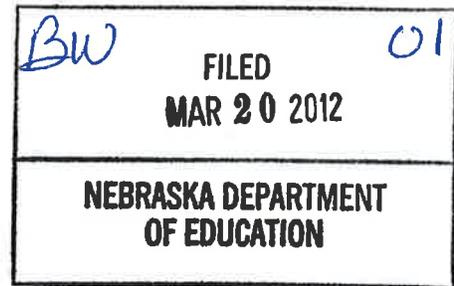




BEFORE THE NEBRASKA STATE BOARD OF EDUCATION  
STATE OF NEBRASKA

Roger D. Breed, Ed.D. )  
Commissioner of Education )  
301 Centennial Mall South - 6th Floor )  
P. O. Box 94933 )  
Lincoln, NE 68509-4933 )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
Jessica L. Wheeler )  
4135 S. 147<sup>th</sup> Plaza #101 )  
Omaha, NE 68137 )  
 )  
Respondent. )

Case No. 12008  
NDE Case No. 12-05  
SETTLEMENT AGREEMENT  
FOR SUSPENSION OF CERTIFICATE



In accordance with Title 92, *Nebraska Administrative Code*, Chapter 28, Section 003.07 (effective date: December 25, 1989), the aforementioned parties agree to resolve the Complaint in this matter as follows:

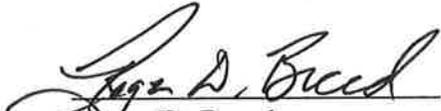
1. The Petitioner is Roger D. Breed, Commissioner of Education, 301 Centennial Mall South, P.O. Box 94933, Lincoln, NE 68509, and the Respondent is Jessica Wheeler, 4135 S. 147<sup>th</sup> Plaza #101, Omaha, NE 68137;
2. The Petitioner and Respondent admit that the Respondent holds a public Nebraska initial teaching certificate number 2010008344, endorsed in Speech Pathology B-12, with an expiration date of August 31, 2015;
3. The Petitioner and Respondent admit that the Respondent was employed as a Speech-Language Pathologist by the Millard Public Schools and failed to report to work on January 5, 2012, and every day thereafter until her contract was cancelled by the Millard School Board on January 23, 2012, due to the Respondent's breach of the material provisions of her contract related to her failure to report to work;
4. The Petitioner and Respondent admit that the Respondent violated Neb. Rev. Stat. Section 79-821 (Reissue 2008) which states, "Upon presentation of proof that any teacher, principal, supervisor, assistant superintendent, or superintendent has, without just cause, violated or abrogated his or her contract with a school district in the state, the State Board of Education shall suspend the certificate of such teacher, principal, supervisor, assistant superintendent, or superintendent for a period of not more than one

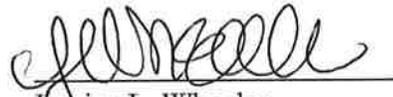
calendar year after a hearing has been held at a time and place fixed by the board and of which notice has been given to the person whose certificate is sought to be suspended by either registered or certified mail at least ten days prior to the hearing"; and

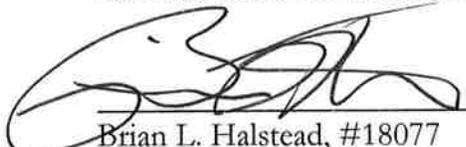
5. The Respondent agrees to, and the Petitioner has no objection to, an Order by the State Board of Education suspending the Respondent's certificate for a period of one (1) year.

WHEREFORE, the undersigned parties request that the Nebraska State Board of Education hold a hearing on April 13, 2012, and suspend the certificate of the Respondent for a period of one (1) year.

Dated this 20<sup>th</sup> day of March 2012.

  
Roger D. Breed  
Commissioner of Education

  
Jessica L. Wheeler  
Respondent

  
Brian L. Halstead, #18077  
Attorney for the Petitioner