

prepaid. The Notice of Hearing advised that a public hearing on the Petition and Answer would be held on the 18th day of July, commencing at 9:45 a.m., or immediately following the preceding hearing, in the State Board Hearing Room, 6th Floor, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The Notice further advised that the hearing would be held before a designated hearing committee of the Commission, with Jeffery R. Kirkpatrick serving as legal counsel to advise the Chair in the performance of her duties.

On July 11, 2012, a Stipulation, acknowledged by Brian Halstead, attorney for the Petitioner and Clarence Mock, attorney for the Respondent, was filed stipulating and agreeing: "1. That the Report of Investigation in Case No. 11009 be admitted and received as evidence in this matter, a copy of which is attached as exhibit 'A' and by this reference incorporated herein; 2. That the members of the Commission may possess and review this Stipulation prior to its formal receipt as evidence in any hearing scheduled; and 3. That this Stipulation does not limit or preclude the parties from offering additional evidence at the hearing in this matter."

The Petition and Answer, came on for hearing at the above time and place before a Hearing Panel of the Commission consisting of commission members: Sarah Brown, Susan Johnson, Raymond Keller, Jodi Kupper, Brian Maher, Damon McDonald, Cindy Serfass, Karen Shelton, Jane Stavem and Lynn Strack.. Commissioner Kupper served as Chairperson. The proceedings were reported by Wendy Cutting of General Reporting Services, Lincoln, Nebraska. The Petitioner appeared by Brian L. Halstead, the General Counsel. Neither the Respondent nor anyone representing the Respondent appeared at the proceedings. Exhibits and testimony were received into evidence and Petitioner's General Counsel made his closing arguments.

Thereupon the Commission deliberated based on the record before it, and makes the following Findings of Fact, Conclusions of Law, and Order:

II. FINDINGS OF FACT

1. The Petitioner, Roger D. Breed, is the Commissioner of Education for the State of Nebraska. Respondent holds a public Nebraska initial teaching certificate number 200600467, endorsed in Coaching 7-12 and Physical Education K-12 with an expiration date of August 31, 2013.
2. The Respondent was employed as a teacher by the Spalding Public Schools since the 2006-2007 school year until the Respondent submitted his resignation and it was accepted by the Spalding School Board on December 13, 2010.
3. The Respondent was employed as a coach by Spalding Academy during the 2010-2011 school year until December 8, 2010, when Spalding Academy terminated the Respondent's employment.
4. During the 2009-2010 and 2010-2011 school years, the Respondent had an inappropriate relationship with a 14-year-old female student of Spalding Academy which included, but is not limited to, the Respondent and the student exchanging multiple text messages and kissing.

III. CONCLUSIONS OF LAW

1. The Commission has jurisdiction in this case, and all proceedings have been in accordance with applicable Constitutional, Statutory, and Regulatory requirements.

2. The Petitioner has proven by a preponderance of the evidence that Respondent committed an immoral act in violation of Neb. Rev. Stat. Sec. 79-866(2) (Reissue 2008) which, in part, states, "The board may, for just cause, revoke or suspend any teacher's or administrator's certificate. Violation of the standards established pursuant to this section, commission of an immoral act, or conviction of a felony under the laws of this state shall constitute just cause for the revocation or suspension of a teacher's or administrator's certificate by the board."

3. The Petitioner has further proven by a preponderance of the evidence that the Respondent violated Title 92, Nebraska Administrative Code, Chapter 27, Section 004.02E (effective date: November 12, 2003) which states, "the educator: Shall not exploit professional relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage."

4. The Petitioner has further proven by a preponderance of the evidence that the Respondent violated Title 92, Nebraska Administrative Code, Chapter 27, Section 004.02F (same effective date) which states, "the educator: Shall not sexually harass students, parents or school patrons, employees, or board members."

5. The Petitioner has further proven by a preponderance of the evidence that the Respondent violated Section 004.03C (same effective date) which states, "the educator: Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety."

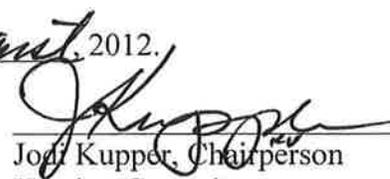
6. The Petitioner has further proven by a preponderance of the evidence that the Respondent violated Section 004.03D (same effective date) which states, "the educator: Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student."

7. The Petitioner has further proven by a preponderance of the evidence that the Respondent violated Section 004.04E (same effective date) which states, "the educator: Shall not commit any act of moral turpitude or any felony under the laws of the United States or any state or territory, and shall not have a misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.12 through 003.14 of 92 NAC 21."

IV. RECOMMENDATION

Therefore, the Commission respectfully recommends to the State Board of Education that the Respondent's public Nebraska initial teaching certificate number 200600467, endorsed in Coaching 7-12 and Physical Education K-12 with an expiration date of August 31, 2013, be permanently revoked from and after the date of final action herein by the State Board of Education.

Dated this 3rd day of August, 2012.



Jodi Kupper, Chairperson
Hearing Committee
Nebraska Professional Practices Commission

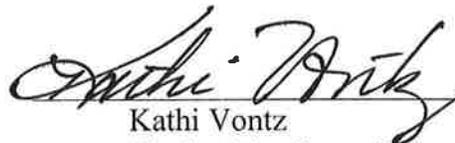
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Findings of Fact, Conclusions of Law, and Recommendation for Case No. 12-03 was served upon Respondent, Steven Schenck, by certified mail, and to the Respondent's attorney, Clarence Mock, by postage paid U.S. Mail, and hand delivered to Brian L. Halstead on this 3rd day of August, 2012, at the following addresses

Steven Schenck
Respondent
1309 Wallace Street
St. Paul, NE 68873

Brian L. Halstead
Attorney for Petitioner
301 Centennial Mall South
Lincoln, NE 68509

Clarence Mock
Attorney for Respondent
Johnson & Mock
9900 Nicholas St., Suite 225
Omaha, NE 68114-2225


Kathi Vontz
Clerk of the Commission

BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
STATE OF NEBRASKA

Roger D. Breed, Ed.D.)
 Commissioner of Education)
 301 Centennial Mall South)
 P.O. Box 94933)
 Lincoln, NE 68509-4933)
)
) Petitioner,)
)
 vs.)
)
 Steven Schenck)
 1309 Wallace Street)
 St. Paul, NE 68873)
)
) Respondent.)
)

Case No. 11009
PPC Case No. 12-03

TRANSCRIPT

VOLUME I of I
(Pages 1 through 16)
EXHIBITS 1-5

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

Convened, pursuant to notice, at 9:33 a.m., on
July 18, 2012,

BEFORE:

JEFFREY R. KIRKPATRICK, Hearing Officer.

COMMISSION MEMBERS PRESENT:

JANE STAVEM, Chairperson; JODI KUPPER, Presiding;
SARAH BROWN; SUSAN JOHNSON; RAYMOND KELLER; BRIAN MAHER;
DAMON McDONALD; CINDY SERFASS; KAREN SHELTON; and LYNN
STRACK.

OTHERS PRESENT:

KATHI VONTZ, Clerk of the Commission

GENERAL REPORTING SERVICE (402) 477-8425

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

A P P E A R A N C E S

For the Commissioner: Brian L. Halstead, #18077
 Assistant Commissioner/
 General Counsel
 Department of Education
 301 Centennial Mall South
 Sixth Floor
 Lincoln, NE 68509

- - -

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

I N D E X

EXHIBITS:

	<u>Marked</u>	<u>Offered</u>	<u>Ruled On</u>	<u>Found</u>
1 Pleadings (40 pages)	5	6	7	Appendix
2 Title 92, Nebraska Administrative Code, Chapter 27 (16 pages)	5	6	7	Appendix
3 Title 95, Nebraska Administrative Code, Chapter 1 (20 pages)	5	6	7	Appendix
4 Title 92, Nebraska Administrative Code, Chapter 28 (23 pages)	5	7	8	Appendix
5 Title 92, Nebraska Administrative Code, Chapter 29 (12 pages)	5	7	8	Appendix

- - -

Appearances	2
Reporter's Certificate	4
Closing Argument by Mr. Halstead	9
Motion	14
Decision	16

- - -

1 PROCEEDINGS:

2 (Exhibits 1 through 5 were marked for
3 identification.)

4 CHAIRPERSON KUPPER: Ladies and gentlemen, I am
5 Jodi Kupper, chairperson of this hearing panel of the
6 Nebraska Professional Practices Commission. I convene this
7 hearing at 9:33 a.m. for the purpose of receiving evidence
8 on a petition filed by Roger D. Breed, Commissioner of
9 Education, Petitioner, against Steven Schenck, Respondent,
10 Case No. 12-03.

11 The other members of the hearing committee are
12 Sarah Brown, Susan Johnson, Raymond Keller, Brian Maher,
13 Damon McDonald, Cindy Serfass, Karen Shelton, Jane Stavem,
14 and Lynn Strack.

15 The Commission's attorney is Jeffrey R.
16 Kirkpatrick. His purpose is to advise the hearing panel,
17 chairperson, and the Commission on the performance of our
18 duties under the Commission's rule and regulations.

19 The court reporter is Wendy Cutting. Her purpose
20 is to record the testimony of the witnesses and mark the
21 exhibits.

22 The Clerk of the Commission is Kathi Vontz. Her
23 purpose is administrative.

24 This case arises from a request by the State Board
25 of Education that the Commission hear the matter pursuant to

1 Sections 79-859 through 79-871 of the Nebraska statutes and
2 the rules and regulations thereunder.

3 At this time I ask the attorneys to enter their
4 appearance.

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

8 CHAIRPERSON KUPPER: Let the record show that the
9 respondent is not present, nor is there anyone else present
10 on behalf of the respondent.

11 At this time, if there are no objections, I will
12 enter into the record the pleadings which are marked as
13 Exhibit 1; the standards of ethics and competency, which is
14 92 Nebraska Administrative Code, Chapter 27, and is marked
15 as Exhibit 2; and the Regulations Concerning Teacher and
16 Administrator Professional Practices Hearings, which is 95
17 Nebraska Administrative Code, Chapter 1, and is marked as
18 Exhibit 3. Are there any objections?

19 MR. HALSTEAD: I don't have any objections. I
20 just want to make sure that Exhibit 1 includes the
21 stipulation and the report of investigation in the case.

22 THE HEARING OFFICER: It has the stipulation, file
23 stamped July 11th, 2012.

24 MR. HALSTEAD: Okay, I just wanted to make sure
25 that's in Exhibit No. 1. I have no objections to those

1 exhibits.

2 CHAIRPERSON KUPPER: Exhibits 1, 2, 3 are
3 received.

4 (Exhibits 1 through 3 were received in evidence.
5 See Index.)

6 At this time the hearing committee's attorney will
7 conduct the hearing.

8 THE HEARING OFFICER: Preliminarily, Mr. Halstead,
9 you've been in communication with Mr. Schenck's attorney?

10 MR. HALSTEAD: Mr. Mock and I talked back on June
11 the 28th about the case and agreed to the stipulation. At
12 that time, Mr. Mock did not indicate that he or his client
13 would be appearing at the hearing in this matter.

14 I do have two other exhibits that I would offer.
15 I'm not sure whether all of the Commission members have had
16 a chance to read the stipulation and the report, but --

17 THE HEARING OFFICER: Why don't we -- if you want
18 to offer those exhibits, we'll get those into the record.

19 MR. HALSTEAD: Okay. At this time, I would offer
20 Exhibit No. 4, which is Title 92, Nebraska Administrative
21 Code, Chapter 28, the rules and regulations regarding
22 complaints and investigations; and Exhibit No. 5, which is
23 Title 92, Nebraska Administrative Code, Chapter 29, the
24 rules and regulations regarding hearings before the State
25 Board of Education. We'd offer Exhibits 4 and 5.

1 THE HEARING OFFICER: And seeing no objection,
2 those are received.

3 (Exhibits 4 and 5 were received in evidence. See
4 Index.)

5 Mr. Halstead, I do want to have some time for the
6 Committee to review the stipulation. Do you have any
7 preliminary statement you'd like to make now before we --

8 MR. HALSTEAD: No, I would just make a -- I would
9 answer any questions or I have the investigator here who did
10 the investigation if they have questions about the report at
11 that point, but I would -- I have no problems if they read
12 that now and then we give them ten minutes or so and proceed
13 from there.

14 THE HEARING OFFICER: Okay, why don't we do that,
15 then, just give everyone a chance to --

16 COMMISSIONER KELLER: I have a question. I'm not
17 sure. Why do we have a stipulation? Is it because they're
18 not -- they don't agree with the investigation? Could you
19 explain the stipulation? That's not something we normally
20 get.

21 MR. HALSTEAD: Mr. Mock, in representing Mr.
22 Schenck, filed an answer admitting all of the allegations
23 except the last two paragraphs.

24 COMMISSIONER KELLER: Okay.

25 MR. HALSTEAD: And at the same time, he indicated

1 to me in that conversation that his client and he did not
2 wish to further contest the matter, and as such, they were
3 willing to have the report of investigation for this
4 committee to look at and make their decisions based on that.
5 Instead of defaulting out and not filing an answer, Mr.
6 Mock, representing his client, did the minimum he needed to
7 do for his client.

8 COMMISSIONER KELLER: Okay, thank you.

9 (Off the record from 9:38 a.m. until 9:48 a.m.)

10 THE HEARING OFFICER: We'll go back on the record,
11 then. Any questions for Mr. Halstead? Any on my right?

12 (No response.)

13 Anybody on the panel, left, any questions?

14 CHAIRPERSON KUPPER: I may just have one. Have
15 there been any charges pressed against this person, besides
16 just him losing his job?

17 MR. HALSTEAD: We are not aware of any criminal
18 charges ever being brought against Mr. Schenck for the
19 conduct that's included in the report of investigation.

20 THE HEARING OFFICER: Any further questions?

21 (No response.)

22 Seeing none, would you like to make a closing
23 statement?

24 MR. HALSTEAD: I would, thank you.

25 Ladies and gentlemen of the Commission, I think as

1 you have before you the facts of Mr. Schenck and his conduct
2 while he was employed as a teacher with the Spalding Public
3 Schools, and also the interrelation of the public school
4 district with the private school in Spalding. Clearly, his
5 conduct with the 14-year-old student violates the ethical
6 standards we've set for teachers and administrators in this
7 state.

8 As you've heard me on numerous occasions in the
9 past, we believe at a minimum his certificate should be
10 revoked for a period of five years. We do that for a number
11 of reasons and some of those are articulated and reinforced
12 by what the Nebraska Supreme Court looks at when they're
13 dealing with attorneys and disciplinary matters. And I
14 guess I would mention those again in this case. They look
15 at, one, the nature of the offense; two, the need for
16 deterring others; three, the maintenance of the reputation
17 of the profession as a whole; four, the protection of the
18 public; five, the attitude of the respondent; and six, the
19 respondent's present or future fitness to continue in the
20 practice of the profession.

21 I've always found it remarkable that of those six
22 standards, it's not until you get to the last two that you
23 look at the conduct of the individual in the case, which is
24 primarily because professions exist for more than just the
25 individual to practice. In this case, the nature of the

1 conduct is not something that can be excused. It clearly
2 violates the student/teacher relationship. It clearly is
3 something that needs to be deterred. It is clearly
4 something the public needs to know we take seriously and we
5 will not tolerate. And it is something for which we hope
6 never occurs again.

7 With that, you know, at a minimum, we'd recommend
8 to you a recommendation to the State Board that his
9 certificate be revoked for a period of five years. That
10 would be at a minimum. We're not necessarily telling you
11 you should only recommend five years. We're going to leave
12 it in your discretion as to reviewing this conduct as to
13 whether more is necessary or not.

14 And with that, I'd answer any questions you might
15 have.

16 THE HEARING OFFICER: Any questions on my right?

17 (No response.)

18 Questions on my left?

19 COMMISSIONER KELLER: I was looking for Paragraph
20 7 and I couldn't -- where exactly -- I saw 6.

21 MR. HALSTEAD: Paragraph 7. Help me where you're
22 referencing.

23 COMMISSIONER KELLER: Well, it said that
24 he -- they didn't agree with 6 and 7 that they --

25 MR. HALSTEAD: I believe probably Mr. Mock

1 misnumbered his -- if you're looking at the petition --

2 COMMISSIONER KELLER: Yeah.

3 CHAIRPERSON KUPPER: Actually, it looks like we're
4 missing a second page, because it finishes at "and," and
5 there's no 7, in the initial petition we got in our packet.

6 MR. HALSTEAD: Oh, you don't -- Paragraph 7 are
7 the ethical standards we've alleged he violated. Paragraph
8 7 says, based on the factual allegations contained in
9 Paragraph 6, the respondent violated the stated statute and
10 then all of the ethical standards. So, if you didn't get
11 that, I'm sure Kathi -- the original documents and filing
12 has it.

13 THE HEARING OFFICER: Yeah, and I've got it in my
14 copy.

15 MR. HALSTEAD: So that's the answer as I --

16 COMMISSIONER KELLER: So there's nothing else
17 besides what was in 6, really.

18 MR. HALSTEAD: No. Mr. Mock's answer denied the
19 key allegation in the petition and then denied that his
20 client violated any of the ethical standards is all he's
21 referencing.

22 COMMISSIONER KELLER: Okay.

23 CHAIRPERSON KUPPER: Just kind of a clarification,
24 he had the chance to be here to represent himself, and he
25 chose not to.

1 MR. HALSTEAD: He's clearly not present this
2 morning, yes. The hearing notice and everything went to him
3 and his attorney, so -- and I think the stipulation was,
4 again, their way of letting you have the factual information
5 without further contesting what's going on here today.

6 COMMISSIONER KELLER: Mr. Halstead, the State
7 Patrol, is that who -- was there any police investigation
8 or -- I was looking through. I couldn't remember.

9 MR. HALSTEAD: I believe, as the report of
10 investigation indicates, the school officials had contact
11 with the Child Advocacy Center in Grand Island, which is a
12 group that works with law enforcement officials on potential
13 criminal conduct. And I think, if you look at the
14 minutes -- or actually, if you look at the complaint and the
15 minutes of the board meeting, the local law enforcement,
16 Gerald Asch, A-s-c-h -- the minutes don't specifically say
17 that, but I would suggest to you they were probably
18 discussing their need to report this to law enforcement in
19 that executive session. To our knowledge, law enforcement
20 was notified. As to whether his conduct is criminal or not
21 is a decision for the county attorney and/or law
22 enforcement.

23 THE HEARING OFFICER: If there's nothing further,
24 close the hearing.

25 CHAIRPERSON KUPPER: The hearing committee will

1 now adjourn and will consider the evidence. The hearing
2 committee's decision will be reduced to writing. A copy of
3 the hearing committee's findings, conclusions, and decision
4 will be furnished to the parties. If the decision includes
5 a recommendation to suspend or revoke the respondent's
6 certificate, the findings, conclusions, and recommendation
7 will be presented to the State Board of Education.

8 I now declare this hearing adjourned at 9:54 a.m.

9 (Whereupon, the hearing was adjourned at 9:54 a.m.
10 to be reconvened after executive session and deliberation of
11 the evidence.)

12 (Back on the record 10:34 a.m.)

13 CHAIRPERSON STAVEM: Is there a motion regarding
14 the Commission's recommendation on Case No. 12-03?

15 COMMISSIONER MAHER: Yes. I move that the
16 Nebraska Professional Practices Commission adopts the
17 findings of fact and conclusions of law and recommend to the
18 State Board of Education that the certificate of Steven
19 Schenck be permanently revoked.

20 CHAIRPERSON STAVEM: Is there a second?

21 COMMISSIONER BROWN: I second that.

22 CHAIRPERSON STAVEM: Any discussion? It has been
23 moved and seconded to accept the findings of fact and
24 conclusions of law and recommend that the certificate of
25 Steven Schenck be permanently revoked. Is there any

1 discussion?

2 (No response.)

3 CHAIRPERSON STAVEM: Will the clerk please call
4 the roll?

5 THE CLERK: Anglemeyer. Brown.

6 COMMISSIONER BROWN: Yes.

7 THE CLERK: Johnson.

8 COMMISSIONER JOHNSON: Yes.

9 THE CLERK: Keller.

10 COMMISSIONER KELLER: Yes.

11 THE CLERK: Kupper.

12 COMMISSIONER KUPPER: Yes.

13 THE CLERK: Maher.

14 COMMISSIONER MAHER: Yes.

15 THE CLERK: McDonald.

16 COMMISSIONER McDONALD: Yes.

17 THE CLERK: Schott. Serfass.

18 COMMISSIONER SERFASS: Yes.

19 THE CLERK: Shelton.

20 COMMISSIONER SHELTON: No.

21 THE CLERK: Stavem.

22 CHAIRPERSON STAVEM: Yes.

23 THE CLERK: Strack.

24 COMMISSIONER STRACK: Yes.

25 CHAIRPERSON STAVEM: Motion passes.

1 (Whereupon, at 10:35 a.m. on July 18, 2012, the
2 proceedings were concluded.)

3 - - -

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
STATE OF NEBRASKA

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

Petitioner,)

vs.)

Steven Schenck)
1309 Wallace Street)
St. Paul, NE 68873,)

Respondent.)

Case No. 11009
PPC Case No. 12-03



COME NOW the parties, by and through their attorneys of record, and hereby stipulate and agree as follows:

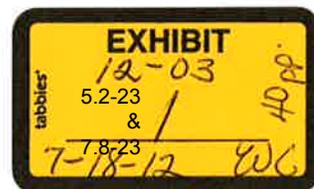
1. That the Report of Investigation in Case No. 11009 be admitted and received as evidence in this matter, a copy of which is attached as exhibit "A" and by this reference incorporated herein;
2. That the members of the Commission may possess and review this Stipulation prior to its formal receipt as evidence in any hearing scheduled; and
3. That this Stipulation does not limit or preclude the parties from offering additional evidence at the hearing in this matter.

WHEREFORE, the undersigned parties request that this Stipulation be accepted as evidence by the hearing bodies involved in this matter.

Dated this 10th day of July 2012.

Brian L. Halstead, #18077
Attorney for the Petitioner

Clarence E. Mock, #15443
Attorney for the Respondent



BEFORE THE COMMISSIONER OF EDUCATION
STATE OF NEBRASKA

Karen A. Haase
P.O. Box 82028
Lincoln, NE 68501

Complainant,

vs.

Steven Schenck
1309 Wallace Street
St. Paul, NE 68873

Respondent.

Case No. 11009

REPORT OF INVESTIGATION

In accordance with Title 92, *Nebraska Administrative Code*, Chapter 28, the attached Report of Investigation into case number 11009 is submitted to the Commissioner of Education on this 30th day of May 2012. The Report was submitted to the Respondent on the 14th day of May 2012, and no exceptions were filed.


Certification Investigator

TABLE OF CONTENTS

JURISDICTION 2

SUMMARY OF COMPLAINT..... 2

POSITION OF RESPONDENT 2

FINDINGS 2-11

STANDARDS OF PROFESSIONAL CONDUCT AND ETHICS 12

DETERMINATION OF LEGAL SUFFICIENCY..... 12

RECOMMENDATION 12

EXHIBITS 12



2

BEFORE THE COMMISSIONER OF EDUCATION
STATE OF NEBRASKA

Karen A. Haase
P.O. Box 82028
Lincoln, NE 68501

Complainant,

vs.

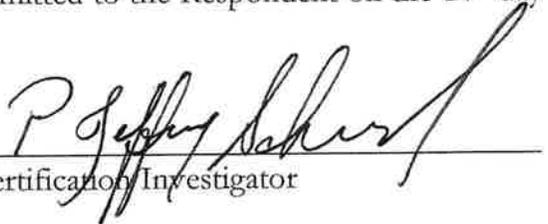
Steven Schenck
1309 Wallace Street
St. Paul, NE 68873

Respondent.

Case No. 11009

REPORT OF INVESTIGATION

In accordance with Title 92, *Nebraska Administrative Code*, Chapter 28, the attached Report of Investigation into case number 11009 is submitted to the Respondent on the 14th day of May 2012.



Certification Investigator

TABLE OF CONTENTS

JURISDICTION 2

SUMMARY OF COMPLAINT..... 2

POSITION OF RESPONDENT..... 2

FINDINGS 2-11

STANDARDS OF PROFESSIONAL CONDUCT AND ETHICS 12

DETERMINATION OF LEGAL SUFFICIENCY..... 12

RECOMMENDATION 12

EXHIBITS 12

JURISDICTION

On February 18, 2011, Karen Haase filed a Complaint with the Commissioner of Education against Steven Schenck, the Respondent. A copy of the Complaint was served upon the Respondent on February 19, 2011. Copies of the Complaint and return receipt are collectively attached and marked as exhibit "E-1".

The Teacher Certification Office Records revealed that the Respondent holds a public Nebraska initial teaching certificate number 2006000467, endorsed in Coaching 7-12 and Physical Education K-12, with an expiration date of August 31, 2013.

SUMMARY OF COMPLAINT

The Complainant alleged that the Respondent was involved in an inappropriate relationship with a 14-year-old female student.

POSITION OF RESPONDENT

The Respondent, through his attorney, declined a personal conference in this matter.

FINDINGS

According to the information contained in the complaint, the Respondent began his employment with the Spalding Public Schools in the 2006-2007 school year as a K-12 Physical Education teacher. The Respondent was also the boys' basketball coach for the Spalding Public Schools and Spalding Academy who participate in interscholastic athletic contests on a cooperative basis.

The complaint states Spalding School Principal Stephanie Wlaschin was notified on or about November 24, 2010, of a possible inappropriate relationship occurring between the Respondent and a 14-year-old female, K.L., who attended Spalding Academy, a private Catholic school. The complaint states the matter was investigated and the Respondent denied the allegation. The complaint states the female student had inconsistencies during the initial interviews and finally admitted to texting with the Respondent by cell phone "multiple times per day". The student stated the Respondent "treated [her] like a wife", and that the student and the Respondent had kissed. Phone records were obtained which indicated hundreds of text messages sent between the Respondent's cell number and the student's cell number over an extended period of time.

Spalding Public Schools Superintendent Alan Ehlers submitted notes from his investigation into the allegations. The notes contained a timeline of events. On Saturday, November 27, 2010, Mr. Ehlers received a telephone call from Stephanie Wlaschin informing him of rumors concerning the Respondent. He advised Ms.

Wlaschin to set up a meeting with the Respondent for Monday, November 29. On the 29th a "Skype" interview was held between Mr. Ehlers, Ms. Wlaschin, and the Respondent. The Respondent admitted to texting students about open gym, stated he had given rides home to 2-3 students, including K.L., but stated no physical contact ever occurred between himself and K.L. The Respondent stated K.L.'s older brother D.L. had approached the Respondent and told him to stop texting his sister. The meeting on the 29th ended with Mr. Ehlers telling the Respondent to stop texting K.L. and to cease contact with her.

Mr. Ehlers contacted the father of K.L. and D.L. who granted permission for the children to be interviewed in the morning of November 30. On November 30 Mr. Ehlers met with the students and their father, P.L. During the interview K.L. stated the rumors about texting and kissing the Respondent were not true; and any texting that occurred related to open gym and volleyball games. K.L. stated she and the Respondent did communicate via Facebook. K.L. stated she and the Respondent had a telephone conversation about three days prior to Thanksgiving 2010 to discuss the rumors.

K.L.'s father granted permission to obtain text messages off of K.L.'s cell phone from Viaero Wireless who was the provider. P.L. gave the school access to the call history from his daughter's cell phone, but the school could only view the telephone numbers that were sent from and received by the phone. No text messages were read. There were an inordinate amount of calls between K.L. and the Respondent.

On December 1 female student E.E. who is a friend of K.L.'s, was interviewed by the administrators with her parents present and advised that the Respondent began talking to K.L. during the 2009-2010 spring track season, and would text K.L. after he had been drinking at the bar. E.E. heard that the Respondent would stay after practice so he could give K.L. a ride home. E.E. heard about Facebook communication from K.L. to the Respondent, however had not seen any. D.L. told her about the alleged relationship.

On December 2 Mr. Ehlers met with the Respondent. Mr. Ehlers wrote the investigation was moving slowly to protect everyone involved. The Respondent was advised the district attorney was looking into the hundreds of text messages between the Respondent and K.L., was looking at Facebook messages between the two, and was checking the Respondent's school e-mail communication. The Respondent was advised to come forward with as much information as he could about the situation.

On December 8 a meeting was held with the Respondent, Ms. Wlaschin, Amy McKay, Principal of Spalding Academy, and P.L. (the father).

Mr. Ehlers gave the Respondent a Notice of Administrative Leave letter dated December 8, 2010, regarding the Respondent's duties at Spalding Public Schools. On December 8, 2010, Spalding Academy Principal McKay and Administrator, Father Donald Buhrman, terminated the Respondent's employment with them immediately due to inappropriate

behavior with students. In addition, the Spalding School District notified local law enforcement of the Respondent's conduct. On December 9, 2010, the Respondent submitted a letter of resignation which was accepted by the Spalding Board of Education on December 13. Copies of school documentation are collectively attached and marked as exhibit "E-2".

The investigator obtained the Nebraska State Patrol (NSP) reports of Sgt. Jeromy McCoy. According to Sgt. McCoy, on December 9, 2010, he observed an interview conducted with K.L. at the Child Advocacy Center in Grand Island. The information K.L. provided to the individuals at the Center in Grand Island coincide with what K.L. told the NDE investigator, however, during her interview in Grand Island, K.L. stated the Respondent kissed her only one time and it was on the lips while they were in his car while he was taking her home from open gym. K.L. stated the texting began in late September or early October and then they began also communicating on Facebook.

On December 9, 2010, Sgt. McCoy interviewed the Respondent at his home in St. Paul. The Respondent was advised he was not under arrest and agreed to speak with Sgt. McCoy. When asked to explain what was going on between the Respondent and K.L., the Respondent stated, "Well I messed up. She started texting me and it started out normal, like how's it going, and instead of putting an end to it, it got flirty a little bit and got me some trouble, I guess". The Respondent was under the impression the texting began in early November 2010. The Respondent advised the two texted back and forth but did not see each other much except at open gym a few times, as K.L. attended another school. When asked if there was ever any physical contact with K.L., the Respondent stated no and then stated one time when he gave K.L. a kiss on her cheek when he gave her a ride home after open gym. Sgt. McCoy asked the Respondent if he had any contact with K.L. after the kiss, and he indicated they had only spoken on the phone. Sgt. McCoy asked the Respondent about the deleted texts and Facebook messages between him and K.L. The Respondent advised he was worried about his job so he asked her to delete the messages. The Respondent stated the messages did not contain any sexual references. When the Respondent was asked what was going on when he kissed K.L. he stated he did not know and "it was like K.L. had him caught up in a game and he could not get out of it".

The investigator interviewed Spalding Academy Principal Amy McKay on April 11, 2012. Ms. McKay is also the aunt of K.L. and stated she has been the principal three years at the private school. Ms. McKay was asked how she became aware of a possible inappropriate relationship between the Respondent and K.L. She stated:

It started with a referral or the information brought to me by a teacher from what she had heard, um from that point I had called the teacher wasn't sure what she was to do or not do from another student telling her about it. So I had called our Child Protection person through the Grand Island Diocese office and then she had said make sure that teacher calls in

and gave us the number of the hotline or whatever to call. And then that's kind of where it went from that point. The teacher then had called that hotline.

After that then Dr. Heidt at the Diocesan Office told us to stay out of it and not to do any questioning of ourselves and to let the investigators do it so I didn't do any more other than notify the parent that this was happening and had talked to my priest who happens to be the person in charge of our school.

Ms. McKay stated the teacher was Mrs. Thome and her documentation reflects Mrs. Thome notified her on November 22, 2010. Ms. McKay stated Dr. Heidt is the child protection office coordinator and matters concerning a safe environment at Spalding Academy come through her.

When asked if the teacher told her anything about the rumor, Ms. McKay replied:

Um she came and said two students come to her and said they were concerned about a relationship between K. and Mr. Schenck. And that they have said that they have been texting and Facebooking back and forth and some of the comments were they were feeling was kind of too much or creepy or inappropriate or . . .

Ms. McKay stated that because she was both K.L.'s aunt and the principal for the school, she drove K.L. to the Child Advocacy Center in Grand Island to be interviewed. They spoke some about the incident and K.L. told Ms. McKay that she and the Respondent had kissed. Ms. McKay was asked if she knew how often this occurred and she told the investigator, "My impression is more than once, but no, she didn't say." Ms. McKay stated she was involved in a meeting that occurred at the public school between the Respondent, Father Buhrman and herself from Spalding Academy, and Principal Stephanie Wlaschin of the public school. Ms. McKay stated Superintendent Ehlers was "Skyped" in to the meeting. Ms. McKay stated at one time the Respondent broke down, and described his behavior, "He started to cry and he said he knew what he did was wrong." He did not elaborate on what that was.

The investigator interviewed Stephanie Wlaschin on April 11, 2012, who advised she is currently the superintendent and principal at Spalding Public Schools and was the principal during the time of the allegations in the 2010-2011 school year. Ms. Wlaschin stated she hired the Respondent three years prior as the physical education teacher. Ms. Wlaschin stated, "He was a great teacher" and advised he received good evaluations. When asked if she was familiar with K.L., Ms. Wlaschin stated:

Yes I coached her throughout the summer since she's been a little girl in softball. As far as school she does attend Spalding Academy where I'm at Spalding Public so during the school day I have not taught her. I coached her in junior high and high school in basketball and in volleyball.

Ms. Wlaschin stated she became aware of the rumors regarding K.L. and the Respondent when the Respondent called her Thanksgiving weekend. Ms. Wlaschin stated:

Steve called me on my cell phone and said, "I really need to talk to you," and I just told him I was dropping the girls off with the mother in Grand Island and I would call him when I had service. And I called him back that same night and I believe that was on, we got out of school on Wednesday of Thanksgiving and it would have been that Wednesday night. And he said, "The kids in town are spreading some rumors about me, that I'm kind of messing around with K.L. and it's not true." And I said, "Well I hadn't heard them, wasn't aware of it, uh sometimes rumors can get started, let's just see where this goes," and he did call me back again that night and kind of elaborated a little more that kids were talking about it and he wanted me to be aware of that and he was very upset. It's not right, they're ruining his image, and he's very concerned and he wanted something done about it. And I said well, if this interferes with school then we have every right, if it has nothing to do with school then yes there's slander, I mean there's a lot of different ways we can look at this. I said at this point I really need to do some digging cuz I have not heard a word; this is the first I've heard of it. I said I will be in contact with you over break as I know more and I said I will talk to Mrs. McKay who is the principal at Spalding Academy um since you're saying some of the Spalding Academy kids are in the rumors, um I'll let her be notified and we'll go from there. So that was the first I was aware of it.

Ms. Wlaschin stated she communicated with Ms. McKay over the break. Ms. Wlaschin also contacted Alan Ehlers and they decided they needed to bring the Respondent in and speak with him. Ms. Wlaschin stated she had practice on November 27 and K.L. asked to speak with her. Ms. Wlaschin stated:

She started by saying that she knew that there was rumors about her and Mr. Schenck and I said yes that I had heard that. She said she didn't want to get anyone in trouble and she didn't know how this all got spread around and that she had heard this from D.L. and that J.W., (J.W is another female friend of K.L.'s") and E.E. had went to Mrs. Thome and told her about the rumors.

And she had told me that those three kids were spreading around rumors that she had kissed Mr. Schenck and that she had told Mrs. Thome. I asked her if there was any parts of it that were true, she said no. She said that she had been in no contact with him just a couple of times after open gym they had visited right here at the parish center but that was it. She started to cry, she kept telling me she didn't want to get anyone in any trouble, and she just doesn't understand how rumors got started, but she did tell me that D. had contacted Mr. Schenck and told him to stop texting her and you better leave her alone. D. is her brother, oldest brother. On the 29th, so two days passed, we had Steve come in, that would have been a Monday morning after Thanksgiving break and Mr. Ehlers and myself visited with him. And asked him if anything had ever happened, he said they had texted a few times.

Ms. Wlaschin stated they contacted K.L.'s father who gave them permission to access K.L.'s phone records, and this occurred during the meeting of November 30. Ms. Wlaschin stated:

It did, that was part of the documentation that I know was turned in. We asked them about phone records and when we were done at the meeting since everything was about, she kept saying they didn't text, they didn't text. Randomly a couple times we texted on open gym and I just openly asked Mr. L. to solve this very quickly if we can have access to the phone records that will tell us if we can see and he told me he would get back to me. Well on the 1st he still hadn't. Um but I have down on Dec 2 P. gave us the cell phone or access. He had called, I believe it was Viaero was their phone carrier and he had contacted them to get rights and passwords to access the account and give us that information.

The investigator asked if Ms. Wlaschin ever received any hard copy printouts of the texts and she stated:

Hard copy, I honestly can't remember that. I remember um I logged in and right away when I was talking to P. he helped me log in with the user name and password. I was sitting here in this office and he was down at the Spalding Irrigation, we were visiting by phone. I had logged in and started pulling up and he was logged in as well and there were numerous, numerous, numerous text messages coming from all hours of the day and night between Steve and K.

Ms. Wlaschin knew it was the phone number of the Respondent because she had his cell phone number in her phone, and she looked it up on the staff information page that lists the contact information. She stated K.L.'s father verified K.L.'s number. Ms. Wlaschin was asked if she ever counted how many texts occurred in a day and she stated:

I did actually um and I called Karen Haase (school attorney) at that point right away um while we were on the phone and she logged in as well. And she and I were talking on the phone as we had access to the file and she told me, we were talking about them, I remember there was times I had counted over 100 in none day that would start as early as 6, 630, 7 in the morning and there was times it would still go on at 2, 3 in the morning.

Ms. Wlaschin stated many of the texts occurred during the school day itself. She stated the following occurred that same day, December 3, 2010:

I called Steve in at that point and visited with him. I explained the importance of no contact with her again, and to read over with him what Karen the attorney had sent us at that point explaining this could go on for months and what the worst case scenario could be and what the best case scenario could be. He left the room and went directly down to his computer, and at that point he started searching Google and even though he had a class of seniors he searched that entire class period and constantly throughout the day on his laptop. He searched divorce attorneys, plus deleted text messages, cell phone, plus deleted text messages, attorney retrieval options, subpoena, plus deleted text messages, log guru answers, how long does bureau keep deleted text messages, Karen Haase as a school attorney, those were all subject headings I had seen him type in.

Ms. Wlaschin was asked if the Respondent was using a school computer and she stated:

Yes it was. We are one to one every kid and student has a laptop. We have remote access which is located on my laptop. I can click on any student or teacher's laptop at any point and watch what they're doing and I can actually overtake it and control it. So when he walked out of my office like I say he was very humble, he did not say anything. He went back down to class, I assumed he was teaching, I got on and just looked and he was searching on the Internet.

Ms. Wlaschin stated she had contact with K.L. and her father on or about December 6. Ms. Wlaschin stated:

K. said she was very scared at first, of getting anyone into trouble but she realized now how serious it was, she started by saying that Steve tried to contact her again last night even though he was told by us several times there is no contact.

Ms. Wlaschin was asked about the statement in the documents that the Respondent treated K.L. like a wife. Ms. Wlaschin stated:

I have that written too. Um I took good notes here; I took notes while she was talking to me that day with her dad sitting in there. She explained that they had things going on over the past month and a half, lots of calls and there was a lot of texting she admitted to. He had a nickname for her; he always called her hon, or honey. And he did a lot of flirting with her. Many times mentioned how he cared for her and he inferred how he wanted to kiss her. She asked him one time before others got into the car when they were driving around to take her home. Um what he meant by the text last night of KI...; that he had texted her, and he said he would show her sometime soon. Talked and texted, how long, how he always got caught by his wife, so he told her he had to delete some texts quick one night when Jess tried taking his phone from him; Jess is his wife.

And he blamed it on Dennis our maintenance man; that Dennis was sending some bad pictures and that's what he was deleting. And he had shared that with K. He then changed K.'s name on his phone to D. so then he would text would show up as D. on his phone when K. was texting him, and D. is her brother. She felt like his wife (inaudible) the way he talked to her and the things he had told her and he made her feel. She couldn't remember exact things that he had texted her at this point. Um he said the nights he drove her around or took her home she couldn't remember a lot of the things they talked about as well. When I asked if he had ever touched her, kissed her, any of that she was very quiet, she sat there for a very long time and started to tear up and then eventually said no. Later at the end of the car conversation um she did ask me if I did find out more than then were just texting would Mr. Schenck go to jail. I said that was not up to me. Um K. also said she had told her or texts couldn't remember which way but she asked him what is going to happen between them and that is not right and he said I can't be with a student or a player, and referred to her, you're not either one to me. And technically he wasn't her student, he wasn't her player, he coached boys' basketball and he taught here at Spalding Public versus Spalding Academy.

Ms. Wlaschin gave the Respondent a Notice of Administrative Leave letter December 8, 2010. She received the Respondent's resignation letter effective immediately on December 9, 2010.

K.L. was interviewed on April 11, 2012. The interview was approved by her father and the investigator began by speaking with Amy McKay. Ms. McKay felt K.L. did not want her present during the interview. K.L. was asked about this in front of Ms. McKay and

stated she wanted to speak with the investigator alone. K.L. stated she is currently a 15-year-old sophomore student at Spalding Academy which is a Catholic school. K.L. stated she first met the Respondent in 7th grade through track when he was her coach. According to K.L., she stated the relationship was a normal student/teacher relationship and things began to change when she was in 8th grade track in the spring of 2010. When asked if the Respondent was flirting with her then, K.L. stated, "A little bit." When asked if she flirted back, K.L. stated, "Most likely yes and um but um it probably it started getting progressively worse around freshman year cuz we were, we'd we texted and Facebook messaged." K.L. stated there was no contact during the summer between 8th and 9th grade and they began texting at the start of her 9th grade year in the fall of 2010. K.L. was asked if the Respondent had started giving rides home to students during track and she stated:

Um he never gave if I remember correctly, I don't believe he gave rides home during track, but it was during the time when basketball or volleyball and football season were over and he would have down at the public school he'd have an open gym where kids could come play basketball and he would supervise and then at the end of that he would bring kids home.

K.L. stated the Respondent was the only adult who supervised the after school open gym for basketball. K.L. advised he gave her the first ride home in 9th grade. K.L. stated she was never the only one he gave a ride home to but she was usually the last one to get dropped off. K.L. was asked how it progressed from the Respondent just giving her a ride home to going somewhere and talking and kissing and she stated, "It kind of just happened. I don't know, I don't really know like the big difference."

K.L. was asked if she remembered the first time the Respondent kissed her and she said she did. When asked to tell about it, K.L. stated:

Well I just remember we were coming, my friend J. lived out of town about a mile and um he was giving us a ride home and he dropped J. off first and then we came around and I was going home and I remember I was messing with the radio and I was saying something, I don't remember what I was saying but then I remember he just, he grabbed my face and then he kissed me.

K.L. stated she was sitting in the passenger seat and the Respondent pulled her over and leaned toward her. K.L. advised she did not remember what she and the Respondent spoke about the rest of the ride. K.L. was asked if the Respondent ever commented on the way she looked and she stated:

Yeah we wore spandex and I remember he was texting me one time and he said something about my legs looking good in my spandex and I didn't know how to react to that, and so I did um show my friend and cousin K. (inaudible) and I don't remember how she reacted, she kind of thought it was a little strange but I guess K. knew the entire situation the whole time and I knew there was something, I knew it wasn't right what I was doing the whole time and K. knew about it the whole time.

K.L. stated this occurred prior to the Respondent kissing her the first time. K.L. was asked if the Respondent ever spoke about his wife and K.L. stated:

He would like, like I would reply back in a message or something and then the next day if I ever seen him or talk to him in person um he would say that um he said I was checking my messages and I didn't know, he calls her Jess, her name's Jessica, and he said I didn't see Jess and she came in and she asked who I was texting and I said and he said he fumbled to delete all the messages and then he deleted them and just said they were dirty texts from his friend Dennis.

K.L. stated the Respondent would tell her she was pretty about once a week. K.L. was asked to tell the investigator about the next time the Respondent kissed her and she stated:

Um well I was it was when I was started getting concerned and I told him that this couldn't continue and I just remember um him saying that he was gonna miss me and then he kissed me again. And then I left.

When asked about how many times the Respondent had kissed her she stated, "I'd honestly say only three or four." K.L. stated they kissed out in the country on dirt roads, and stated he never touched her breasts, buttocks, or private areas and he didn't ask her to touch him anywhere.

K.L. was asked why her brother D.L. had told the Respondent to quit texting her and K.L. stated, "I didn't know he told him that," although she had told Ms. Wlaschin he had.

The investigator then asked, "Okay, and you believe that the two of you only kissed 5-10 times? K.L. then answered, "Yes."

K.L. stated she and the Respondent never said the words, I love you.

The investigator was contacted by the Respondent's attorney on April 18, 2012, and stated the Respondent declined the personal conference.

STANDARDS OF PROFESSIONAL CONDUCT AND ETHICS

The following statute and standards would appear applicable: Neb. Rev. Stat. Section 79-866(2) (Reissue 2008) which, in part, states, "The board may, for just cause, revoke or suspend any teacher's or administrator's certificate. Violation of the standards established pursuant to this section, commission of an immoral act, or conviction of a felony under the laws of this state shall constitute just cause for the revocation or suspension of a teacher's or administrator's certificate by the board"; Title 92, *Nebraska Administrative Code*, Chapter 27, Section 004.02E (effective date: November 12, 2003) which states, "the educator: Shall not exploit professional relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage"; Section 004.02F (same effective date) which states, "the educator: Shall not sexually harass students, parents or school patrons, employees, or board members"; Section 004.03C (same effective date) which states, "the educator: Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety"; and Section 004.04E (same effective date) which states, "the educator: Shall not commit any act of moral turpitude, or any felony under the laws of the United States or any state or territory, and shall not have a misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.12 through 003.14 of 92 NAC 21".

DETERMINATION OF LEGAL SUFFICIENCY

There is legally sufficient evidence to indicate a violation of the above-referenced statute and standards with regard to this allegation.

RECOMMENDATION

The Certification Investigator would recommend the Commissioner of Education file a petition in this matter.

EXHIBITS

- E-1. Copies of the Complaint and return receipt.
- E-2. Copies of documentation of the Spalding Public Schools and Spalding Academy.

BEFORE THE COMMISSIONER OF EDUCATION
STATE OF NEBRASKA

Karen A. Haase)
P.O. Box 82028)
Lincoln, NE 68501-2028)

Complainant,)

vs.)

Steven Schenck)
1309 Wallace Street)
St. Paul, NE 68873)

Respondent.)

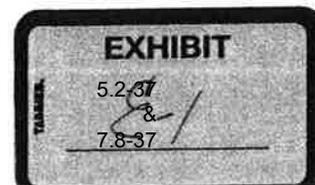
CASE NO. 11009

COMPLAINT



In accordance with Title 92, Chapter 28, of the Nebraska Administrative Code, the Complainant states as follows:

1. The full name, address and telephone number of the Complainant are: Karen A. Haase, Harding & Shultz, P.C., L.L.O., P.O. Box 82028, Lincoln, NE 68501-2028, (402) 434-3000.
2. The full name, address and telephone number of the Respondent are: Steven Schenck, 1309 Wallace Street, St. Paul, NE 68873, (308) 754-4433.
3. The following is a concise statement of the facts which the Complainant believes to constitute a violation of professional ethics and practices:
 - a. The Respondent was a teacher employed at Spalding Public Schools during the 2010-11 school year. Spalding Public Schools and the Spalding Academy participate in interscholastic athletic contests on a cooperative basis. The Respondent coached the boys' basketball team for the schools.
 - b. On or about November 24, 2010, Principal Stephanie Wlaschin was notified of a potential inappropriate relationship



between the Respondent and a 14 year-old student at Spalding Academy. Spalding Public Schools immediately began its investigation. The Respondent denied the allegation. The student made numerous inconsistent statements about the relationship. Ultimately, the student admitted that she and the Respondent texted by cell phone multiple times per day. The student also said that the Respondent "treated [her] like a wife" and that they had kissed. The school reviewed her cell phone records and found that there were hundreds of text messages sent between the Respondent's cell phone number and the student's over an extended period of time.

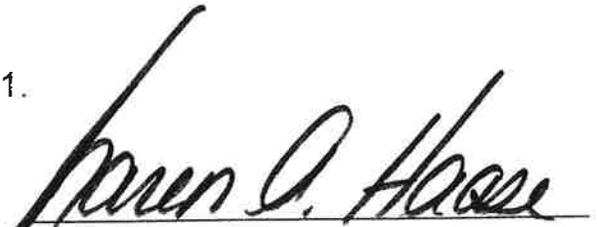
- c. On December 8, 2010 he was put on administrative leave and on December 9, 2010, the Respondent submitted his resignation. The Board of Education accepted the resignation on December 13, 2010.
 - d. The school district notified Gerald Asche, local law enforcement, of all of the above information on December 8, 2010.
4. The names, addresses and telephone numbers of any witnesses able to testify as to the facts alleged are as follows:
- a. Steven Schenck
1309 Wallace Street
St. Paul, NE 68873
(308) 754-4433
 - b. Alan Ehlers, Superintendent
Spalding Public Schools
124 S. Ash, P.O. Box 220
Spalding, NE 68665-0220
(308) 497-2431
 - c. Stephanie Wlaschin, Principal
Spalding Public Schools
124 S. Ash, P.O. Box 220
Spalding, NE 68665-0220
(308) 497-2431

d. Gerald Asche
Local Law Enforcement
50857 817th Road
Spalding, NE 68665

e. Student. Contact information may be obtained from Spalding's administrators.

WHEREFORE, Complainant requests that the Commissioner of Education investigate this Complaint and take such action as is warranted, including the filing of a petition.

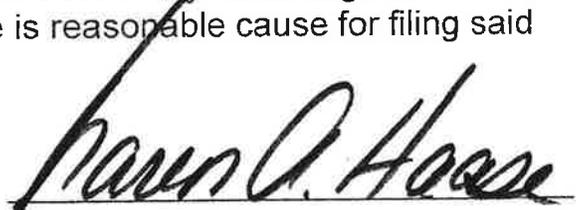
Dated this 17th day of February, 2011.


Karen A. Haase
Complainant

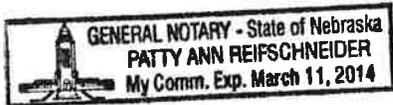
VERIFICATION

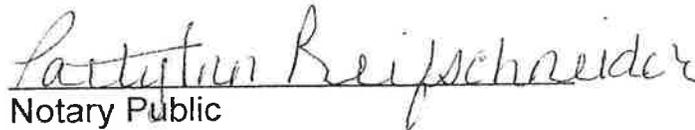
STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

I, Karen A. Haase, being first duly sworn under oath, state that I have read the contents of the Complaint and that, to the best of my knowledge, information, and belief, such contents are true and there is reasonable cause for filing said document.


Karen A. Haase

Subscribed and sworn before me this 17th day of February, 2011.




Notary Public

72 FEB 2004 PM 1 11

• Sender: Please print your name, address, and ZIP+4 in this box •

General Counsel's Office
Nebraska Department of Education
P. O. Box 94933
Lincoln, NE 68509-4933



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Steven Schenk
1309 Wallace Street
St Paul NE 68873

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
x Steve Schenk Addressee

B. Received by (Printed Name) *Steve Schenk* C. Date of Delivery *2-19-11*

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

December 8, 2010

Personal Delivery

Steve Schenck
Spalding Public Schools
124 S. Ash Street
Spalding, NE 68665-0220

Re: ***Notice of Administrative Leave***

Dear Mr. Schenck:

I am writing to inform you that I have placed you on administrative leave until further notice. Your pay and benefits will be continued without change while you are on administrative leave.

You are directed to return any keys or other school property that you have in your possession. In order that we may assure the security of any personal property you have at school, we will endeavor to collect all your personal items and return them to you until the conclusion of the administrative leave. If you have any directions or requests in this regard, please contact me.

While the administrative leave is in effect, you are directed to remain off school premises unless you have secured my personal permission to return. This directive applies to all school functions, including academic, athletic and extracurricular functions regardless of where those functions occur. This prohibition specifically includes the premises of the Spalding Academy.

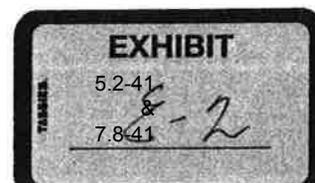
If you have any questions about this leave, please feel free to contact me or to have your representative contact the school district's attorney, Karen Haase. She may be reached at (402) 434-3000.

Yours truly,



Alan Ehlers
Superintendent of Schools

I:\552\68\015\001 Notice of administrative leave.doc



Dear Spalding Public School Board/ Mr. Eblers,

I have decided effectively immediately (12/9/2010) that I will resign from my position as K-12 Physical Education teacher at Spalding Public Schools.

I really enjoyed my time at Spalding Public Schools and could not have asked for better kids, staff, administration, and school board to work for. I wish everyone the best in the future and hope Spalding Public Schools keeps going strong for years to come.

Respectfully yours,



Steve Schenck



Spalding Academy

PO Box 310
Spalding, NE 68665
308-497-2103

December 8, 2010

Personal Delivery

Steve Schenck
Spalding Public Schools
124 S. Ash Street
Spalding, NE 68665-0220

Re: ***Notice of Termination***

Dear Mr. Schenck:

I am writing to inform you that your employment with Spalding Academy is terminated effective immediately. The administration has become aware of allegations that you have behaved inappropriately toward students who attend Spalding Academy.

You are relieved of duties effectively immediately. You are directed to return all keys and other property of Spalding Academy that you have in your possession. If you have left any personal possessions on Spalding Academy's premises, you must contact my office and make arrangements to remove those items during non-school hours.

Spalding Academy will compensate you for the work you have performed through the end of the day today. We will mail your final paycheck to your home address at 1309 Wallace, St. Paul, NE 68873 on December 16, 2010.

If you have questions, you may contact my office.

Sincerely,

Father Donald Buhrman, Administrator

Amy McKay, Principal

**MINUTES OF THE MEETING OF THE BOARD OF EDUCATION
OF SPALDING PUBLIC SCHOOLS**

A meeting of the Board of Education of Spalding Public Schools was convened in open and public session on Monday, December 13, 2010, at 5:31 p.m. in the Activity Room at the Spalding Public Schools Main Building, 124 South Ash Street, Spalding, Nebraska. The roll was called and the following Board members were present or absent:

Present: Rankin, Walkowiak, Pritchard, Diessner, and Berger
Absent: Scheef,

Notice of the meeting was given in advance by publication and/or posting in accordance with the Board approved method for giving notice of meetings. Notice of this meeting was given in advance to all members of the Board of Education. The Secretary of the Board maintains a list of the news media requesting notification of meetings and advance notification to the listed media of the time and place of the meeting and the subjects to be discussed at this meeting was provided. Availability of the agenda was communicated in the publicized notice and a current copy of the Agenda was maintained as stated in the publicized notice. All proceedings of the Board of Education, except as may be hereinafter noted, were taken while the convened meeting was open to the attendance of the public.

I. Call Meeting to Order. The meeting was duly called to order.

Announcement of Open Meetings Act Posting

At the beginning of this meeting, the President announced and informed the public that a current copy of the Open Meetings Act is posted on the south wall of the meeting room.

II. Approval of Agenda. Motion was made by Walkowiak and seconded by Diessner to approve the agenda as provided. After discussion and on roll call vote, the Board voted as follows:

Voting for: Walkowiak, Pritchard, Diessner, Berger, and Rankin
Voting against: None
Not Voting: None
Absent: Scheef,

The motion carried.

A. Excuse Absent Board Members. Motion by Pritchard, Second by Walkowiak to excuse absent board member Scheef. After discussion and on roll call vote, the Board voted as follows:

Voting for: Walkowiak, Pritchard, Diessner, Berger, and Rankin,
Voting against: None
Not Voting: None
Absent: Scheef

The motion carried.

IV. Approval of Minutes.



MINUTES OF THE MEETING OF THE BOARD OF EDUCATION
OF SPALDING PUBLIC SCHOOLS

- A. Motion was made by Rankin and seconded by Diessner to approve the minutes of the December meeting of the Board of Education held on December 6, 2010, as provided. After discussion and on roll call vote, the Board voted as follows:

Voting for: Pritchard, Diessner, Berger, Rankin, and Walkowiak,
Voting against: None
Not Voting: None
Absent: Scheef

The motion carried.

VII. Board Committee Reports.

VIII. Administration's Reports.

IX. Public Forum.

X. Action Items

- A. Motion was made by Pritchard and seconded by Diessner to approve resignation of Steve Schenck. After discussion and on roll call vote, the Board voted as follows:

Voting for: Diessner, Berger, Rankin, Walkowiak, and Pritchard,
Voting against: None
Not Voting: None
Absent: Scheef,

The motion carried.

- XI. Executive Session: Motion was made by Diessner and seconded by Pritchard that the Board hold a closed session to investigate proceedings regarding allegations of criminal misconduct clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual in compliance with the law. After discussion and on roll call vote, the Board voted as follows:

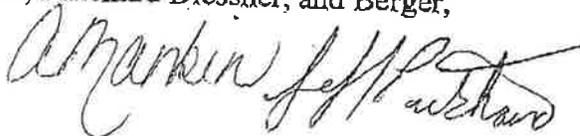
Voting for: Berger, Rankin, Walkowiak, Pritchard, and Diessner,
Voting against: None
Not Voting: None
Absent: Scheef,

The motion carried.

The Board went into closed session at 5:34 p.m. Immediately prior to the closed session the presiding officer restated on the record the limitation of the subject matter of the closed session. The Board reconvened in open session at 6:11 p.m. before any formal action was taken.

Motion was made by Pritchard and seconded by Walkowiak to come out of executive session. After discussion and on roll call vote, the Board voted as follows:

Voting for: Rankin, Walkowiak, Pritchard Diessner, and Berger,



MINUTES OF THE MEETING OF THE BOARD OF EDUCATION
OF SPALDING PUBLIC SCHOOLS

Voting against: None
Not Voting: None
Absent: Scheef,

The motion carried.

XII. Discuss Items.

XIII. Time/Date next meeting. A board work session will be held December 19, 2010 at 2:00 PM at Jerry Scheef's house. The next regular meeting will be held January 10, 2011 at 7:00 PM.

XIV. Motion to Adjourn. Motion was made by Diessner and seconded by Pritchard to adjourn the meeting at 6:13 o'clock p.m. on Monday, December 13, 2010.

Voting for: Walkowiak, Pritchard, Diessner, Berger, and Rankin,
Voting against: None
Not Voting: None
Absent: Scheef,

The motion carried.

The meeting was duly adjourned.

Dated this 13th day of December, 2010.

GREELEY COUNTY SCHOOL DISTRICT
55, a/k/a SPALDING PUBLIC SCHOOLS

BY: Jeff Pritchard
President

ATTEST:

Allison Rankin
Secretary



BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
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.)

Steven Schenck)
1309 Wallace Street)
St. Paul, NE 68873)

Respondent.)

Case No. 11009
PPC Case No. 12-3

ANSWER



COMES NOW Respondent, Steven Schenck, and for his Answer to the
Petition admits, denies and alleges as follows:

1. Admits the allegations contained within paragraphs 1 through 5.
2. Denies the allegations contained within paragraphs 6 and 7.

WHEREFORE, Respondent prays that the Professional Practices Commission
dismiss the Petition in this matter.

STEVEN SCHENCK, Respondent,

BY: 

Clarence E. Mock, No. 15443
JOHNSON & MOCK
307 N. Oakland Avenue
PO Box 62
Oakland, NE 68045
(402) 685-5647
cmock@johnsonandmock.com

CERTIFICATE OF SERVICE

I, Michael J. Tasset, hereby certify that I mailed a true and exact copy of the foregoing instrument to Nebraska Professional Practices Commission, P.O. Box 94941, Lincoln, NE 68509, and to Brian L. Halstead, General Counsel, Nebraska Department of Education, P.O. Box 94933, Lincoln, NE 68509-4933, via U.S. First Class mail, sufficient postage prepaid, this 29th day of June, 2012.



Michael J. Tasset

BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
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)

NPPC Case No. 12-3
Case No. 11009

Petitioner,)

vs.)

Steven Schenck)
1309 Wallace Street)
St. Paul, NE 68873)

NOTICE OF HEARING

Respondent.)

Petitioner and Respondent are hereby notified that a hearing on the Petition filed by Roger D. Breed, on May 31, 2012, will be held in the Hearing Room, 6th Floor, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, on Wednesday, the 18th day of July, 2012, commencing at 9:45 a.m. or immediately following the preceding hearing.

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

Jeff Kirkpatrick, 7800 Stevens Ridge Road, Lincoln, Nebraska 68516 has been appointed legal counsel to advise the chairperson in the performance of the chairperson's duties.

Dated July 2, 2012

Jodi Kupper, Chairperson, Hearing Panel
NEBRASKA PROFESSIONAL PRACTICES COMMISSION


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

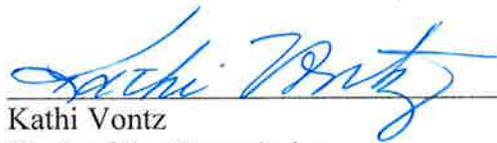
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above Notice dated July 2, 2012, for Case Number 12-3, was mailed to Steven Schenck, Respondent, and Clarence Mock, attorney for the Respondent, by U.S. Mail postage prepaid, and delivered by hand to Brian Halstead, Attorney for the Petitioner, on this 2nd day of July, 2012, at the following addresses.

Steven Schenck
Respondent
1309 Wallace Street
St. Paul, NE 68873

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

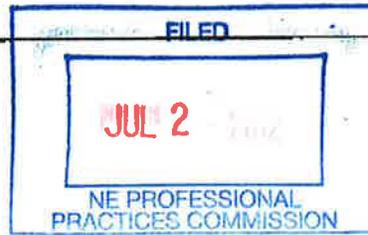
Clarence Mock
Johnson & Mock
9900 Nicholas St., Suite 225
Omaha, NE 68114-2225



Kathi Vontz
Clerk of the Commission

Johnson & Mock

Attorneys at Law
307 North Oakland Avenue
P.O. Box 62
Oakland, Nebraska 68045
Telephone: (402) 685-5847
FAX: (402) 685-5648
Website: www.johnsonandmook.com



Nile K. Johnson
Clarence E. Mock, III
Michael J. Tasset
Denise E. Frost
Adam J. Sipple
Matthew M. Munderloh

FAX COVER SHEET

TO: Kathy Vontz at Nebraska Professional Practices Commission

FAX NUMBER: (402) 471-3698

FROM: Clarence E. Mock

DATE: July 2, 2012

RE: *Steven Schenck*

ORIGINAL TO FOLLOW BY U.S. MAIL? Yes

TOTAL PAGES INCLUDING COVER SHEET: 3

MESSAGE:

The information in this facsimile is privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via U.S. Mail. Thank you.

BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
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,)

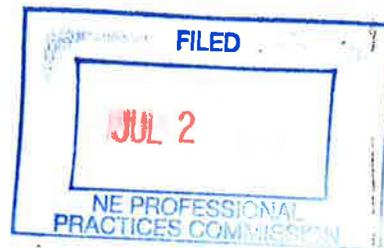
vs.)

Steven Schenck)
1309 Wallace Street)
St. Paul, NE 68873)

Respondent.)

Case No. 11009
PPC Case No. 12-3

ANSWER



COMES NOW Respondent, Steven Schenck, and for his Answer to the
Petition admits, denies and alleges as follows:

- 1. Admits the allegations contained within paragraphs 1 through 5.
- 2. Denies the allegations contained within paragraphs 6 and 7.

WHEREFORE, Respondent prays that the Professional Practices Commission
dismiss the Petition in this matter.

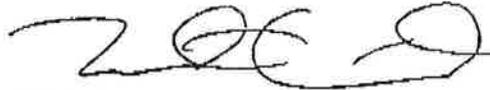
STEVEN SCHENCK, Respondent,

BY: *Clarence E. Mock*

Clarence E. Mock, No. 15443
JOHNSON & MOCK
307 N. Oakland Avenue
PO Box 62
Oakland, NE 68045
(402) 685-5647
cmock@johnsonandmock.com

CERTIFICATE OF SERVICE

I, Michael J. Tasset, hereby certify that I mailed a true and exact copy of the foregoing instrument to Nebraska Professional Practices Commission, P.O. Box 94941, Lincoln, NE 68509, and to Brian L. Halstead, General Counsel, Nebraska Department of Education, P.O. Box 94933, Lincoln, NE 68509-4933, via U.S. First Class mail, sufficient postage prepaid, this 29th day of June, 2012.



Michael J. Tasset

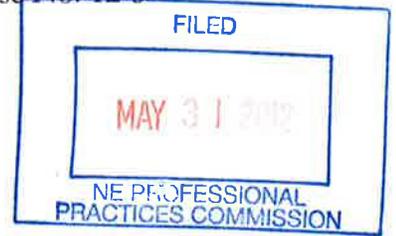
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3 so complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. <i>Pot 12-3</i> Attach this card to the back of the mailpiece, or on the front if space permits. <i>11009</i> 	<p>A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery <input type="checkbox"/> <i>[Signature]</i> <i>6-7-12</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to: <i>Clarence Mock</i></p> <p>MOCK157 681032207 1A11 28 06/07/12 NOTIFY SENDER OF NEW ADDRESS : JOHNSON & MOCK ATTORNEYS 9900 NICHOLAS ST STE 225 OMAHA NE 68114-2225</p>	<p>all Receipt for Merchandise</p> <p><input type="checkbox"/> Yes</p>
	
<p>(Transfer from service label) 7010 0780 0000 3456 0766 <i>32</i></p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. <i>Pot 12-3</i> Attach this card to the back of the mailpiece, or on the front if space permits. <i>11009</i> 	<p>A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery <input type="checkbox"/> <i>Steve Schenck</i> <i>6-4-12</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to: <i>Steven Schenck</i> <i>1309 Wallace St</i> <i>St Paul NE 68913</i></p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7010 0780 0000 3456 0759 <i>31</i></p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
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.)
)
Steven Schenck)
1309 Wallace Street)
St. Paul, NE 68873)
)
Respondent.)

Case No. 11009
PPC Case No. 12-3



PETITION

Petitioner, in accordance with Sections 79-859 through 79-871 of the Revised Statutes of Nebraska, Title 95, Chapter 01, of the Nebraska Administrative Code, and Title 92, Chapters 27 and 28 of the Nebraska Administrative Code, states and alleges as follows:

1. The Petitioner is Roger D. Breed, Commissioner of Education, 301 Centennial Mall South, P.O. Box 94933, Lincoln, NE 68509;
2. The Respondent is Steven Schenck, 1309 Wallace Street, St. Paul, NE 68873;
3. The Respondent holds a public Nebraska initial teaching certificate number 2006000467, endorsed in Coaching 7-12 and Physical Education K-12, with an expiration date of August 31, 2013;
4. The Respondent was employed as a teacher by the Spalding Public Schools since the 2006-2007 school year until the Respondent submitted his resignation and it was accepted by the Spalding School Board on December 13, 2010;
5. The Respondent was employed as a coach by Spalding Academy during the 2010-11 school year until December 8, 2010, when Spalding Academy terminated the Respondent's employment;
6. During the 2009-2010 and 2010-2011 school years, the Respondent had an inappropriate relationship with a 14-year-old female student of Spalding Academy which included, but is not limited to, the Respondent and the student exchanging text and computer messages and kissing; and

7. Based upon the factual allegation contained in paragraph 6 of the Petition, the Respondent violated the following statute and standards: Neb. Rev. Stat. Section 79-866(2) (Reissue 2008) which, in part, states, "The board may, for just cause, revoke or suspend any teacher's or administrator's certificate. Violation of the standards established pursuant to this section, commission of an immoral act, or conviction of a felony under the laws of this state shall constitute just cause for the revocation or suspension of a teacher's or administrator's certificate by the board"; Title 92, *Nebraska Administrative Code*, Chapter 27, Section 004.02E (effective date: November 12, 2003), which states, "the educator: Shall not exploit professional relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage"; Section 004.02F (same effective date) which states, "the educator: Shall not sexually harass students, parents or school patrons, employees, or board members"; Section 004.03C (same effective date) which states, "the educator: Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety"; and Section 004.04E (same effective date) which states, "the educator: Shall not commit any act of moral turpitude, or any felony under the laws of the United States or any state or territory, and shall not have a misdemeanor conviction involving abuse, neglect, or sexual misconduct as defined in Sections 003.12 through 003.14 of 92 NAC 21".

WHEREFORE, the Petitioner requests that the Professional Practices Commission hold hearings and make recommendations to the State Board of Education as is warranted, regarding the certificate(s) of the Respondent.

Dated this 30th day of May 2012.



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

VERIFICATION

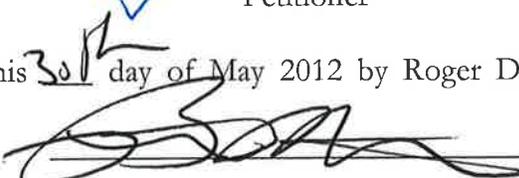
STATE OF NEBRASKA)
) ss.
 COUNTY OF LANCASTER)

I, Roger D. Breed, being first duly sworn under oath, state that I have read the contents of the Petition and that to the best of my knowledge, information, and belief such contents are true.



 Petitioner

Subscribed and sworn to before me this 30th day of May 2012 by Roger D. Breed, Commissioner of Education, as Petitioner.



09.07.12 State Board of Education
 &
 09.07.12 State Board of Education

GENERAL NOTARY - State of Nebraska
BRIAN L. MALSTEAD
 My Comm. Exp. Nov. 27, 2014

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Petition and a copy of Title 95, *Nebraska Administrative Code*, Chapter 1, was mailed to the following persons, postage prepaid, by certified mail, return receipt requested, this 3rd day of May 2012:

Steven Schenck
1309 Wallace Street
St. Paul, NE 68873

Article Number 7010 0780 0000 3456 0759

Clarence Mock
Attorney at Law
P.O. Box 3157

Omaha NE 68103

Article Number 70100780000034560766



General Counsel

BEFORE THE NEBRASKA PROFESSIONAL PRACTICES COMMISSION
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)

Case No. 11009
 PPC Case No. 12-3

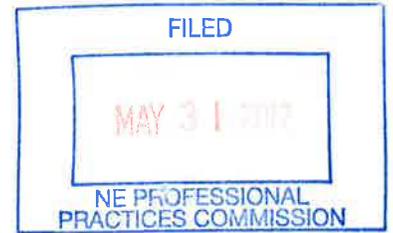
Petitioner,)

vs.)

NOTICE OF RIGHT
 TO SUBMIT ANSWER

Steven Schenck)
 1309 Wallace Street)
 St. Paul, NE 68873)

Respondent.)



Notice is hereby given that Respondent has a right to submit an Answer within 21 days after the receipt of this Notice by filing an Answer with the Nebraska Professional Practices Commission, P. O. Box 94941, Lincoln, NE 68509.

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

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Notice was mailed to the following persons, postage prepaid, by certified mail, return receipt requested, this 31st day of May 2012:

Steven Schenck
 1309 Wallace Street
 St. Paul, NE 68873
 Article Number 7010 0780 0000 3456 0759

Clarence Mock
 Attorney at Law
 P.O. Box 3157
 Omaha NE 68103
 Article Number 70100780000034560766

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

NEBRASKA DEPARTMENT
OF EDUCATION

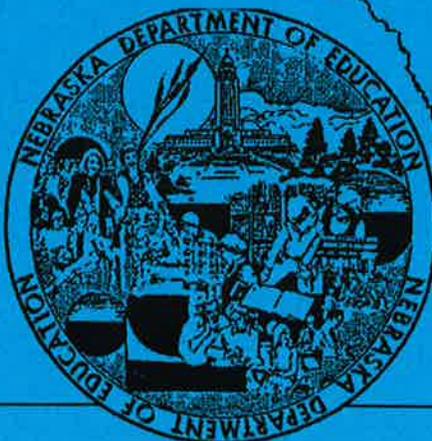
RULE 27

REGULATIONS AND STANDARDS FOR
PROFESSIONAL PRACTICES CRITERIA

TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 27

EFFECTIVE DATE
November 12, 2003
(REVISED)

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



09.07.12 State Board of Education
&
09.07.12 State Board of Education



NEBRASKA PROFESSIONAL PRACTICES COMMISSION

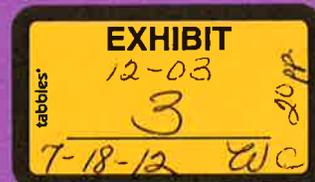
TITLE 95, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 1

REGULATIONS CONCERNING
TEACHER AND ADMINISTRATOR
PROFESSIONAL PRACTICES HEARINGS



09.07.12 State Board of Education
&
09.07.12 State Board of Education

Effective Date
October 30, 1993



5.2-60
&
7.8-60

NEBRASKA DEPARTMENT
OF EDUCATION

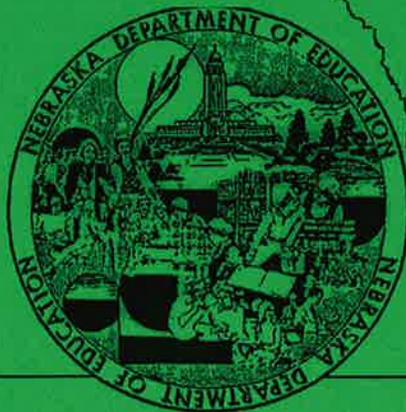
RULE 28

REGULATIONS AND STANDARDS FOR INVESTIGATIONS AND
NONPUBLIC PROFESSIONAL PRACTICES HEARINGS

TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 28

EFFECTIVE DATE
DECEMBER 25, 1989

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



EXHIBIT

tabbles

12-03
5.2-61

&

7-8-61

7-18-12

23 pp

Yeh

NEBRASKA DEPARTMENT
OF EDUCATION

RULE 29

REGULATIONS AND STANDARDS FOR
PROFESSIONAL PRACTICES CASE
DETERMINATIONS BY THE STATE BOARD

TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 29

EFFECTIVE DATE
DECEMBER 25, 1989

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

