that would have been up until August. During that
25 time I was also working part-time at Cornhusker

MELISSA CONVERSE - Cross (Halstead)

1 Place.

2 Q. Cornhusker Detox?

3 A. Right.

4 Q. Okay.

5 A. And then in August 2007 I went full-time
6 at Cornhusker Place --

7 Q. Okay.

8 A. -- and then picked up a job part-time at
9 Touchstone.

10 Q. Do you remember when you picked up the
11 part-time --

12 A. August 2007.

13 Q. Okay.

14 A. September 2007.

15 Q. Okay. So you had employment at the
16 Cornhusker Place starting in August of 2007,
17 and --

18 A. That was in May 2007.

19 Q. Okay.

20 A. And I worked there until December of 2009.

21 Q. At Cornhusker Place?

22 A. Right. And at that time I went full-time
23 at Touchstone --

24 Q. Okay.

25 A. -- which I'm still at.

MELISSA CONVERSE - Cross (Halstead)

1 Q. And just for the record, tell us what
2 Touchstone is.

3 A. It's a -- it's a part of CenterPointe.
4 It's a short-term residential facility for men and
5 women. It's a 45-day stay for residential
6 treatment for individuals with co-occurring
7 disorders, including addictions to drug and
8 alcohol or other co-occurring mood disorders.

9 Q. And what do you do at Touchstone?

10 A. I'm a counseling assistant. I assist the
11 clients or counselors with anything they may need.

12 Q. Okay. So like on a given day, what would
13 you be doing?

14 A. I lead a lot of groups, educational
15 groups. It's for 22 clients. I do orientation
16 for new clients when they come in. I do all their
17 intake stuff and get them oriented to stay. I go
18 over their scheduling with them, sign them up for
19 classes. Basically, I'm making sure that
20 everything's running smoothly within the group of
21 clients.

22 Q. Okay. And you've been at Touchstone --
23 you started August 2007 at Touchstone?

24 A. I'm sorry. That would have been
25 August 2008.

MELISSA CONVERSE - Cross (Halstead)

1 Q. Okay. And you're still with them today?

2 A. Yes.

3 Q. Okay. Any other employment you currently
4 have?

5 A. I work at a chiropractor office.

6 Q. And what -- where is that at?

7 A. That's at 15th and Pine Lake, Southwest
8 Chiropractic.

9 Q. Okay. And what are your hours there or
10 how many days do you work there?

11 A. Part-time. Usually, just in the mornings.

12 Q. Okay. Every day of the week or --

13 A. No. Like a Monday, Wednesday.

14 Q. Okay. How long have you worked for the
15 chiropractor?

16 A. Since June.

17 Q. Of 2011?

18 A. 2011.

19 Q. Okay.

20 A. I'm currently employed also with LPS, but
21 I -- when did I start there -- since January, but
22 I think maybe once my certificate went active --
23 inactive, I -- 'cause I haven't seen anything
24 listed for me as a sub.

25 Q. Okay. So you signed up with the Lincoln

MELISSA CONVERSE - Cross (Halstead)

1 Public Schools to be on their substitute teacher
2 roll?

3 A. Yeah.

4 Q. Okay. But you haven't this fall --

5 A. I haven't --

6 Q. -- received a call?

7 A. -- been able to get anything yet this --

8 Q. Okay.

9 A. But I subbed from January until school
10 ended.

11 Q. Do you remember where in LPS you subbed?

12 A. All over.

13 Q. Elementary? Middle? High school?

14 A. All of them.

15 Q. Okay. Do you remember how many days you
16 subbed?

17 A. About forty --

18 Q. Okay.

19 A. -- at least.

20 Q. Did you disclose to them that you had a
21 felony conviction?

22 A. To who?

23 Q. To LPS, the Lincoln --

24 A. Yes.

25 Q. -- Public Schools.

MELISSA CONVERSE - Cross (Halstead)

1 A. They --

2 Q. Okay.

3 A. I had to go over all of that with Mr. Jeff
4 Gade --

5 Q. Okay.

6 A. -- before I began.

7 Q. And is that how you know Mary Beth
8 Lehmanowsky too?

9 A. No. She was actually the one that
10 supported me with Gade.

11 Q. Okay.

12 A. And I know her from interviewing me for a
13 teacher position, and then she was the one that
14 got me started subbing.

15 Q. Okay.

16 A. Mr. Gade said that she was the one that
17 really went to bat to -- for me to start
18 subbing --

19 Q. Okay.

20 A. -- because he didn't really want to push
21 me along.

22 Q. Okay. So let me -- in 2011 you're still
23 employed at Touchstone?

24 A. Uh-huh.

25 Q. Is that every day of the week?

MELISSA CONVERSE - Cross (Halstead)

1 A. No.

2 Q. How many days a week do you work for
3 Touchstone?

4 A. About three.

5 Q. And eight-hour days? I don't know what --

6 A. Yes.

7 Q. Okay.

8 A. They're -- it's either a seven-to-three
9 shift, three-to-eleven. I don't do overnights.

10 Q. Okay. So either a seven in the morning to
11 three in the afternoon or three in the afternoon
12 to eleven in the evening?

13 A. Right.

14 Q. Okay. And then you're also working
15 sometime for a chiropractor?

16 A. Uh-huh.

17 Q. Okay. Those are your two employers at the
18 moment?

19 A. Right.

20 Q. Okay. Are you involved in any community
21 events or activities?

22 A. Not recently. I was a lot more before.
23 Just the Relay For Life. I did a lot of that. My
24 niece just passed away this -- not too long ago
25 from cancer, so I was really involved in that, but

MELISSA CONVERSE - Cross (Halstead)

1 other than that and just the AA functions, I don't
2 do a lot.

3 Q. Okay. I think you mentioned in your
4 opening statement the criteria in the Rule 21
5 about time since the event has occurred --

6 A. Uh-huh.

7 Q. -- the age of the offender, contributions
8 to society.

9 A. (Witness nods head.)

10 Q. Besides having to go to work at Touchstone
11 or Cornhusker Place or the chiropractor or any
12 community service you were required to do as part
13 of a criminal court sentence --

14 A. Uh-huh.

15 Q. -- have you volunteered or given anything
16 back to the community in a volunteer role?

17 A. Well, that -- I guess by working in a
18 treatment center, I -- that's how I give back to
19 the community is by helping those individuals be
20 successful but then also going to meetings and
21 helping out with functions that they set up.

22 Q. That Touchstone sets up?

23 A. No. AA.

24 Q. AA. Okay. So you -- do you contribute
25 time to Alcoholics Anonymous?

MELISSA CONVERSE - Cross (Halstead)

1 A. Yes.

2 Q. Okay. And this isn't your time in
3 attending AA. This is other meetings they may be
4 holding that you're assisting?

5 A. Yes.

6 Q. Okay.

7 A. Not with Touchstone. Not while I'm
8 working.

9 Q. Right. That's what -- that's what I was
10 trying to articulate out because many of the items
11 you listed as a society contribution are really
12 work-related or court criminal sentence --

13 A. Right.

14 Q. -- related. I'm looking for events you're
15 not required to do but you just do it because you
16 think you need to give back to society.

17 A. Uh-huh.

18 Q. Those are the kind of events I'm looking
19 for.

20 A. Okay.

21 Q. So some things with AA?

22 A. I've helped host -- it's called The Big
23 Pig.

24 Q. Okay. Tell us about The Big Pig.

25 A. It's just -- they put a pig on a stick

MELISSA CONVERSE - Cross (Halstead)

1 over a camp fire, and it's out at Pawnee Lake, and
2 it's just a -- it's a summertime thing. End of
3 the summer-type get-together.

4 Q. And who participates in The Big Pig?

5 A. Anybody that's in AA or their family
6 members. It's open meeting.

7 Q. And Relay For Life, you listed that off.

8 A. Right.

9 Q. What did you do for Relay For Life?

10 A. Fund-raising and set up the luminaries --

11 Q. Okay.

12 A. -- and then the -- I want to say intake,
13 but that's not what it's called -- enrollment in
14 the morning.

15 Q. Okay. How much time did you put in for
16 the Relay For Life?

17 A. I'd say five hours.

18 Q. Okay. And The Big Pig?

19 A. Eight.

20 Q. Okay. Any other community service? I
21 mean, are you a member of any clubs? A church?
22 Anything like that?

23 A. I go to St. Mark's Church.

24 Q. Here in Lincoln?

25 A. Yeah.

MELISSA CONVERSE - Cross (Halstead)

1 Q. Any events through St. Mark's that you
2 participate in or contribute to?

3 A. Not recently.

4 Q. Okay.

5 A. And as far as the AA goes, like those type
6 of events, I admit that I don't do as much as I
7 used to because I -- I've been through so many
8 clients that now I just keep running into them
9 everywhere, and it's -- at our places we're -- we
10 don't have any self-disclosure, so they're not
11 really supposed to know that we're in the program,
12 so when I keep running into them everywhere, they
13 know. Then they tell other people that are in
14 treatment now, and it just kind of gets a little
15 harry --

16 Q. I can understand that.

17 A. -- because then they want to know why and
18 if I've been in trouble and . . .

19 Q. When -- when you were growing up and going
20 to Beatrice schools, did you want to be a teacher?

21 A. I wasn't sure.

22 Q. Okay. What made you first become
23 interested in being a teacher?

24 A. By taking some classes at UNL --

25 Q. Okay.

MELISSA CONVERSE - Cross (Halstead)

1 A. -- when I began my -- I can't remember
2 what it's called, but all I did was just
3 observe --

4 Q. Okay.

5 A. -- when I was in the classroom.
6 Practicum.

7 Q. Okay.

8 A. When I began my first practicum at
9 Lincoln High.

10 Q. Okay. Attached to your petition you have
11 a number of letters that were written by
12 individuals. I wanted to just ask you about that
13 so that we have some perspective on who they might
14 be or --

15 A. Okay.

16 Q. There's Maria --

17 A. Zutavern.

18 Q. -- Zutavern. Who's Maria?

19 A. My supervisor at Touchstone.

20 Q. So she's your current --

21 A. Right.

22 Q. -- supervisor --

23 A. Uh-huh.

24 Q. -- at your current job?

25 A. Yeah.

MELISSA CONVERSE - Cross (Halstead)

1 Q. Okay. And she's fully aware of all of
2 your --

3 A. Yeah.

4 Q. -- criminal --

5 A. Uh-huh.

6 Q. -- background? All right. Is Maria a
7 teacher in the public schools?

8 A. No, she's not.

9 Q. Okay. There's a Paige Namuth, Director of
10 Antlers Recovery Center.

11 A. Uh-huh.

12 Q. Who's Paige?

13 A. She's a friend of a friend that I met
14 throughout this journey to renew my certificate.
15 She started the program through LPS with kids.
16 Basically, she just wanted to support that someone
17 with my type of background would be an asset to
18 help kids who have dealt with addictions or their
19 parents have been.

20 Q. Okay. And then there's a number of
21 letters from about 2006 that are attached.
22 There's a letter from -- it's not signed, but it's
23 Michael Dempsey from --

24 A. UNL.

25 Q. -- UNL. Who's Mr. Dempsey?

MELISSA CONVERSE - Cross (Halstead)

1 A. A professor that I had there while I was
2 doing my student teaching.

3 Q. Do you know whether Mr. Dempsey knew about
4 your criminal record --

5 A. This --

6 Q. -- at the time he wrote the letter? It's
7 dated April 4th of 2006, so did you tell him
8 about --

9 A. Probably not.

10 Q. -- all your drunk driving?

11 A. No.

12 Q. Okay. There's a May 17th, 2007, letter
13 from a Perry Hill, Superintendent of Glendale
14 Elementary Schools. Who's Mr. Hill or Ms. Hill?

15 A. Mr. Just the superintendent at Glendale
16 Schools.

17 Q. Was he aware of all of your drunk driving
18 convictions and criminal --

19 A. Minus the last one 'cause I hadn't been
20 convicted yet.

21 Q. Okay. And this is from 2007; correct?

22 A. Right.

23 Q. Have you had any contact with him since?

24 A. No. He's actually retired now.

25 Q. Okay. There's an undated letter from Ross

MELISSA CONVERSE - Cross (Halstead)

1 Dirks, Associate Principal at Pound Middle School.

2 A. Uh-huh.

3 Q. Do you know when that letter was written?

4 A. 2006 while I was doing my student teaching
5 there.

6 Q. Do you know if Mr. Dirks knew about your
7 criminal --

8 A. Yes.

9 Q. -- record?

10 A. He's fully aware --

11 Q. Okay.

12 A. -- 'cause he's also a friend -- a good
13 friend of my parents.

14 Q. Okay. Debra Sharp.

15 A. Co-operating teacher at Pound.

16 Q. Was she aware of all your drunk driving
17 convictions?

18 A. Yes.

19 Q. Mark A. Hughes, Assistant Principal,
20 Bicentennial North School.

21 A. Uh-huh.

22 Q. Is he familiar with all of your drunk
23 driving offenses?

24 A. Yes. They fought to keep me there.

25 Q. Okay. Were you drinking while you were

MELISSA CONVERSE - Cross (Halstead)

1 teaching in Arizona?

2 A. Yes.

3 Q. Did you have any arrests in Arizona for
4 drinking offenses?

5 A. No.

6 Q. Okay. And then Elizabeth Neeser.

7 A. She was on my team while I was teaching.

8 Q. Okay. Was she aware of all of your
9 criminal convictions for alcohol?

10 A. Yes. I also -- she also went to UNL here
11 with me --

12 Q. Okay.

13 A. -- and moved out to Arizona at the same
14 time.

15 Q. Was she one of your roommates that you
16 were partying with?

17 A. No. Those were Beatrice friends.

18 Q. Okay. I was just trying to understand.
19 And V. Bachelder.

20 A. Venus.

21 Q. Yes.

22 A. She was also on my team.

23 Q. Okay. Have you seen any of these people
24 or talked to any of these people from Arizona
25 since they wrote these?

MELISSA CONVERSE - Cross (Halstead)

1 A. Talked to them, yes, but seen them only
2 since the last time I was in Arizona which was
3 2008.

4 Q. Okay. I asked you a whole lot of
5 questions. Is there anything else you want to
6 relate from anything I asked to make sure -- or
7 something else you want to say?

8 A. Not really. I just -- the reason that
9 I've decided to stop drinking is because of all
10 that --

11 Q. Uh-huh.

12 A. -- and that's not the life I want to live
13 anymore, and I've let down so many people, and I'm
14 just done doing that. And I realize that I can't
15 drink and not get in trouble 'cause if you notice,
16 the only time I have any citations at all is when
17 I'm drinking. I don't get in trouble when I'm
18 sober. And that's just not the life I want to
19 lead anymore which is why I've decided to make
20 those life decisions.

21 I guess I just feel -- it's been five and
22 a half years, and I just -- I -- I've been unable
23 to move forward in every aspect, and I don't know
24 what else I need to be doing or -- I'm just trying
25 to move forward and keep getting caught behind.

1 MR. HALSTEAD: I don't have any more
2 questions. Thank you very much.

3 HEARING OFFICER: I have a question
4 about the letters from Elizabeth Neeser and Venus
5 Bachelder.

6 THE WITNESS: Uh-huh.

7 HEARING OFFICER: What are the dates
8 of those letters?

9 THE WITNESS: They should have been
10 2006. '07. I'm sorry.

11 HEARING OFFICER: 2007?

12 THE WITNESS: Right before I was
13 sentenced on my last DUI.

14 HEARING OFFICER: Okay. Do you have
15 any other facts?

16 MS. CONVERSE: I do not.

17 MR. HALSTEAD: I have nothing to
18 offer.

19 HEARING OFFICER: Okay. Do you wish
20 to make closing arguments? Do you wish to make
21 a -- an argument?

22 MS. CONVERSE: I guess I'm just trying
23 to get back to the profession that I went to
24 school for. I showed up every day sober for
25 subbing. I'm just trying to get into a full-time

1 job. I'll even do subbing again for as long as it
2 takes or provisional anything. I just -- as I
3 mentioned, I just -- I don't know what else I can
4 do. I feel like I'm taking every step towards the
5 right way that I can, but I -- I just don't know
6 what else I can do at this point.

7 Like I said, I did a great job subbing. I
8 proved myself subbing, and that's why I was given
9 this job in August. Even though there was
10 supposedly so many hiring freezes in LPS, they
11 still offered me a job. I just am trying to get
12 my chance to just prove myself, that that's not
13 the person I am anymore. That's what I was five
14 and a half years ago, but -- and that's all I
15 have.

16 HEARING OFFICER: Okay. Mr. Halstead.

17 MR. HALSTEAD: Just very briefly. I
18 think the letter from the Commissioner to the
19 petitioner outlines his reasons. Obviously, she
20 has a felony convictions for drunk driving for
21 which she was incarcerated for a period of time.
22 Throughout her history, she was given numerous
23 opportunities to better herself, and she failed to
24 take advantage of those.

25 It's correct that most of those events

1 occurred when she was eighteen to twenty-two years
2 old. It has been almost five and a half years
3 since her last criminal conviction, but she wants
4 to be admitted to a profession which is something
5 more than just a job. The Commissioner has to
6 look out for the reputation of the entire
7 education profession.

8 Felony convictions are not just minor things
9 that occur, and I think from the evidence related
10 here, we've got at least eight or nine criminal
11 convictions all related to alcohol, and -- and the
12 fact that the petitioner throughout that whole
13 period of time chose not to change her behavior,
14 the Commissioner at this point isn't convinced
15 that she is, in fact, of good moral character.

16 Most of the events she's related to community
17 or social, sponsoring events for communities are
18 all job-related. Although the Relay For Life is,
19 in fact, something that has absolutely nothing to
20 do with her current jobs of alcohol counseling or
21 whatever, almost all of the -- the contributions
22 to society have been related either to her job or
23 to her criminal court sentences per which she was
24 required to do them.

25 I think it -- it indicates maybe she's not

1 ready yet to be let back into the profession.
2 Maybe in a year or two if she can demonstrate in
3 a -- in her world that, in fact, she is a
4 contributor to society in general, that's an
5 opportunity, but at that point in time, the
6 Commissioner didn't believe she has demonstrated
7 that she was fit to be a member of the teaching
8 profession.

9 So that would be my closing statement.

10 HEARING OFFICER: Okay. Thank you.
11 I'll be considering the evidence, and what I do is
12 I make recommendations for Facts -- Findings of
13 Facts, Conclusions of Law, and then a
14 recommendation to the Board of Education, and then
15 the Board of Education actually makes the
16 decision.

17 So that will conclude this hearing. Thank
18 you.

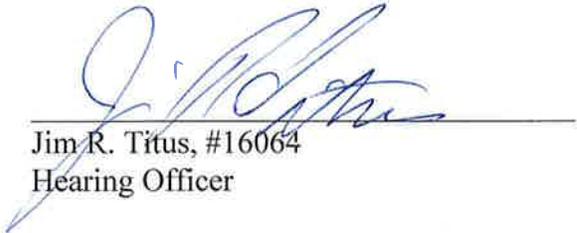
19 (The proceedings concluded at 8:52 a.m.)
20
21
22
23
24
25

CERTIFICATE OF SERVICE

I certify that on September 19, 2011, I served a true and correct copy of the foregoing notice of hearing by first-class United States mail, postage prepaid, on the following parties:

Brian L. Halstead
Assistant Commissioner/General Counsel
Nebraska Department of Education
301 Centennial Mall South, 6th Floor
P.O. Box 94933
Lincoln, NE 68509-4933

Melissa Converse
5840 Abigail Drive
Lincoln, NE 68516



Jim R. Titus, #16064
Hearing Officer

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA



Melissa Converse)
5840 Abigail Drive)
Lincoln, NE 68516,)
)
Petitioner,)
)
v.)
)
Roger D. Breed, Ed.D.)
Commissioner of Education)
P.O. Box 94933)
Lincoln, NE 68509-4933,)
)
Respondent.)

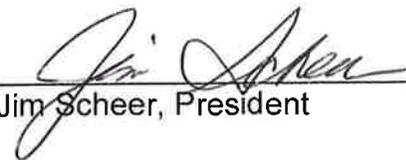
NDE Case No.

**ASSIGNMENT OF CASE
TO HEARING OFFICER**

Pursuant to Title 92, *Nebraska Administrative Code*, Chapter 61, the State Board of Education ("State Board") hereby appoints Jim R. Titus as the Board's hearing officer in this case. The hearing officer shall conduct the hearing and submit proposed findings of fact, recommended conclusions of law, and a recommended decision to the State Board.

DATED this 8th day of September, 2011.

STATE BOARD OF EDUCATION

BY: 
Jim Scheer, President

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Assignment of Case to Hearing Officer was served upon Melissa Converse, 5840 Abigail Drive, Lincoln, Nebraska, 68516, via United States Mail, first class postage prepaid; and upon Brian L. Halstead, Assistant Commissioner/General Counsel, Nebraska Department of Education, 301 Centennial Mall South, Sixth Floor, Lincoln, Nebraska, via interoffice mail, all on this 8th day of September, 2011.

Brenda L. Wid

49-655-30

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

Melissa Converse
5840 Abigail Drive
Lincoln, NE 68516

Petitioner,

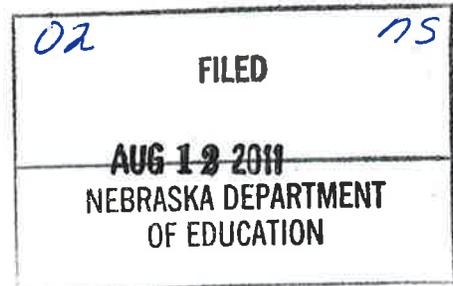
v.

Roger Breed, Ed.D.
Commissioner of Education
P.O. Box 94933
Lincoln, NE 68509

Respondent.

Case No. 11-11

ANSWER



COMES NOW the Respondent, Roger Breed, and for his answer to the Petition of the
Petitioner, admits, denies, and alleges as follows:

1. Respondent admits paragraphs 1-4 in the Petition.
2. Respondent denies paragraph 5 in the Petition.

WHEREFORE, the Respondent requests that the State Board of Education appoint a hearing officer to hold a hearing on this matter, make a recommendation to the Board, and the Board take such action as may be warranted by the evidence at such hearing.

Roger D. Breed, Ed.D.
Commissioner of Education

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Answer was mailed to the parties of record through regular United States mail, postage prepaid, this 12th day of August 2011.

Brian L. Halstead, #18077
Attorney for Respondent

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

Case No. 11-11

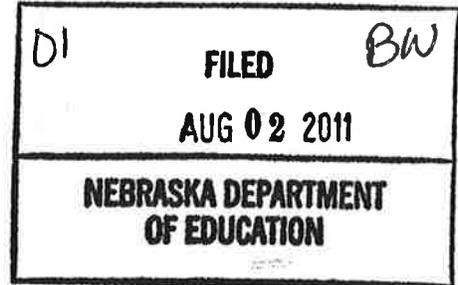
Melissa Converse
5840 Abigail Dr.
Lincoln, NE 68516

Petitioner,

Roger D. Breed, Ed.D.
Commissioner of Education
P. O. Box 94933
Lincoln, NE 68509-4933,

Respondent.

PETITION



Pursuant to Title 92, Chapter 61, of the *Nebraska Administrative Code*, Petitioner alleges and states the following for a petition and appeal against Respondent, Roger D. Breed, Commissioner of Education ("Commissioner").

1. This Petition constitutes an appeal of the decision of the Commissioner to deny the issuance of a Nebraska certificate to Petitioner.

2. The State Board of Education has authority and jurisdiction to grant the relief requested by Petitioner by reason of Section 009.03 of Title 92, Chapter 21, of the *Nebraska Administrative Code* and by reason of the Nebraska Administrative Procedures Act, Neb. Rev. Stat. §§ 84-901, et seq.

3. Petitioner applied for a Nebraska certificate on or about April 25, 2011. Kevin Peters, Ed.D., Director of the Nebraska Teacher Certification Office, sent a letter to Petitioner stating that the application would be denied unless Petitioner made a written request for review within twenty (20) days. Petitioner made a timely written request for review.



Roger D. Breed, Ed.D., Commissioner
Scott Swisher, Ed.D., Deputy Commissioner

301 Centennial Mall South Tel: (402) 471-2295
PO Box 94987 Fax: (402) 471-0117
Lincoln, NE 68509-4987 Web: www.education.ne.gov

CERTIFIED MAIL

July 11, 2011

Ms. Melissa Converse
5840 Abigail Drive
Lincoln, NE 68516

Re: Denial of an Application for a Nebraska Certificate

Dear Ms. Converse:

On April 25, 2011, you filed an application to renew your Nebraska teaching certificate. On May 31, 2011, Kevin Peters, Director of the Teacher Certification Office, sent you a letter notifying you of an Intent to Deny your application. On June 21 this office received your letter and enclosures requesting my review of your application.

It is my responsibility to consider your fitness for issuance of a teaching certificate pursuant to Neb. Rev. Stat. Section 79-808 and Title 92, *Nebraska Administrative Code*, Chapter 21 (effective date: May 11, 2010). In reviewing the information, I have decided to deny your application based on the following determinations: 1) You have a 2007 Driving Under the Influence 4th Offense felony conviction for which you were sentenced to a term of imprisonment not less than one year nor more than two years, and your driving privileges were revoked for a period of 15 years; 2) This conviction is prohibited by 92 NAC 21, Section 003.11; and 3) Section 005.01J states that applicants be of good moral character.

Therefore, I am denying your application for a Nebraska teaching certificate based upon the aforementioned information. Section 009.03 of 92 NAC 21 provides that you may appeal my denial of your application to the State Board of Education within twenty (20) calendar days of receipt of this letter. A copy of Title 92, *Nebraska Administrative Code*, Chapter 61, is included.

Sincerely,

A handwritten signature in cursive script that reads "Roger D. Breed".

Roger D. Breed, Ed.D.
Commissioner of Education

xc: Kevin Peters, Ed.D.

Enclosure

August 1, 2011

To the Commissioner of Education,

With the carefree years of youth, comes ignorance and oblivion. During my college years, I felt my only responsibility was going to class, and getting semi-decent grades. School had always come easy for me. I never had to devote much time to my studies, and still get mostly A's or B's. Like many young people on their own for the first time, I filled the rest of my time going out Thursday, Friday and Saturday nights. I met many new friends at college, but *unlike* many young people, I didn't know how to socialize and get to know these people without drinking. I felt that I was so much more fun to be around, and the person that everyone liked while I was drinking. I was funny, I was the life of the party. I could strike up a conversation with anybody, yet when I was sober, I didn't even have the courage to say hello.

Drinking every weekend, then driving home became my weekend routine. I only had to get through a few more days of school and then be back to the weekend again. Shortly after completing my first semester of college, in March of 2002, I went to a party with some friends celebrating Nebraska's acceptance into the NIT basketball tournament. We drank keg beer at a friend's house, and decided to go get food at Amigos, downtown. During the middle of a severe winter storm, I drove myself and two friends to the restaurant.

Upon leaving Amigos, my car would not start. I called my dad and he said he'd be right down to help me out. Unfortunately, my car started shortly after and I attempted to drive back to the party. I was swerving quite significantly, and a police officer pulled me over to see if everything was alright. I'd already drank too much before leaving the party. I failed all field sobriety tests and was cited with a DUI, Minor in Possession, and Open Container. Even worse,

my dad and stepmother had seen the whole thing because they'd been on their way downtown to help me. My Dad had me out of Detox in less time than it took to get me booked in. While I'd heard that a DUI was a very serious infraction, I was 18, had never been in trouble before, and spent only 12 months on Probation. During this time on Probation, I continued to drink the entire time. I really did not feel that the rules applied to me, that I'd just been in the wrong place at the wrong time, and that I was above the law. I simply thought nothing of it.

In December of 2004, I was downtown on a Tuesday night at Buffalo Wild Wings for their cheap wings special. I had considered asking my friend to drive my car home, but thought I could manage. I remember thinking that the likelihood of getting pulled over AGAIN was pretty slim, and surely I wouldn't get caught another time. I took it upon myself to drive. I was pulled over for having a headlight out that I was completely unaware of. Yet again, I did the routine of field sobriety tests, and failed again. I was taken to Detox, but this time I had to stay the night because my parents were in Chicago, Christmas shopping. I again hired a lawyer, and managed to do just 10 days at the Lancaster Correctional Facility, which was much like an adult daycare, and I still got out for 8 hours a day for college classes.

My mom asked me what it was going to take for me to learn my lesson, and if I was going to have to kill someone to stop doing what I was doing. I just rolled my eyes. I couldn't believe she could say something as far-fetched as this. The only time I had ever been in trouble with the law has been alcohol-related. I could not believe my mom would say that I was actually capable of killing someone. I just couldn't make the connection at the time.

Even with all the tickets, I never fully understood the ramifications and consequences of my senseless actions. My dad bailed me out of every situation I got into so quickly, that I barely had a chance to feel any of the pain. I was getting away with nearly everything with barely a

scratch. I had a false sense of confidence that I must be better than everyone else, and as long as there was money for a lawyer, I could manage to escape any charges unscathed again.

I selfishly continued to party every weekend, Thursday, Friday, and Saturday nights. Of course I knew that I was getting arrested much more frequently than my friends were, but I thought I just had really bad luck, always in the wrong places at the wrong time. It never crossed my mind that I had a drinking problem. I thought I was much too young for that.

Within the last five years of my life, and with extensive counseling, I have come to realize that much of my self-destructive behavior came from childhood issues I felt no control in resolving. My parents got divorced when I was at a very young age, and my mom moved me down to Beatrice, much to my dismay at the time. I had no control over anything that was happening to me, which as I aged, turned me in to a control freak. I used alcohol as a means to escape having to control things. Every relationship I was involved in from the time I was 16 to 26 was an absolute disaster due to my controlling behaviors. I turned to alcohol to block out all emotions, to make it so I didn't have to feel any true emotions. I put on a mask every weekend that I was okay, when truly, on the inside I wasn't okay at all.

Shortly before I graduated college, I was hired on through the Glendale School District in Arizona, to teach 7th grade at Bicentennial North Elementary School. But in between getting the job, and moving out there, I got my final DUI after the Red/White game in April, 2006.

I'd been friends with many of the football players, and they were all having a party at the Embassy Suites in downtown Lincoln. I somehow believed that hanging out with Nebraska football players made me cool, and that just by being around them, I held some sort of special status. At the Embassy Suites, a friend and I ended up in one of the hotel rooms. The guys

became extremely aggressive, and I wanted to leave immediately. I knew I shouldn't be driving, but my friend wanted to stay, so I asked her if I could take her vehicle home. I honestly didn't think I'd had enough to drink to get in to any trouble as I thought I felt fine. I was pulled over for crossing the center line. The police officer asked me to do field sobriety tests, which I agreed to, "knowing" that I would pass. I was given a Breathalyzer, but still blew a .09, just above the legal limit. Here we go again I thought, going to have to hire another lawyer. Surely I thought I'd be able to get off of this one, since I was just barely over the limit. However, I remember being in Detox, wishing I could fall asleep and never wake up, knowing that I'd really done it this time.

I realized shortly after getting to Arizona, that I'd tried escaping from Nebraska because I could not tolerate the negative influences I had no handle on at the time. I knew I didn't want to get in any more trouble, but didn't have the willpower to tell friends "NO." I thought it would be as simple as moving away and starting over, and was not yet ready to face the consequences I knew were to come with the pending DUI. I did a classic "geographical change," thinking that would be the answer. I flew back to Nebraska 8 times for various court dates, as I still had a pending charge hanging over my head.

My lawyer on my final DUI had told me he wanted to take my case to a trial, but then decided I wasn't "strong enough" to hold up in court. Given my already damaged record, I was unable to get off the charge and finally was forced to face some serious consequences. I was incarcerated for nearly 10 months, which has had a serious impact on my criminal record, personal, and professional life. I've disappointed my parents, grandparents, sister, friends, and everyone else in my life, including myself.

I finally realized that this DUI would be my last citation ever. I came to the conclusion that this was not at all the way I wanted to live my life. I was becoming a person I wasn't proud

of every time I drank. I didn't even like myself anymore. This DUI was indeed "what it was going to take," as my mom had asked me years before. When the pain becomes great enough to endure, change will take place. I needed to get a DUI to shock me into the realization of how out of control my life had become. I definitely am not "above the law," and know that the only way I can ensure that this could never happen to me again, is to quit drinking entirely.

During my time in jail, I became actively involved in the AA program. I also gained a sponsor and began working with her diligently to complete the steps I needed to figure out where my life had gone wrong. My life isn't nearly as "social" as it once was, but I no longer have to wake up in the morning feeling awful, wondering what I did the night before, or how I got home, or if I had driven there. I no longer have to worry about the possibility of incurring more criminal charges, and ruining my life even further. I have separated my true friends from those who were simply "drinking buddies." Interestingly, those drinking buddies left my side once I went to jail, and many of them I have barely spoken to in years. I have established even stronger friendships with those real friends, who respect the fact that I cannot drink anymore.

I began working at Cornhusker Place, in May 2008, in attempts to give back to the community, and help others who are struggling with the same issues I have. While working there, I was faced daily with what my life could have been like, had I not taken a grasp on it to get myself together. After just 6 months of employment, I was asked to interview for the Case Manager position, and was given a promotion.

After more than a year in this position, I decided to go full-time at my part-time job, at Touchstone, another treatment center for drug and alcohol rehabilitation. I chose this route as I wanted to work with men AND women, as I can help identify with women's issues much more

easily. Cornhusker Place caters to men only. I have been working at Touchstone since August of 2008.

My personal life has gained many strides as well. I am an active member of St. Mark's Methodist Church. I have volunteered in many projects, including Project Homeless Connect, and Clinic With a Heart. I have met the love of my life. We live together in south Lincoln, and have his two-year old son five days a week. We keep ourselves busy playing coed softball, fishing, going out to dinner, and watching movies. We attend AA two to three times a week, and talk to our sponsors almost daily. I have been sober since June 7, 2007.

Through this experience, I have been taught humility, and shame. It took me nearly five years to apply to LPS because I was ashamed to report my criminal history. However, I have met with LPS Background Specialist, Mr. Jeff Gade, and Dr. Mary Beth Lehmanowsky who have cleared me, so that I could become an LPS employee. I actually feel that now I am more prepared to teach others than before. I have the life experiences that have taught me how I can help others, so that they may not make the same mistakes as I have. Dr. Lehmanowsky has said that she would like to get me involved in the SCIP Program immediately.

At the time of my last conviction I had just turned 23. I am now 28, and it has been five years and four months since the DUI that is the cause for intent to deny my renewal certificate. I have been serving the community by working in the drug and alcohol treatment field since May of 2007, over 4 years. Additionally, I am taking Master's Courses through Peru State College in Curriculum and Instruction, and currently have a 4.0 G.P.A.

Enclosed are letters of my character that have been written by multiple figures I have encountered throughout my short time in the Education field. The letters are quite outdated, but all have been written following the DUI in question.

I am very sincere in this career choice, and had been substitute teaching as a great opportunity to prove my character and worth to the Lincoln Public School system, in hopes of gaining a more permanent position in the future. Clearly, I have proven my dedication and success as I was called just last week by Dr. Lehmanowsky to personally offer a position at Culler Middle School. However, due to my certificate being up for denial, I was unable to accept the position.

Teaching is the profession I know I want to practice. I loved every day I spent teaching in Arizona, and student teaching for Debra Sharp at Pound Middle School. For these reasons, I am requesting a review of the intent to deny the renewal of my teaching certificate. I need this opportunity to move forward as an adult, and not continue to be penalized for the bad decisions I made as a child. I am committed to a sober lifestyle, as much as I am committed to being the best role model I can be for young students. I am begging the Board of Education to allow me to once again do the job I was trained to do.

With much gratitude,



Melissa Converse

TOUCHSTONE

HELPING PEOPLE LIVE PRODUCTIVE LIVES

June 16, 2011

Dear Commissioner of Education,

I have been informed of the intent to deny the renewal of a Nebraska teaching certificate for Melissa Converse. I am aware that the intent to deny is due to a conviction of Driving Under the Influence, taken place on April 16, 2006. This letter is written on behalf of Melissa, and in support of her fulfilling her dream of teaching once again.

Melissa began employment as a Counseling Assistant at Touchstone in August of 2008. Touchstone is a dual-diagnosis treatment center for men and women struggling with addictions to drugs and alcohol. We serve an extremely diverse, homeless, and nearly homeless population.

Melissa has done an excellent job demonstrating knowledge of substance abuse and mental health conditions. She has related instances from her own life to relate to issues our clients are battling, while still remaining professional. Melissa demonstrates awareness of chemical dependency and the ability to implement program policies and procedures efficiently.

Melissa has managed to balance her employment at Touchstone, as well as substitute teaching quite frequently in the Lincoln Public School system. She has been taking graduate courses at Peru State College working toward earning a Master's Degree in Curriculum and Instruction. She is punctual and a reliable employee.

I believe that Melissa possesses all the ingredients of a good educator, as evidenced by her passion to help others be successful. She is able to facilitate and reinforce positive communication skills, and role model pro-social behavior, proper expression of feelings, and appropriate methods of conflict resolution.

I ask you to re-consider the intent to deny Melissa's teaching certificate. Although I do not necessarily excuse the mistakes Melissa has made in the past, I do believe that she has learned from those mistakes and made many positive social contributions to society. I also ask that you consider the time that has lapsed between Melissa's DUI conviction and the present, over five years. I also believe that Melissa is in a different stage of her life as a professional, whereas at the time she was a young college student. I am confident that Melissa will have an overwhelmingly positive impact in the classroom some day. If you have any further questions, please do not hesitate to contact me at (402)474-4343, (x124).

Sincerely,



Maria Zutavern
Technician Supervisor

○ July 26, 2011

I was on the founding board of the SCIP program. It was the original idea to have people located all over in the schools who were in recovery so kids with alcoholic parents or kids trying to get off alcohol and drugs would have someone who spoke their language. They are a vital healing force in society and in a school. Being in recovery is getting harder and harder for kids because recovery is seen as an obstacle to employment. Most people in recovery have developed an inner vision to see beyond the superficial and this is an enormous asset to have.

We had a place for teenagers called TOAD HALL. We were loosely associated with SRI now Gallup and we used the formula Relationship + talent = growth. We had a staff that was all in recovery and they really knew how to build relationship. The kids who were at TOAD HALL turned out to be amazing. They are grown up now and I couldn't be more proud of them.

I would put someone in recovery in a position in a heartbeat because of that very reason. They have heart and they have beaten the main problem of American life - alcoholism and drug addiction. They have had a very thorough and expensive education in emotions, addiction and integrity to get to where they now are.

- Paige Namuth, Director of Antlers Recovery Center

402-434-3695

2501 South Street

Lincoln, NE 68502

antlerscenter@yahoo.com

April 4, 2006

To Whom It May Concern:

This letter is offered in support of Melissa Converse's application for a teaching assignment with your school. I have known Ms. Converse since the fall of 2005. She was my student for one semester in Learning and Motivation, an applied, upper level course for secondary majors offered through the Educational Psychology Department at the University of Nebraska-Lincoln. Through my class, I came to know Ms. Converse well as a student, and more importantly, as a teacher.

As part of the course requirements, Ms. Converse and three of her classmates co-taught one full week in my class on the topic of cognitive development. Melissa was responsible for all aspects of teaching the content: learning the material, planning instructional activities, leading class discussion, and answering questions, with minimal input from me. Her performance as a teacher was outstanding.

Ms. Converse wrote a reflection paper on her teaching experience, outlining the professional planning process she followed to prepare for her teaching assignment. She first carefully and exhaustively built her knowledge base regarding cognitive development, going well beyond the course text by consulting reputable online resources and synthesizing these with teaching and learning principles she had learned from several courses she has taken in her program. Next, she worked with her co-teachers to craft instructional activities addressed specifically toward her audience, future secondary teachers. She approached this task with a teacher's problem-solving mind-set, making decisions about what material to present to her learners, how to help them construct for themselves an understanding of the content, how to guide them in making connections between the content and their roles as future educators.

I noted specifically Ms. Converse's behavior as a teacher. First, she checked for and activated her learners' prior knowledge regarding cognitive development and its role in teaching and learning. She used technology in the form of a slide show to help scaffold and organize the learning experience. She did an excellent job with classroom discourse, motivating discussion with higher-level questioning and asking secondary and follow-up questions to help her learners elaborate on what they were thinking. She managed classroom discussion with finesse and was always respectful of learners' comments and perspectives. She also designed activities for small groups and for the whole class that engaged her learners meaningfully in the content. One activity was a game designed to build declarative knowledge of the target content. This was followed by another, higher learning writing activity in which the learners assessed cognitive development theories based on their own experiences and viewpoints. Melissa then had the learners engage one another in discussion to encourage understanding others' perspectives.

Converse, April 4, 2006, Page 2

Ms. Converse is excited about her students' learning as well as her own. She is personable and carries herself with confidence and professional bearing. Ms. Converse will make an excellent contributor and collaborator for any educational team.

Sincerely,

Michael S. Dempsey
Instructional Technology Coordinator/Instructor
120 Mabel Lee Hall
Lincoln, NE 68588-0234
(402) 472-4946
mdempsey1@uni.edu

May 17, 2007
TO WHOM IT MAY CONCERN

Re: Melissa A. Converse

I am pleased to write this letter of recommendation for Ms. Melissa Converse who has been teaching at Bicentennial North Elementary School since July, 2006.

Bicentennial North is a Title 1 school which caters to at-risk students.

Melissa was assigned to the Bicentennial North School to support students in the seventh grade. In this role, Melissa has provided consultative support to teachers as well as working directly with students. Melissa has worked closely with the special services team comprising of counselors, speech/pathologists, psychologist to assess students' needs and to develop individual student plans to help students develop skills needed to be successful in the classroom.

Melissa is a skilled, professional teacher. She quickly gains the confidence of the parents and her colleagues. They view her as a valuable resource and solid educator. Of worthy mention is Melissa's ability to accurately diagnose learning limitations inherent in her students and she is able to effectively prescribe the appropriate support to help these children. Melissa relates well with her students, colleagues and parents.

During her experience at Bicentennial School, Melissa was involved with providing in-service to teachers on reading and spelling (teaching spelling generalizations and rules along with syllabication principles). She also conducted a training session for parents about the reading process and strategies to help their children with language development and literacy skills. Together with our speech/language teacher, Melissa conducted an after-school program to facilitate to students with an English Language Learner background.

I have found Melissa to be an equable person with above average common sense, good humor and a comfortable amount of self-confidence. In summary, Melissa is a committed and competent educator. I believe Melissa to be a very valuable faculty member for her school, as they are in need of a high quality and dedicated Reading teacher. I endorse her candidacy enthusiastically and without reservation.

Sincerely,



Perry Hill, Ed.D.
Superintendent of Glendale Elementary Schools

Pound Middle School

4540 So. 45th Street Lincoln NE 68516 402-436-1217 fax 402-436-1205

To Whom It May Concern:

I am writing this as a letter of recommendation for Melissa Converse. Melissa was a student teacher at Pound Middle School from January to May in 2006. As associate principal, I had opportunities to work with Melissa and also observed her teaching her 7th grade differentiated English class.

Melissa had a very successful experience at Pound Middle School. She related well to students and staff. I was especially impressed with the relationships she built with her students. Melissa displayed a knack for reaching out to all students and was especially connected to those students with more demanding needs and those that were not as successful. She made all students feel welcome and a part of her classroom and the school.

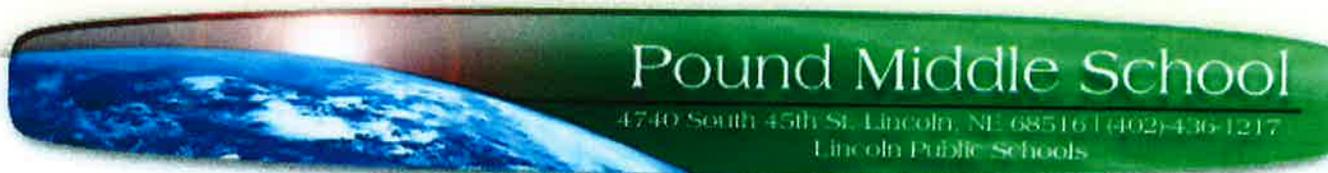
During my observation of Melissa's teaching, she demonstrated many techniques that enabled her success. Her classroom was organized, an agenda for the day was on the white board, and students were always aware what was expected of them both behaviorally and academically. It was a very composed and impressive display of teaching for a student teacher!

Melissa will be a successful teacher because of her rapport with students, her work ethic, her ability to be organized, and her obvious enjoyment of working with students. I highly recommend Melissa for any teaching position for which she is qualified.

Sincerely,



Ross Dirks, ED.D.
Associate Principal
Pound Middle School



May 13, 2006

To Whom It May Concern:

It pleases me to write this letter on behalf of Melissa Converse, my student teacher during the spring 2006 semester. She enthusiastically started taking over the regular and differentiated English classes the second day she was with me. It was rewarding to see Melissa grow in confidence and professionalism.

Melissa's strengths are many but the talents that complement her teaching are perfectionism in planning, yet flexibility in execution. She quickly developed relationships both with students and faculty members. She has a dry wit and showed a strong appreciation of middle school humor. When I watched her teach, it made me smile. The students were sad to see her go, as was I. Melissa exhibited foresight and consistency when disciplining. She was reflective before making decisions, yet could "think-on-her-feet" when the situation required it. Frequently, she would mention how she acted and thought in seventh grade; this helps develop a sense of understanding.

I have no reservations in recommending Melissa Converse for a teaching position. She is hard working, loyal, and always striving to improve. Melissa is an enormous asset to any faculty.

Feel free to contact me to further discuss Melissa's qualifications at my home, (402-421-2848).

Sincerely,

Debra L. Sharp
Co-operating Teacher
Pound Middle School

Bicentennial North School
7237 W. Missouri Av.
Glendale, Az. 85251

September 1, 2006

To Whom It May Concern:

It is with great pleasure that I write this letter of recommendation for Ms. Melissa Converse. Melissa has been at our school since July, 2006 as a 7th Reading teacher. As the Assistant Principal at Bicentennial North School, I have had the opportunity to observe and evaluate Ms. Converse's instructional practices since the beginning of the year.

Melissa has been a wonderful asset to our school. She comes to school each day with well planned lessons that engage the students at a high level. Ms. Converse makes reading fun and exciting for her students. She utilizes high interest reading passages and practical comprehension strategies to increase student achievement. Melissa has effectively involved 1 Minute Reading Fluency assessments to help promote reading with fluency.

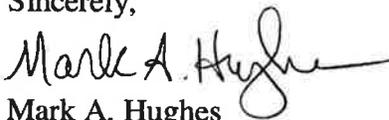
Melissa has an excellent rapport with her students. She uses a variety of ways to connect with her students and shows a sincere care about them.

Ms. Converse's classroom management techniques are very consistent and effective. She clearly states for her students the routines and procedures expected.

In closing, I would like to say that we are very fortunate to have Ms. Converse on our staff. It is very clear that Melissa has a commitment to children and to the teaching profession.

Please feel free to contact me for information you might need.

Sincerely,



Mark A. Hughes
Assistant Principal

Bicentennial North School

7237 West Missouri Avenue

Glendale, Arizona 85303

Telephone 623-842-8290 Fax 623-848-6133

Kenneth R. Fleming, Principal

Mark Hughes, Assistant Principal

January 3, 2007

To whom it may concern:

This letter of reference is for Melissa Converse who has taught language arts for the seventh grade students during the 2006-2007 school year. Miss Converse has proven to be an asset to the Bicentennial North School as an instructor. She has been diligent in attendance and volunteered to work with several committees. Ms. Converse has led her students into different reading series that maintain their focus and high academic abilities. As a young educator she has maintained a professional attitude and relationship with students and staff. Her classroom management is excellent and she has planned for student learning to compete with higher level learning institutes.

Ms. Converse is a proven educator in the area of language arts. She has my recommendation in her pursuit of this educational career. Should you have any questions, please contact me at the above telephone number.

Respectfully,

Kenneth R. Fleming
**Kenneth R. Fleming
Principal
Bicentennial North School
Glendale Elementary School District #40**

To whom it may concern:

It is my distinct pleasure to write this letter regarding the character of Ms. Melissa Converse. Ms. Converse has served as a reading teacher here at Bicentennial North for the past six months. Currently as a reading teacher, Ms. Converse, along with her five other team members, provides direct instruction to seventh grade students. As one of those team members, it has been my good fortune to work closely with Ms. Converse throughout the course of her time here.

Melissa Converse is a skillful, conscientious, dedicated teacher who thoroughly understands how children learn. She has a wealth of experience from working with students from a variety of cultural backgrounds and educational systems. She is an expert at the use of different multi-sensory, structured, language programs to teach reading.

In her classroom she brings her experience and excellent intuition about children together by focusing on each child. In a very natural and caring fashion she sets about finding the natural balance of reassurance and challenge each of them need , and they respond.

I have been witness to countless examples of how the timid or less than confident child has been helped to become an outgoing, enthusiastic learner by virtue of the support Melissa has supplied. I believe her success with struggling learners is rooted in her ability to support them not only academically but emotionally as well. Melissa notices the small things that matter with each child, celebrating their accomplishments, comforting them when necessary and instilling in them the belief that they matter, are important and can handle anything they need to.

Besides her ability to supply high quality meaningful instruction to students, Melissa has allowed us to rely on her in a variety of ways. She has been the coordinator of our reading program and instrumental in not only developing and refining many of our procedures but in documenting the daily practices of this program.

Regardless of what is asked of her, Melissa has always been gracious in offering her support and in the regard her efforts have made her a building wide resource. She works in support of students, parents and teachers and tends to not draw the spotlight to herself but her contributions are many and we have all been made better by her actions.

I give Melissa Converse my highest recommendation as a quality teacher who believes in the dignity of her profession. I have no doubt that she will remain a valuable asset to our team, school, and community.

Please feel free to contact me if there is any other information I can provide.

Elizabeth L. Neeser (605)-376-4178

Bicentennial North Elementary- 7th Grade Writing Teacher

Venus Bachelder
4405 N 103rd Ave #253
Phoenix, Arizona 85037
(623) 872-9344
olsonvenus@hotmail.com

RE: Letter of Recommendation for Melissa Converse

To Whom It May Concern:

I have had the pleasure of knowing and working with Melissa Converse. I have watched Ms. Converse go through numerous challenges and efforts in her ability to work with individuals and to apply creative techniques in order to get a job done. Ms. Converse works with at-risk children, one-parent families, and a large minority population with diverse cultural backgrounds. Ms. Converse showed the ability to connect with children easily and naturally. Her rapport with students is based on genuine interest, mutual respect, and understanding. Students feel welcomed in Ms. Converse's class by her firm but fair discipline, positive classroom tone, and ability to be flexible with lesson plans. Furthermore, Ms. Converse's knowledge of many subject areas creates an environment conducive to learning.

Ms. Converse has spent tireless hours working on professional team ideas to aide in student achievement. Ms. Converse has demonstrated on going dedication to her students by assuming roles within the educational community to help adapt curriculum and to meet the ever-changing educational standards. I have been awed by Ms. Converse's dedication and personal strivings to be a public servant in so many faucets. I find her wealth of experience and knowledge an asset to her profession and I have great respect for anything Ms. Converse chooses to do.

Yours truly,


V. Bachelder
Glendale Middle School Academic Instructor,
Rio Salado Adult Basic Instructor &
Arizona State Correctional Instructor

Melissa A. Converse
7331 S. 28th
Lincoln, NE 68516
(402) 239-6680
melcon11@hotmail.com

EDUCATION

March 2011- September 2012, **Peru State College (Peru, NE)**
Master's of Arts in Curriculum and Instruction

August 2001 – May 2006, **University of Nebraska-Lincoln (Lincoln, NE)**
Bachelor's of Science in Education and Human Sciences
Major: English Minor: Secondary Education

WORK HISTORY

January 2011- Present

Substitute Teacher, Lincoln Public Schools- Lincoln, NE

Responsibilities:

- Implement teacher lesson plans,
- Assign student class work and homework,
- Maintain classroom control and discipline.
- Complete daily report or evaluation to communicate any pertinent information

August 2008- Present

Counseling Assistant, Touchstone Treatment Center- Lincoln, NE

Responsibilities:

- Certified in Crisis Prevention Institute's "Nonviolent Crisis Prevention"
- Daily charting on multiple clients diagnosed with co-occurring disorders
- Enforce strict boundaries and rules within the treatment environment
- Lead groups for 22 clients on a variety of treatment topics

April 2006 – August 2008

Literacy Coordinator, Summer Camp Staff,

Lincoln Parks and Recreation Association

Air Park Neighborhood Center – Lincoln, NE

Responsibilities:

- Create and implement lesson plans for before and after school program
- Plan and teach lessons for Technology & Writing Club
- Communicate with parents and collect weekly payments, maintain spreadsheet
- Train staff on Community Learning Centers standards
- Supervise and schedule building rentals

July 2006 – January 2007

7th Grade Reading Teacher

Glendale Elementary School District

Bicentennial North Elementary School - Glendale, AZ

Responsibilities:

- Prepare curriculum according to Arizona state standards and Glendale Elementary School District power concepts
- Help facilitate extra-curricular activities and implement new reading incentive program
- Analyze student testing scores; develop and align lessons according to results
- Follow all Special Education state laws and requirements concerning IEP's
- Modify lessons for learning disabilities and English Language Learners

March 2002- March 2004

Clerical Assistant

Great Plains National, Reading Rainbow, NETV- Lincoln, NE

Responsibilities:

- Operate switchboard
- Help judge Reading Rainbow's Young Writer's and Illustrator's Contest
- Update website in accordance with state educational standards
- Open and process all incoming mail
- General office work, filing, mailing catalogue information, etc...

Teacher Certification

301 Centennial Mall South • P.O. Box 94987 • Lincoln, Nebraska

505-25-9288

Nebraska Department of

4/25/2011

0055.0

APPLICATION FOR A NEI CONVERSE, MELISSA

APPLICATION ID 2010013927

APPLICATION SUBMISSION DATE 04/25/2011

PERSONAL INFORMATION

Birth Date 03/12/1983

Applicant Name CONVERSE / MELISSA, ANN

Address 1 5840 ABIGAIL DR.

Address 2

City/State/Zip LINCOLN, NE 68516

Email Address melcon11@hotmail.com

Gender UNDECLARED

Home Phone

Daytime Phone (402)239-6680

Fax Number

Former Name

Race/Ethnicity

PURPOSE OF APPLICATION AND NON-REFUNDABLE FEES

Form Type RENEWAL

Certificate Type TEACHING STANDARD

Application Type ALL SCHOOL CERTIFICATE

Application Fee \$55.00

FINGERPRINT REQUIREMENT

I AM EXEMPT FROM THE CRIMINAL RECORD HISTORY CHECK BECAUSE I NOW HOLD, OR AT SOME TIME IN THE PAST DID HOLD, A NEBRASKA CERTIFICATE

ACADEMIC - INSTITUTIONS ATTENDED

Code	State	Institution Name	Month/Year	Hours	Degree
181464	NE	UNIVERSITY OF NEBRASKA AT LINCOLN	5/1/2006	122	BACCALAUREATE
181534	NE	PERU STATE COLLEGE	5/1/2011	6	

AREAS FOR WHICH YOU HAVE COMPLETED AN APPROVED PROGRAM

Code	Endorsement	Grade Level(s)
------	-------------	----------------

TEACHING/ADMINISTRATIVE EXPERIENCE IN THE PAST FIVE YEARS

Number of Yrs	Name	City	State	From Date	To Date
---------------	------	------	-------	-----------	---------

RECORD OF RESIDENCE(S) - FIVE YEAR CONTINUOUS (IF NECESSARY)

Address 1	Address 2	City	State	Zip	From Date	To Date
-----------	-----------	------	-------	-----	-----------	---------

1) NO HAVE YOU EVER HAD A PROFESSIONAL LICENSE, CERTIFICATE, PERMIT CREDENTIAL OR OTHER DOCUMENT AUTHORIZING THE PRACTICE OF A PROFESSION SUSPENDED, REVOKED, VOIDED, DENIED, REJECTED OR VOLUNTARILY SURRENDERED ?

7 pgs. 4/27/11

EXHIBIT NO. 4
7.5-86

JODY WHITE, RMR

2) NO ARE YOU CURRENTLY THE SUBJECT OF ANY INQUIRY OR INVESTIGATION BY ANY LAW ENFORCEMENT AGENCY, PROSECUTOR'S OFFICE, GOVERNMENTAL BODY, OR LICENSING AGENCY ?

3) NO IS ANY ACTION CURRENTLY PENDING AGAINST YOU BY ANY LAW ENFORCEMENT AGENCY, PROSECUTOR'S OFFICE, GOVERNMENTAL BODY, OR LICENSING AGENCY

4) YES HAVE YOU EVER BEEN FOUND GUILTY OF A FELONY OR MISDEMEANOR OR ENTERED A PLEA OF GUILTY OR NO CONTEST TO A FELONY OR MISDEMEANOR? MINOR TRAFFIC INFRACTIONS AND MISDEMEANOR CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OR MINOR IN POSSESSION OF ALCOHOL NEED NOT BE REPORTED

5) NO IS AN ORDER OR DETERMINATION CURRENTLY IN EFFECT BY A COURT OR ANY OTHER GOVERNMENTAL BODY WHICH FINDS YOU TO BE ANY OF THE FOLLOWING; A MENTALLY ILL AND DANGEROUS PERSON; MENTALLY INCOMPETENT TO STAND TRIAL; ACQUITTED OF CRIMINAL CHARGES BECAUSE OF INSANITY; AN INCOMPACITATED PERSON IN NEED OF A GUARDIAN; OR UNABLE TO MANAGE YOUR PROPERTY DUE TO MENTAL ILLNESS, MENTAL DEFICIENCY, CHRONIC USE OF DRUGS OR CHRONIC INTOXICATION?

6) NO ARE YOU CURRENTLY AN INPATIENT OR RESIDENT IN A MENTAL HEALTH FACILITY DUE TO A DETERMINATION BY A QUALIFIED MENTAL HEALTH PROFESSIONAL?

7) YES ARE YOU A US CITIZEN?



Peru State College
 Student Records Office
 P.O. Box 10
 Peru, NE 68421
 402-872-2226

M

Official Graduate Academic Record

Name: **Melissa Ann Converse**
 Student ID: **31139353**

SSN: **505-25-9288**
 Birthdate: **03/12/1983**

Print Date: **05/20/2011**

Other Institutions Attended:
Unlv Of Nebraska At Lincoln

Beginning of Graduate Record

----- **Spring 2011** -----

Program: **Education Graduate**
 Major: **Curriculum and Instruction**

				<u>HRS</u>	<u>QPTS</u>
EDUC 520	Moving from Discipline to Self-Discipline: A	A	A	3.00	12.00
	Developmental Approach				
EDUC 540	The Master Teacher		A	3.00	12.00

	AHRS	EHRS	QHRS	QPTS	GPA
Current	6.00	6.00	6.00	24.00	4.000
Cumulative	6.00	6.00	6.00	24.00	4.000

End of Official Graduate Academic Record

RECEIVED

MAY 23 2011

STATE OF NEBRASKA
 DEPARTMENT OF EDUCATION, LINCOLN

Send to: **NEBRASKA DEPARTMENT OF EDUCATION**
ATTN: MARY HOWARD
PO BOX 94987
LINCOLN NE 68509-4987

This officially sealed and signed transcript is printed on secured paper;
 a raised seal is not required.
 An official signature is white with a blue background.
 Reject this document if the signature is distorted.



Dixie L. Teten
 Registrar

7.5-88

11.09.11 State Board of Education

3

Teacher Certification

Nebraska Department of
EDUCATION

301 Centennial Mall South • P.O. Box 94987 • Lincoln, Nebraska • 68509 • 402-471-0739 • Fax 402-471-9735

301 Centennial Mall South
P.O. Box 94987
Lincoln NE 68509-4987

CRIMINAL CHARGES SELF-REPORTING FORM

NDE 20-014

APPLICATION ID 2010013927

APPLICATION SUBMISSION DATE 04/25/2011

Applicant Name CONVERSE / MELISSA, ANN

Criminal Charge DRIVING UNDER THE INFLUENCE

Date of Offense 04/16/2006

Name of Arresting party (Police or Sheriff's Office) LINCOLN POLICE DEPARTMENT

Court of Jurisdiction LANCASTER COUNTY

Plea and conditions of probation, if any

SIX MONTHS WITH THE DEPARTMENT OF CORRECTIONS

Details of the incident

I'D BEEN FRIENDS WITH MANY OF THE NEBRASKA FOOTBALL PLAYERS, WHO WERE ALL BACK IN TOWN FOR THE SPRING GAME, AND WERE HAVING A PARTY AT THE EMBASSY SUITES IN DOWNTOWN LINCOLN. AT THE EMBASSY SUITES, A FRIEND AND I ENDED UP IN ONE OF THE HOTEL ROOMS. THE GUYS BECAME EXTREMELY AGGRESSIVE, AND I WANTED TO LEAVE IMMEDIATELY. I KNEW I SHOULDN'T BE DRIVING, BUT MY FRIEND WANTED TO STAY, SO I ASKED HER IF I COULD TAKE HER VEHICLE HOME. I HONESTLY DIDN'T THINK I'D HAD ENOUGH TO DRINK TO GET IN TO ANY TROUBLE AS I THOUGHT I FELT FINE. I WAS PULLED OVER FOR CROSSING THE CENTER LINE. THE POLICE OFFICER ASKED ME TO DO FIELD SOBRIETY TESTS, WHICH I AGREED TO, "KNOWING" THAT I WOULD PASS. I WAS GIVEN A BREATHALYZER, BUT STILL BLEW A .09, JUST ABOVE THE LEGAL LIMIT.

YOU MUST ATTACH A COPY OF YOUR COURT RECORD(S) RELATED TO THIS CHARGE. IF COURT RECORDS ARE NO LONGER AVAILABLE, CONTACT THE OFFICE OF CERTIFICATION COUNSEL AT THE NEBRASKA DEPARTMENT OF EDUCATION FOR FURTHER INSTRUCTIONS.

I declare under penalty of perjury that the foregoing, including any attachment, is true and correct. I hereby authorize the above-listed courts and law enforcement agencies to release any information concerning me to the Nebraska Department of Education.

Signature _____ Date _____

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,)
)
 Plaintiff,)
)
 vs.)
)
 MELISSA CONVERSE,)
)
 Defendant.)

Case No. CR 06-893

ORDER OF SENTENCE

Defendant present with counsel, James Beckmann. Deputy County Attorney Krista Ideus present. Neither the defendant nor defendant's attorney giving any reason why sentence should not now be pronounced, the court proceeded to sentence the defendant.

IT IS ORDERED that the defendant be sentenced to an institution under the control of the Nebraska Department of Correctional Services to a term of imprisonment of not less than one (1) year nor more than two (2) years and ordered to pay the costs of prosecution.

IT IS FURTHER ORDERED that the defendant is not to drive any motor vehicle in State of Nebraska for any purpose for a period of fifteen (15) years. The defendant's driver's license is revoked for fifteen (15) years and defendant's privilege to operate a motor vehicle is revoked and suspended for a like period of time.

This sentence is to be served consecutive to any other sentence.

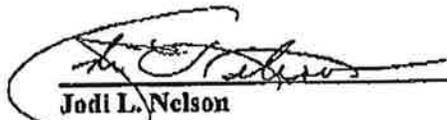
Commitment to issue.

LANCASTER COUNTY
07 JUN 13 PM 2:50
CLERK OF DISTRICT COURT

000429514D02

DATED: June 13, 2007.

BY THE COURT:



Jodi L. Nelson
District Judge

Court Costs Information

Incurring By	Account	Date	Amount
Plaintiff	Information	10/10/2006	\$35.00
Plaintiff	Filing Fee - State	10/10/2006	\$5.00
Plaintiff	Automation Fee	10/10/2006	\$6.00
Plaintiff	NSC Education Fee	10/10/2006	\$1.00
Plaintiff	Dispute Resolution Fee	10/10/2006	\$0.75
Plaintiff	Indigent Defense Fee	10/10/2006	\$3.00
Plaintiff	Uniform Data Analysis Fee	10/10/2006	\$1.00
Plaintiff	J.R.F.	10/10/2006	\$5.00
Plaintiff	Filing Fee-JRF	10/10/2006	\$2.00
Plaintiff	L.E.I.F.	10/10/2006	\$2.00
Plaintiff	Legal Aid/Services Fund	10/10/2006	\$5.25
Plaintiff	County Court Fees	10/03/2006	\$2.50
Plaintiff	Service Fees	10/20/2006	\$6.00
Plaintiff	Service Fees	06/25/2007	\$56.60

Financial Activity

No trust money is held by the court
No fee money is held by the court

Costs for Recovery

Incurring By	Account	Date	Amount
Defendant	Information	10/10/2006	\$35.00
Defendant	Filing Fee - State	10/10/2006	\$5.00
Defendant	Automation Fee	10/10/2006	\$6.00
Defendant	NSC Education Fee	10/10/2006	\$1.00
Defendant	Dispute Resolution Fee	10/10/2006	\$0.75
Defendant	Indigent Defense Fee	10/10/2006	\$3.00
Defendant	Uniform Data Analysis Fee	10/10/2006	\$1.00
Defendant	J.R.F.	10/10/2006	\$5.00
Defendant	Filing Fee-JRF	10/10/2006	\$2.00
Defendant	L.E.I.F.	10/10/2006	\$2.00
Defendant	Legal Aid/Services Fund	10/10/2006	\$5.25
Defendant	County Court Fees	10/03/2006	\$2.50
Defendant	Service Fees	10/20/2006	\$6.00
Defendant	Service Fees	06/25/2007	\$56.60

Payments Made to the Court

Receipt	Type	Date	For	Amount
482945	Check	11/16/2006	State of Nebraska	\$31.00
			Filing Fee - State	\$5.00
			Automation Fee	\$6.00
			NSC Education Fee	\$1.00
			Dispute Resolution Fee	\$.75
			Indigent Defense Fee	\$3.00
			Uniform Data Analysis	\$1.00
11.09.11 State Board of Education				7.504

			J.R.F.	\$5.00
			Filing Fee-JRF	\$2.00
			L.E.I.F.	\$2.00
			Legal Aid/Services Fun	\$5.25
9060405	Non-Monetary Rec	10/10/2006	State of Nebraska	\$35.00
			Information	\$35.00

Register of Actions

06/26/2008 ***Check File In***
Beckmann

05/27/2008 ***Check File Out***
Beckman Law

07/17/2007 ***Shelter Number***
(11162447)

06/25/2007 Return Filed
This action initiated by party State of Nebraska
Commitment return showing Def delivered to NE Department of Correctional
Services, York, NE on 6-13-07 & lodged.

06/13/2007 Filing Not Otherwise Specified
copy-commitment

06/13/2007 Abstract Sent to DMV

06/13/2007 Sentencing
Order: (NLT 1 year NMT 2 years; ONTD & 15yrs Dr. license revoked 15yrs
privilege revoked/suspended 15 yrs sentence consecutive to any other)

11/01/2006 Motion Filed
This action initiated by party Melissa A Converse
002 - discovery disclosure for taking depositions 11/7/06 8:30 #31

10/20/2006 Return-Cover Sheet-Criminal
The document number is 00188111
Served Dt Unknown, Lancaster County Sheriff
No Service on Melissa A Converse
Diligent search, not found. 2 attempts at 5840 Abigail Dr. Did not
appear in court
11.09.11 State Board of Education

7.5-95

9/23/2011

10/13/2006 Motion-Continuance
This action initiated by party Melissa A Converse

001 - arraignment & supporting affidavit

10/10/2006 Cover Sheet Issued on Melissa A Converse
The document number is 00188111

10/10/2006 Information
This action initiated by party State of Nebraska

10/03/2006 Transcript-County Court
This action initiated by party State of Nebraska

Judges Notes

10/10/2006
10/10/06 - Misc
Information for: Driving under the influence 4th offense: 60-6,196 F
IV. ARR 10/18/06 9:00 #37.
10/19/2006
10/16/06-Cheuvront
Motion for continuance sustained. Arraignment cont. to Oct 25 2006
9:00.
10/18/06-Cheuvront
J Beihman and J Kelly present. Set for Oct 24 2006 8:30.
10/25/2006
10/24/06-Cheuvront
J Beckman for deft who did not appear. M Hagerty for State. Bond forf.
BW to issue.
11/01/2006
11/01/06-Colborn
State by Atty Rocke. Def present with Atty Beckmann. Def waives
service of a copy of the Information and the 24-hour waiting period.
Def arraigned and enters plea of not guilty to charge. Trial set for
12-11-06 at 9:00am or as otherwise ordered by the court. Without good
cause shown, discovery motions, if any, to be filed within 14 days.
Bond remains set in the same amount and under the same conditions as
set by the County Court.
11/07/2006
11-7-06 - Nelson (smh)
002 - Mot of deft for discovery; disclosure and for taking of depositions.
Discovery granted to all parties to extent allowed by statute;
compliance ordered within 14 days. Depositions may be taken by deft
within 30 days hereafter at a time and place agreed upon by parties.
Deft to file Certificate of Completion. State reminded of duty to
disclose exculpatory matters.
11/22/2006
11-22-06 - Nelson (smh)
State by J. Kelly. Def. present J. Jaeger. Def moves to continue case
to Jan. 2007 jury term. Mtn to continue granted. Def waives speedy
trial from today until 1-17-07. Def OTA for docket call on Jan. 4, 2007

@ 1:30 p.m.

01/04/2007

1-4-07 - Nelson (smh)

Counsel present for docket call. Mot to con't set for 1-5-07 @ 1:30 p.m. Deft OTA if released from custody.

01/05/2007

1-5-07 - NELSON (SMH)

Def present w/Beckmann. State by M. Hagerty. Def moves to continue case to 4-16-07 jury term, State does not object. Def waives speedy trial to 4-16-07. Def OTA 3-29-07 at 1:30 p.m., docket call.

03/29/2007

3-29-07 - Nelson (smh)

Deft & counsel excused from docket call. Case set for dwot on 4-6-07 2 1:30 p.m. Deft OTA.

04/06/2007

4-6-07 - Nelson (smh)

Deft present w/counsel Beckmann. Dep. Co. Atty. K. Ideus present. Deft pleads guilty to Information. Plea accepted & deft found guilty driving while intoxicated/under the influence. PSI ordered. Sentencing 6-11-07, 1:30 p.m. Deft ordered to appear. Bond continued. Enhancement hearing to be held at time of sentencing.

06/11/2007

6-11-07 - Nelson (smh)

State by K. Ideus. Def present w/Beckmann. Ms. Ideus moves to continue enhancement hearing & sentencing. Over defendant's objection, matter continued to June 13, 2007 at 2:15. Def ordered to appear.

06/13/2007

6-13-07 - Nelson (smh)

Deft present with counsel J. Beckmann. Deputy County Attorney K. Ideus present. Neither the defendant nor defendant's attorney giving any reason why sentence should not now be pronounced, the court proceeded to sentence the defendant. For order of sentence, see file. (1 - 2 yrs DCS + costs. 15 yr license revocation, consecutive to any other sentence.) (GUILTYCT)

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,)
)
 Plaintiff,)
)
 vs.)
)
 MELISSA CONVERSE,)
)
 Defendant.)

Case No. CR 06-893

ORDER OF SENTENCE

Defendant present with counsel, James Beckmann. Deputy County Attorney Krista Ideus present. Neither the defendant nor defendant's attorney giving any reason why sentence should not now be pronounced, the court proceeded to sentence the defendant.

IT IS ORDERED that the defendant be sentenced to an institution under the control of the Nebraska Department of Correctional Services to a term of imprisonment of not less than one (1) year nor more than two (2) years and ordered to pay the costs of prosecution.

IT IS FURTHER ORDERED that the defendant is not to drive any motor vehicle in State of Nebraska for any purpose for a period of fifteen (15) years. The defendant's driver's license is revoked for fifteen (15) years and defendant's privilege to operate a motor vehicle is revoked and suspended for a like period of time.

This sentence is to be served consecutive to any other sentence.

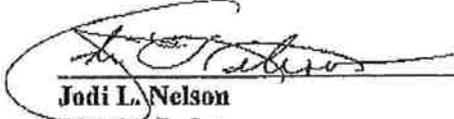
Commitment to issue.

LANCASTER COUNTY
07 JUN 13 PM 2:50
CLERK OF DISTRICT COURT

000429514D02

DATED: June 13, 2007.

BY THE COURT:



Jodi L. Nelson
District Judge

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

THE STATE OF NEBRASKA)
)
 VS.)
)
 MELISSA A. CONVERSE)
 DOB: 3/12/83)

CASE NO. CR06-893

COMMITMENT

COPY

TO THE SHERIFF OF LANCASTER COUNTY, NEBRASKA:

On April 6, 2007, said defendant was duly arraigned on Information and entered a plea of guilty to the charge Driving Under the Influence 4th Offense: 60-6,196 F IV.

On June 13, 2007, said defendant was sentenced by the Honorable Jodi L. Nelson as follows:

IT IS, THEREFORE, the judgment and sentence of the Court, that the defendant, Melissa A. Converse, be and hereby is, ordered committed to an institution under the jurisdiction of the Nebraska Department of Correctional Services, for a period of not less than 1 year nor more than 2 years; and ordered to pay the costs of this prosecution. The defendant is to receive credit for no days previously served in custody on this case. (Order of Sentence executed and filed and attached hereto.)

YOU ARE HEREOFRE ORDERED TO EXECUTE THE SENTENCE AND ORDER OF THE COURT.

Signed and sealed this 13th day of June, 2007.



Suzanne M. Kirkland, Clerk of the District Court

By *[Signature]*, Deputy

Order of Probation filed:
Information for Revocation filed:
Notice of Appeal filed:
Supreme Court Mandate filed:
Lower Court Number: CR06-9486
Costs: \$74.50 + costs of commitment
FOR JAIL: _____ days credit on fine
_____ days credit on costs

LANCASTER COUNTY
07 JUN 13 PM 2:51
CLERK OF DISTRICT COURT

[Handwritten mark]

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

000432081D02



[DCS Home](#)

[Start a New Search](#)

[Back To Results](#)

[Nebraska Home](#)

DCS ID: 96407 -- MELISSA CONVERSE

Demographics

Inmate Committed Name

Last: CONVERSE First: MELISSA Middle: A Suffix:

Inmate Legal Name

Last: First: Middle: Suffix:

Details

Gender: FEMALE Race: WHITE Date of Birth: 03/12/1983 Current Age: 25

Facility:



Sentence Information

Sentence Dates

Facility:

Total Sentence: 1 Years 0 Months 0 Days To 2 Years 0 Months 0 Days

Sentence Begin Date: 06/13/2007 Good Time Law: 364 Projected Release Date: 06/12/2008

Parole Information

Parole Eligibility Date: 12/12/2007

Parole Hearing Date:

Next Parole Board Review Date:

Parole Discharge Date: 05/30/2008

Parole Discharge Type: EXPIRATION OF PAROLE

Release Information

Release Date: 12/20/2007

Reason for Release: DISCRETIONARY PAROLE

Offense Information				
Description	Run Code	Offense Term		County of Commitment
		Minimum	Maximum	
DRIVING UNDER INFLUENCE 4TH		1 Yr 0 Mo 0 Da	2 Yr 0 Mo 0 Da	LANCASTER
Felony - -				

Alias Names			
Last	First	Middle	Extension

Disclaimer

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**NEBRASKA DEPARTMENT
OF EDUCATION**

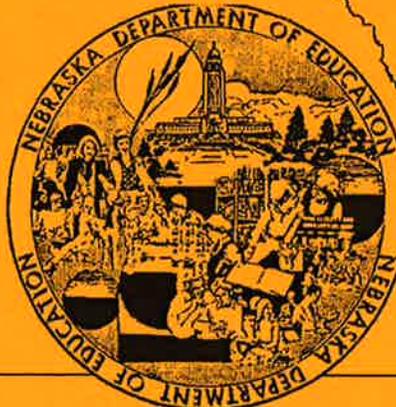
RULE 21

**ISSUANCE OF CERTIFICATES AND PERMITS TO TEACH,
PROVIDE SPECIAL SERVICES, AND ADMINISTER IN NEBRASKA
SCHOOLS**

**TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 21**

**EFFECTIVE DATE
MAY 11, 2010
(REVISED)**

**State of Nebraska
Department of Education
301 Centennial Mall South
Lincoln, Nebraska 68509**



9/29/11
EXHIBIT NO. <u>2</u>
75-102 JODY WHITE, RMR

NEBRASKA DEPARTMENT
OF EDUCATION

RULE 61

RULES OF PRACTICE AND PROCEDURE FOR HEARINGS IN
CONTESTED CASES BEFORE THE DEPARTMENT

TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 61

EFFECTIVE DATE
OCTOBER 1, 1997
(REVISED)

State of Nebraska
Department of Education
301 Centennial Mall South
Lincoln, Nebraska 68509

