

PLEASE NOTE: Support documentation for agenda items can be accessed through the posted [Agenda](#).

**NEBRASKA STATE BOARD OF EDUCATION  
Nebraska Department of Education  
Minutes of Meeting  
August 10-11, 2011**

**MINUTES OF THE WORK SESSION – Wednesday, August 10, 2011**

The State Board of Education met for purposes of a work session on Wednesday, August 10, 2011, beginning at 2:00 p.m. The session was held at the State Office Building in the State Board Meeting Room in Lincoln, Nebraska. Publicized notice of the session was given by posting notice on the Department's website on the internet; emailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the time, date and location of the meeting.

**1. CALL TO ORDER**

- 1.1. President Scheer called the meeting to order at 2:05 p.m. Roll call showed the following Board members present: Jim Scheer, Mark Quandahl, Rebecca Valdez, Patricia Timm, Robert Evnen, Lynn Cronk, John Sieler, and Molly O'Holleran. Commissioner Breed was also present.
- 1.2. President Scheer announced the location of the Open Meetings Act.

**2. REPORTS AND DISCUSSION**

- 2.1. The State Board discussed the planning and agenda for a Retreat to be held in September. The Retreat will be held September 7 beginning at 9:00 a.m. and concluding at Noon. The location of the Retreat will be determined by the Commissioner.
- 2.2. For the Board's information, Pat Roschewski, Department of Education representative, provided a sample Individual Student Report for spring 2011 for the NeSA testing. (Handout: Sample of NeSA Individual Student Report)  
Pat Roschewski, Department of Education representative, discussed the Accountability plan. (Handout: State Accountability Model Report, August 10, 2011)
- 2.3. Freida Lange, Rick Moses, Dennis McGuire, Department of Education representatives, discussed the waiver requests under Rule 10 for Crawford and Hyannis and waiver requests under Rule 14 as follows:

- 2.3.1 Crawford Public Schools (10-004.02C) requesting a one-year waiver for 6th grade boys only to participate in junior high athletics.
- 2.3.2 Hyannis Area Schools (10-004.02C) requesting a one-year waiver for 6th grade boys and girls.
- 2.3.3 St. Michael Catholic Elementary of Lincoln and Word of Life Elementary of O'Neill, Rule 14 (92 NAC 14), seeking approval to operate.
- 2.3.4 Cornerstone Christian of Bellevue, Rule 14 (92 NAC 14), seeking conditional approval to add 9<sup>th</sup> grade.
- 2.4 Sharon Katt, Department of Education representative, discussed the 2011-12 Educator Preparation Program Approval process and recommendations.
- 2.5 Sharon Katt, Department of Education representative, reported on progress related to Rule 20 (92 NAC 20) *Regulations for the Approval of Teacher Education Programs*, revisions and other educator preparation initiatives.

President Scheer called for a break at 3:55 p.m. The meeting resumed at 4:08 p.m.  
Rebecca Valdez left the meeting at 4:30 p.m.

- 2.8 Larry Starr, Department of Education representative; Major General Walter Zink, II and Lori Broady, Civics Nebraska Partnership Council Representatives, reviewed the report of the Civics Nebraska Partnership Advisory Council – Civics Education in K-12 Nebraska and the Civics Portfolio. (Handout: Civics Portfolio Rationale) (Handout from Molly O'Holleran: Students to Citizen: Strengthening Civic Education from Nebraskans for Civic Reform)
- 2.9 Larry Starr, Department of Education representative; Randy Bertolas, Lonnie Moore and Tom King, of the Geography Educators of Nebraska, gave a report from the Geography Educators of Nebraska regarding the importance of scheduling social studies instruction in Nebraska schools. (Handout: Letter from Roger Butters)
- 2.6 Melody Hobson, Department of Education representative, discussed early childhood education programs established by public schools and/or Educational Service Units.
- 2.7 Melody Hobson and Eleanor Shirley-Kirkland, Department of Education representatives, reported on the activities of the Nebraska's Early Childhood Interagency Coordinating Council.

Due to an unexpected fire alarm, President Scheer adjourned the work session at 5:15 p.m.

## **MINUTES OF THE MEETING – Thursday, August 11, 2011**

The State Board of Education met for purposes of a business meeting on Thursday, August 11, 2011, beginning at 9:00 a.m. The meeting was held at the State Office Building in the State Board Meeting Room in Lincoln, Nebraska. Publicized notice of the session was given by posting notice on the Department's website on the internet; emailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the time, date and location of the meeting.

### **1. CALL TO ORDER**

- 1.1. President Scheer called the meeting to order at 9:07 a.m. Roll call showed the following Board members present: Jim Scheer, Rebecca Valdez, Patricia Timm, Robert Evnen, Lynn Cronk, John Sieler, and Molly O'Holleran. Mark Quandahl was absent. Commissioner Breed was also present.
- 1.2. President Scheer led the Board in the Pledge of Allegiance.
- 1.3. President Scheer announced the location of the Open Meetings Act.

### **2. APPROVAL OF THE MINUTES**

Motion by Patricia Timm, second by Rebecca Valdez: To approve the minutes of the July 11-12, 2011, meeting.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

### **3. APPROVAL OF AGENDA**

Commissioner Breed suggested placing Discussion and Report Item 2.10 Meeting Dates and Special Presentation Item 3.1, Master Calendar Demonstration on the agenda prior to 7.0 Action Items

Motion by Patricia Timm, second by Molly O'Holleran: To amend the August Agenda as suggested by Commissioner Breed.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion to amend the agenda passed.

Motion by Molly O'Holleran, second by John Sieler: To approve the August agenda as amended.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

**4. PUBLIC COMMENT:**

Joe Higgins, citizen, praised the *Native Daughters Magazine*, and complimented all involved in this project.

**2. REPORTS AND DISCUSSION (FROM WORK SESSION)**

2.10 Commissioner Breed opened discussion on the scheduling of State Board Work Session and Meeting dates for 2012. The Board will be taking action on the schedule at the September meeting.

**3. SPECIAL PRESENTATION**

3.1 Marilyn Peterson, Nebraska Department of Education representative, provided a demonstration of the NDE Master Calendar. Dr. Peterson acknowledged Debe Dockhorn, Fran Denton and Amy Lempke for their work on organizing and assembling the dates and forms.

Board Members acknowledged the tremendous effort this project took and offered praises and appreciation to those involved.

**7. ACTION ITEMS**

7.1.1 Motion by Robert Evnen, second by John Sieler: To grant the Commissioner the authority to continue contracting with Data Recognition Corporation for the administration and scoring of the statewide writing assessment, the NeSA-W.

Board Members commended Pat Roschewski for the work and partnership with DRC.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

7.2.1 Motion by Molly O'Holleran, second by Lynn Cronk: To approve the request from Crawford Public Schools for a waiver of Rule 10-004.02C for 6<sup>th</sup> grade boys (prohibiting 6th grade students from participating in athletic contests) for school year 2011-2012. This request is in accordance with waiver provisions in Rule 10, Section 013.01.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

Board Members asked that the process for granting athletic waivers be reviewed.

7.2.2 Motion by Patricia Timm, second by Rebecca Valdez: To consider approve the request from Hyannis Area Schools for Waiver of Rule 10-004.02C (prohibiting 6<sup>th</sup> grade students from participating in athletic contests) for school year 2011-2012. This request is in accordance with waiver provisions in Rule 10, Section 013.01.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

7.2.3 Motion by Patricia Timm, second by Rebecca Valdez: To grant conditional approval for nonpublic schools, St Michael Catholic Elementary of Lincoln and Word of Life Elementary of O'Neill, to operate under Rule 14 (92 NAC 14), *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools* to operate in 2011-12.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

7.2.4 Motion by Rebecca Valdez, second by John Sieler: To grant conditional approval under Rule 14 (92 NAC 14), *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*, for a nonpublic school, Cornerstone Christian of Bellevue to add 9<sup>th</sup> grade to the existing elementary grades for the 2011-12 school year and to add one grade each year for the 2012-13 through 2014-15 school years.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

7.3.1 Motion by Molly O'Holleran, second by Patricia Timm: To grant the Commissioner the authority to contract for assistance with professional development and statewide initiatives relating to IDEA Preschool (Sec. 619) and Part C (infants/Toddlers with Disabilities).

Voting Yes: Cronk, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl, Valdez

The motion passed.

7.4 Motion by Patricia Timm, second by Lynn Cronk: To approve the 2011-12 Educator Preparation Programs in Nebraska colleges and universities.

Board Members expressed appreciation to Sharon Katt for the tremendous amount of work on providing information to the Board.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

7.5 Motion by Molly O'Holleran, second by Patricia Timm: To grant the Commissioner the authority to approve Early Childhood education programs established by public schools and/or Educational Service Units in provisions of Rule 11.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

## 8. **CONSENT AGENDA**

Motion by Patricia Timm, second by Rebecca Valdez: To approve the Consent Agenda as published.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

## 9. SPECIAL PRESENTATIONS AND DISCUSSIONS

- 9.1 Larry Starr, Department of Education representative, presented a proposed policy statement on global education to the Board for consideration by the Policy Committee.

President Scheer asked the Policy Committee to review the proposed policy and submit a recommendation to the state board.

- 9.2 Weldon Sleight, Dean of the University of Nebraska College of Technical Agriculture in Curtis, shared information on rural community career development.

President Scheer called for a break at 11:00 a.m. The meeting reconvened at 11:14 a.m.

## 5. HEARINGS

- 5.1 A hearing was held in NDE Case No. 11-03, *Commissioner v. Rodney Wayne*. The [minutes](#) of the hearing are attached.
- 5.2 A hearing in NDE Case No. 11-04, *Commissioner v. Shaun Kissack*. The [minutes](#) of the hearing are attached.
- 5.3 A hearing in NDE Case No. 11-05, *Commissioner v. Lee Lorentzen*. The [minutes](#) of the hearing are attached.
- 5.4 A hearing was held in NDE Case No. 11-06, *Commissioner v. Dale Kavan*. The [minutes](#) of the hearing are attached.
- 5.5 A hearing was held in NDE Case No. 11-07, *In the Matter of the Reinstatement of Sharon Kramer*. The [minutes](#) of the hearing are attached.
- 5.6 A hearing was held in NDE Case 11-08, *In the Matter of the Reinstatement of Damien L. Mapel*. The [minutes](#) of the hearing are attached.
- 5.7 A hearing was held in NDE Case No. 11-09, *In the Matter of the Reinstatement of Jeffrey S. Hower*. The [minutes](#) of the hearing are attached.
- 5.8 A hearing was held in NDE Case No. 11-10, *In the Matter of the Reinstatement of Mark Heaton*. The [minutes](#) of the hearing are attached.

## 6. EXECUTIVE SESSION

Motion by Robert Evnen, second by Patricia Timm: To adjourn to Executive Session to deliberate and receive advice from legal counsel regarding the contested cases.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion to adjourn to Executive Session to deliberate and receive advice from legal counsel regarding the contested cases passed. The Board adjourned to Executive Session at 11:52 a.m.

Motion by Robert Evnen, second by Lynn Cronk: To adjourn the Executive Session of the State Board and return to the regular business meeting.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion to adjourn the Executive Session of the State Board and return to the regular business meeting passed. The Board returned to the regular business meeting at 12:56 p.m.

## 7. ACTION ITEMS

7.6 Motion by Robert Evnen, second by Patricia Timm: In *Commissioner v. Rodney Wayne*, NDE Case No. 11-03, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission to the extent that it is consistent with this motion, permanently revoking the Respondent's teaching certificate, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

7.7 Motion by Patricia Timm, second by Molly O'Holleran: In *Commissioner v. Shaun Kissack*, NDE Case No. 11-04, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, permanently revoking the Respondent's teaching certificate, and to adopt the Final Order proposed by Legal Counsel. This motion is based solely on the record presented by the PPC.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

7.8 Motion by Lynn Cronk, second by Patricia Timm: In *Commissioner v. Lee Lorentzen*, NDE Case No. 11-05, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, permanently revoking the Respondent's teaching certificate, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

7.9 Motion by Patricia Timm, second by Lynn Cronk: In *Commissioner v. Dale Kavan*, NDE Case No. 11-06, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, suspending Respondent's teaching certificate for a two-year period beginning April 26, 2011, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

7.10 Motion by John Sieler, second by Molly O'Holleran: In *In re Reinstatement of Sharon Kramer*, NDE Case No. 11-07, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, finding that Respondent should be allowed to apply for her teaching certificate, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

- 7.11 Motion by Molly O'Holleran, second by Patricia Timm: In *In re Reinstatement of Damien L. Mapel*, NDE Case No. 11-08, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, finding that Respondent should be allowed to apply for his teaching certificate, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

- 7.12 Motion by Lynn Cronk, second by Molly O'Holleran: In *In re Reinstatement of Jeffrey S. Hower*, NDE Case No. 11-09, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, finding that Respondent should be allowed to apply for his teaching certificate, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

- 7.13 Motion by John Sieler, second by Rebecca Valdez: In *In re Reinstatement of Mark Heaton*, NDE Case No. 11-10, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, finding that Respondent should be allowed to apply for his teaching certificate, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

## **10. BOARD REPORTS, DATES AND DISCUSSION ITEMS**

- 10.3.1 NASBE New Board Member Institute Report. Board Members, Lynn Cronk, John Sieler, and Molly O'Holleran shared their impressions from attending the NASBE New Board Member Institute.

### **10.3 Meeting Participation**

President Scheer commented on the outstanding job Department of Education employees did in coordinating and presenting Administrator Days.

Member Rebecca Valdez expressed kudos to Elisabeth Reinkordt for the recent showing of *When We Stop Counting* at Film Streams in Omaha, Nebraska.

President Scheer asked the Policy Committee to review policies G13, G14 and D2 and the proposed Global Education Policy statement.

10.4 Commissioner Breed reminded Board Members of the Nebraska Association of Schools Boards conference session in November 17, 2011, in La Vista, Nebraska. This will be a Q&A session and opportunity to speak with school board members across state. The Department will also present on the teacher/leader standards during a conference pre-session

10.6 The Board discussed attendance at the 2012 NASBE National Convention in Atlanta, Georgia.

Motion by Patricia Timm, second by Robert Evnen: That the voting delegate for the 2012 NASBE National Conference be Jim Scheer. In the event he is unable to serve as delegate, he will appoint another member of the Board to serve as alternate.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

10.5 The Board discussed the 2012 NASBE Board of Directors Elections.

Motion by Robert Evnen, second by John Sieler: To have the delegate cast the Nebraska State Board of Education vote for Patrick Guida for President-elect at the 2012 NASBE National Conference.

Voting Yes: Cronk, Valdez, Sieler, Timm, O'Holleran, Evnen, Scheer  
Absent: Quandahl

The motion passed.

There being no further business to come before the Board, President Scheer adjourned the meeting at 12:59 p.m.

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

**MINUTES OF HEARING**  
**Roger D. Breed, Commissioner v. Rodney Wayne**  
**Case No. 11-03**  
**11:00 a.m.**

The State Board of Education met on August 11, 2011, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No. 11-03, *Roger D. Breed, Commissioner v. Rodney Wayne*. Publicized notice of the hearing was given by posting notice on the Department's website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Jim Scheer declared a quorum present and called the hearing to order at 11:14 a.m. The following State Board of Education members were present:

Jim Scheer	Patricia Timm	Robert Evnen	Mark Quandahl (absent)
Rebecca Valdez	John Sieler	Molly O'Holleran	Lynn Cronk

President Scheer noted that the Nebraska Professional Practices Commission recommended in the case report that the Board revoke the Nebraska Public Schools teaching certificate of the Respondent for a period of five (5) year. He stated that the Board was provided with a copy of the case file containing the recommended Findings of Fact, Conclusions of Law, and Recommendation, and copies of all pleadings, exhibits, and testimony, which were marked as Exhibit 1. A copy of the Notice of Hearing was marked as Exhibit 2. Hearing no objections, the Exhibits were received.

Kathi Vontz, representing the Nebraska Professional Practices Commission, presented a summary of the case report and recommended that the Respondent's certificate be revoked for a period of five (5) years.

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

The Respondent was not present nor represented by Counsel.

There being no further testimony, President Scheer adjourned the hearing on Case No. 11-03 at 11:18 a.m.

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

**MINUTES OF HEARING**  
**Roger D. Breed, Commissioner v. Shaun Kissack**  
**Case No. 11-04**  
**11:00 a.m.**

The State Board of Education met on August 11, 2011, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No. 11-04, *Roger D. Breed, Commissioner v. Shaun Kissack*. Publicized notice of the hearing was given by posting notice on the Department's website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Jim Scheer declared a quorum present and called the hearing to order at 11:18 a.m. The following State Board of Education members were present:

Jim Scheer	Patricia Timm	Robert Evnen	Mark Quandahl (absent)
Rebecca Valdez	John Sieler	Molly O'Holleran	Lynn Cronk

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

Kathi Vontz, representing the Nebraska Professional Practices Commission, presented a summary of the case report and recommended that the Respondent's certificate be permanently revoked.

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

The Respondent was not present nor represented by Counsel.

There being no further testimony, President Scheer adjourned the hearing on Case No. 11-04 at 11:21 a.m.

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

**MINUTES OF HEARING**  
**Roger D. Breed, Commissioner v. Lee Lorentzen**  
**Case No. 11-05**  
**11:00 a.m.**

The State Board of Education met on August 11, 2011, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No. 11-05, *Roger D. Breed, Commissioner v. Lee Lorentzen*. Publicized notice of the hearing was given by posting notice on the Department's website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Jim Scheer declared a quorum present and called the hearing to order at 11:21 a.m. The following State Board of Education members were present:

Jim Scheer	Patricia Timm	Robert Evnen	Mark Quandahl (absent)
Rebecca Valdez	John Sieler	Molly O'Holleran	Lynn Cronk

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

Kathi Vontz, representing the Nebraska Professional Practices Commission, presented a summary of the case report and recommended that the Respondent's certificate be permanently revoked.

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

The Respondent was not present nor represented by Counsel.

There being no further testimony, President Scheer adjourned the hearing on Case No. 11-05 at 11:25 a.m.

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

**MINUTES OF HEARING**  
**Roger D. Breed, Commissioner v. Dale Kavan**  
**Case No. 11-06**  
**11:00 a.m.**

The State Board of Education met on August 11, 2011, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No. 11-06, *Roger D. Breed, Commissioner v. Dale Kavan*. Publicized notice of the hearing was given by posting notice on the Department's website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Jim Scheer declared a quorum present and called the hearing to order at 11:25 a.m. The following State Board of Education members were present:

Jim Scheer	Patricia Timm	Robert Evnen	Mark Quandahl (absent)
Rebecca Valdez	John Sieler	Molly O'Holleran	Lynn Cronk

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

Kathi Vontz, representing the Nebraska Professional Practices Commission, presented a summary of the case report and recommended that the Respondent's certificate be suspended for a period of two (2) years from April 26, 2011.

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

The Respondent was present and represented by Counsel, Rick Wade. Counselor Wade suggested that the suspension be for a one-year period pending completion of Respondent's probation.

There being no further testimony, President Scheer adjourned the hearing on Case No. 11-06 at 11:37 a.m.

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

**MINUTES OF HEARING**  
**In the Matter of the Reinstatement of Sharon Kramer**  
**Case No. 11-07**  
**11:00 a.m.**

The State Board of Education met on August 11, 2011, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No. 11-07, *In the Matter of the Reinstatement of Sharon Kramer*. Publicized notice of the hearing was given by posting notice on the Department's website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Jim Scheer declared a quorum present and called the hearing to order at 11:37 a.m. The following State Board of Education members were present:

Jim Scheer	Patricia Timm	Robert Evnen	Mark Quandahl (absent)
Rebecca Valdez	John Sieler	Molly O'Holleran	Lynn Cronk

President Scheer noted that the Nebraska Professional Practices Commission recommended in the case report that the Board allow to Petitioner to apply for a Nebraska Public Schools teaching certificate. He stated that the Board was provided with a copy of the case file containing the recommended Findings of Fact, Conclusions of Law, and Recommendation, and copies of all pleadings, exhibits, and testimony, which were marked as Exhibit 1. A copy of the Notice of Hearing was marked as Exhibit 2. A letter from the Respondent, received by the State Board on August 9, 2011, was marked as Exhibit 3. Hearing no objections, the Exhibits were received.

Kathi Vontz, representing the Nebraska Professional Practices Commission, presented a summary of the case report and recommended that the Petitioner be allowed to apply for a Nebraska Public Schools teaching certificate.

The Petitioner was not present nor represented by Counsel.

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

There being no further testimony, President Scheer adjourned the hearing on Case No. 11-07 at 11:40 a.m.

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

**MINUTES OF HEARING**  
**In the Matter of the Reinstatement of Damien L. Mapel**  
**Case No. 11-08**  
**11:00 a.m.**

The State Board of Education met on August 11, 2011, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No. 11-08, *In the Matter of the Reinstatement of Damien L. Mapel*. Publicized notice of the hearing was given by posting notice on the Department's website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Jim Scheer declared a quorum present and called the hearing to order at 11:40 a.m. The following State Board of Education members were present:

Jim Scheer	Patricia Timm	Robert Evnen	Mark Quandahl (absent)
Rebecca Valdez	John Sieler	Molly O'Holleran	Lynn Cronk

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

Kathi Vontz, representing the Nebraska Professional Practices Commission, presented a summary of the case report and recommended that the Respondent's be allowed to apply for a Nebraska Public Schools teaching certificate.

The Petitioner was present and made a statement on his behalf.

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

There being no further testimony, President Scheer adjourned the hearing on Case No. 11-08 at 11:45 a.m.

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

**MINUTES OF HEARING**  
**In the Matter of the Reinstatement of Jeffrey S. Hower**  
**Case No. 11-09**  
**11:00 a.m.**

The State Board of Education met on August 11, 2011, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No. 11-09, *In the Matter of the Reinstatement of Jeffrey S. Hower*. Publicized notice of the hearing was given by posting notice on the Department's website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Jim Scheer declared a quorum present and called the hearing to order at 11:45 a.m. The following State Board of Education members were present:

Jim Scheer	Patricia Timm	Robert Evnen	Mark Quandahl (absent)
Rebecca Valdez	John Sieler	Molly O'Holleran	Lynn Cronk

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

Kathi Vontz, representing the Nebraska Professional Practices Commission, presented a summary of the case report and recommended that the Petitioner be allowed to apply for a Nebraska Public Schools teaching certificate.

The Petitioner was not present.

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

There being no further testimony, President Scheer adjourned the hearing on Case No. 11-09 at 11:47 a.m.

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

**MINUTES OF HEARING**  
**In the Matter of the Reinstatement of Mark Heaton**  
**Case No. 11-10**  
**11:00 a.m.**

The State Board of Education met on August 11, 2011, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No. 11-10, *In the Matter of the Reinstatement of Mark Heaton*. Publicized notice of the hearing was given by posting notice on the Department's website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Jim Scheer declared a quorum present and called the hearing to order at 11:47 a.m. The following State Board of Education members were present:

Jim Scheer	Patricia Timm	Robert Evnen	Mark Quandahl (absent)
Rebecca Valdez	John Sieler	Molly O'Holleran	Lynn Cronk

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

Kathi Vontz, representing the Nebraska Professional Practices Commission, presented a summary of the case report and recommended that the Petitioner be allowed to apply for a Nebraska Public Schools teaching certificate.

The Petitioner was present and made a statement on his behalf.

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

There being no further testimony, President Scheer adjourned the hearing on Case No. 11-10 at 11:51 a.m.