

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 the State Board of Education Meeting
April 8-9, 2013

MINUTES OF THE WORK SESSION – Monday, April 8, 2013

The State Board of Education met for purposes of a work session on Monday, April 8, 2013, beginning at 2:00 p.m. The work session was held at the State Office Building in the State Board Meeting Room in Lincoln, Nebraska. Publicized notice of the work 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 date, time and location of the meeting.

1. CALL TO ORDER

- 1.1 President Timm called the meeting to order at 2:10 p.m. Roll call showed the following members present: Lynn Cronk, Mark Quandahl, Rachel Wise, John Sieler, Molly O’Holleran, Rebecca Valdez, Patricia Timm, and Lillie Larsen. Commissioner Breed was also present.
- 1.2 President Timm announced the placement of the Open Meetings Act.

President Timm announced a change in order of the Agenda. Reports and Discussions Items 2.8 and 2.6 will be taken immediately following the Legislative Update.

2. REPORTS AND DISCUSSIONS

- 2.1 Legislative Update
 - 2.1.1 Brian Halstead provided an update on state legislation. (Handout: 2013 Legislative Session dated April 8 & 9, 2013)
 - 2.1.2 Brian Halstead provided an update on federal legislation.
- 2.8 President Timm and Vice President Quandahl discussed the process for Commissioner Selection. Neb. Rev. Stat. Section 79-301(3) provides for the absence of a Commissioner by the Deputy Commissioner assuming the duties of Commissioner at that time.

Neb. Rev. Stat. Section 79-304 outlines the qualifications for Commissioner of Education.

- 2.6 Sharon Katt, Kevin Peters, Pat Madsen, Department of Education representatives, discussed the implementation of content testing requirements for Nebraska educator certification.
- 2.2 Valorie Foy, Jeremy Henniger, John Moon, Department of Education representatives; Dave Chayer and John Born, DRC representatives; and Bill Auty, Education Measurement Inc.; discussed the NeSA Writing Cut Scores for fourth grade. (Handout: 2013 NeSA-Writing Grade 4 Standard Setting)
- 2.3 Russ Inbody, Department of Education representative, discussed the proposed revisions to Rule 2 (92 NAC2), *Uniform System of Accounting for Nebraska Public School Districts*. (Handout: Errata Sheet, 92 NAC 2, dated April 9, 2013.)
- 2.4 Freida Lange, Department of Education representative, discussed the continuing approval status of Nonpublic Schools for the School Year 2013-2014 under Rule 14 (92 NAC 14), *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*. (Handout: NCA, Rule 10, and Rule 14 Comparison of Major Differences)
- 2.5 Sharon Katt, Department of Education representative; Becky Schnabel, University of Nebraska-Omaha; and Jay Sears, Nebraska State Education Association; discussed revisions to the Nebraska Council on Teacher Education (NCTE) Organizational Policies. (Handout: The Nebraska Council on Teacher Education A Brief History, provided by Jay Sears)
- 2.7 Joel Scherling, Department of Education representative, discussed the proposed revisions to Title 93, Nebraska Administrative Code, Chapters 1-16, *Nebraska Department of Education Personnel Rules*.

President Timm reminded Board Members of the breakfast with senators Tuesday morning at the Nebraska Club.

Commissioner Breed clarified the purpose of the alignment study by McREL between the Common Core State Standards and Nebraska standards as an opportunity to inform the review process of Nebraska standards and not to be used in adopting the Common Core State Standards.

There being no further business to come before the Board, President Timm adjourned the meeting at 4:15 p.m.

TUESDAY, APRIL 9, 2013 – STATE BOARD OF EDUCATION BUSINESS MEETING

The State Board of Education met for purposes of a meeting on Tuesday, April 9, 2013, 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 meeting 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 date, time and location of the meeting.

1. CALL TO ORDER

President Timm called the meeting to order at 9:07 a.m. Roll call showed the following members present: Lynn Cronk, Rachel Wise, John Sieler, Molly O'Holleran, Rebecca Valdez, Patricia Timm, Mark Quandahl, and Lillie Larsen. Commissioner Breed was also present.

1.2 President Timm led the Pledge of Allegiance.

1.3 President Timm announced the placement of the Open Meetings Act.

2. APPROVAL OF MINUTES

Motion by John Sieler, second by Lillie Larsen: To approve the minutes of the March 4-5, 2013 meeting.

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed.

3. APPROVAL OF THE AGENDA

Commissioner Breed advised the Board that Item 7.8 will be removed from the Agenda.

Motion by Molly O'Holleran, second by Mark Quandahl: To approve the Agenda with the removal Item 7.8.

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed.

4. PUBLIC COMMENT

- Paul Meyer, citizen, speaking against Common Core State Standards

7. ACTION ITEMS

7.1 No Action taken.

7.2 Motion by Molly O'Holleran, second by Rebecca Valdez: To approve the NeSA Writing Cut scores in Grade 4 with +1.0 standard error at Below Standards/Meets Standards and at -2.0 standard error at Meets/Exceeds.

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed.

7.3 Motion by Mark Quandahl, second by Rachel Wise: To adopt the proposed revised Rule 2 (92 NAC 2), *Uniform System of Accounting for Nebraska Public School Districts* including the non-substantive changes on the [errata sheet](#).

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed.

7.4 Motion by Molly O'Holleran, second by Lillie Larsen: To approve the Nonpublic Schools listed on the [handout for the School Year](#) 2013-2014 under Rule 14 (92 NAC 14), *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*.

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed.

7.5 Motion by Lynn Cronk, second by Molly O'Holleran: To approve the revisions to Rule 44 (92 NAC 44), *Regulations for Private Postsecondary Career Schools Tuition Recovery Cash Fund*.

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

7.6 Motion by John Sieler, second by Rebecca Valdez: To approve revisions to the Nebraska Council on Teacher Education (NCTE) Organizational Policies.

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed.

- 7.7 Motion by Molly O'Holleran, second by Lynn Cronk: To approve the hearing draft of the proposed revisions to Title 93 Nebraska Administrative Code, Chapters 1-16, *Nebraska Department of Education Personnel Rules*, and authorize the Commissioner to set a hearing date and appoint a hearing official to conduct a hearing on behalf of the State Board.

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed.

- 7.8 Removed from the Agenda.

8. CONSENT AGENDA

Motion by Rebecca Valdez, second by Lynn Cronk: To approve the Consent Agenda as published.

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed.

6. EXECUTIVE SESSION

Motion by Mark Quandahl, second by Rachel Wise: To move into Executive session to deliberate and receive advice from Legal Counsel on contested cases.

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed. At 10:07 a.m. the board moved into executive session to deliberate and receive advice from Legal Counsel on contested cases.

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

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed. At 10:15 a.m. the State Board returned to the business meeting of the Board.

7. ACTION ITEMS

7.9 Motion by Rachel Wise, second by Molly O'Holleran: In *Caroline Frenchman v. Commissioner*, NDE Case No. 12-15, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommended Decision of the Hearing Officer, granting Petitioner's request to participate in student teaching activities, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Timm, Quandahl, Valdez, Sieler, O'Holleran, Cronk, Wise, Larsen

Motion passed.

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

10.1 Commissioner Breed advised Board Members of the following upcoming events:

- Technical Advisory Committee Meeting. The Board will take action in May to appoint a replacement to this Committee for the position previously held by Robert Evnen. For the April meeting, President Timm will represent the Board.
- NASB. Commissioner Breed advised the Board of the meeting scheduled for November 21 in La Vista. Topics for the session will be identified at a later time.
- NASBE. New Member Institute will be held in conjunction with the annual conference July 26-30.

10.3 Lillie Larsen, Molly O'Holleran, and John Sieler reported on the NASBE Legislative Forum on March 14-15, 2013, in Arlington, Virginia.

Lynn Cronk, Patricia Timm and Rachel Wise reported on the 2013 Nebraska Rural Community Schools Association Spring Conference, held March 21, 2013, in Kearney, Nebraska.

10.4 No report from State Accountability Ad Hoc Committee

10.5 Mark Quandahl reported on the Legislative Committee meeting.

10.6 Rebecca Valdez reported on the Policy Committee meeting. The Committee has been authorized to develop a policy statement on expanding learning opportunities.

10.7 Patricia Timm reported on the Commissioner Search Committee meeting. The selection of a search firm will be announced at the May meeting.

President Timm adjourned the meeting at 11:15 a.m.

Errata Sheet
Uniform System of Accounting for Nebraska Public School Districts
92 NAC 2
April 9, 2013

In the hearing draft adopted by the Board in February, 2013, the highlighted language was stricken in legislative format. This should not have been stricken and the original language should be retained.

003.03H Special Building Fund. A Special Building Fund shall be established when a school district decides to acquire or improve sites and/or to erect, alter, or improve buildings. The sale of bonds, the sale of property, or tax receipts will be the primary sources of revenue for the Special Building Fund. Regardless of the source of money to be used for building construction and related costs, all income for this purpose shall be accountable through this fund. General Fund expenditures for the purpose of this fund are not allowable. Special Building Fund accounting provides a more effective means of identifying those expenditures associated with construction activities and provides a complete and consolidated record of all costs of the building program at the conclusion of a project(s). If more than one Special Building Fund activity is active at the same time, separate accounts for each project may be established within the single Special Building Fund. The tax levy for this fund is restricted. The Board of Education of Class II, III, IV, V, **and VI** school districts may approve a budget with a levy limitation of \$0.14 per one hundred dollars of valuation (Section 79-10,120 R.R.S.); or a tax levy not to exceed \$0.175 per one hundred dollars of valuation may be established for this fund in any class of school district except a Class I district by a vote of the people for a term of not to exceed ten years (Section 79-1098 R.R.S.).

003.03I Qualified Capital Purpose Undertaking Fund. A Qualified Capital Purpose Undertaking Fund may be established for the removal of environmental hazards, the reduction or elimination of accessibility barriers in school district buildings, and for the repayment of qualified zone academy bonds issued for a qualified capital purpose or any American Recovery and Reinvestment Act of 2009 bond (see 92 NAC 87), for modifications due to life safety code violations, indoor air quality projects or mold abatement and prevention projects. General Fund expenditures for the purpose of these funds are not allowable. The tax levy for these funds is limited to \$0.052 per hundred dollars of valuation for Class II, III, IV, V **and VI** school districts and shall not exceed ten years for each environmental hazard abatement project, ~~or~~ accessibility barrier elimination project, modifications due to life safety code violations, indoor air quality project or mold abatement and prevention project and shall not exceed fifteen years for each qualified capital purpose for which the qualified zone academy bond was issued according to Section 79-10,110 R.R.S. Any bonds issued under the American Recovery and Reinvestment Act of 2009 are limited to a period not exceeding the maximum term established according to federal law for the type of bonds as permitted by the American Recovery and Reinvestment Act, or if no term is established thirty years.

**NEBRASKA NONPUBLIC SCHOOLS APPROVED BY THE STATE BOARD OF EDUCATION APRIL
2013**

FOR THE 2013-14 SCHOOL YEAR

In accordance with Rule 14

“Rules and Procedures for the Legal Operation of Approved Nonpublic Schools”

Approved

Nonpublic School Systems

Total 130

Secondary Grades and K-12 (Total 11)

Bellevue: Cornerstone Christian (K-12)
Central City: Nebraska Christian (K-12)
Grand Island: Heartland Lutheran High (9-12)
Lincoln: Berniklau Education Solutions Team (9-12)
Lincoln: College View Academy (K-12)
Lindsay: Holy Family (K-12)
Norfolk: Lutheran High Northeast (9-12)
Omaha: Concordia Lutheran Schools (K-12)
Omaha: Omaha Street School (9-12)
Spalding: Spalding Academy (K-12)
Waco: Nebraska Evangelical Lutheran (K-12)

Elementary Grades (Total 119)

Alliance: St Agnes Academy (K-8)
Arlington: St Paul's Lutheran Elem (K-8)
Atkinson: St Joseph's Elem (K-8)
Battle Creek: St John's Lutheran Elem (K-8)
Beatrice: St Josphe Elem (K-5)
Beatrice: St Paul's Lutheran Elem (K-5)
Cairo: New Hope Christian Elem (K-8)
Chadron: Prairie View SDA (1-8)
Chadron: Trunk Butte Christian Academy (K-8)
Clarkson: St John Neumann Elem (1-6)
Columbus: Christ Lutheran Elem (K-8)
Columbus: Columbus Christian (K-8)
Columbus: Columbus SDA (1-8)
Columbus: Immanuel Lutheran Elem (K-8)

Columbus: St John Lutheran Elem (K-8)
Creighton: St Ludger Elem (K-6)
Crete: St James Elem (K-6)
Crofton: St Rose of Lima Elem (K-8)
Deshler: Deshler Lutheran Elem (K-8)
Dodge: St Wenceslaus Elem (K-6)
Elkhorn: Alleluia! Kindergarten (K)
Fremont: Trinity Lutheran Elem (K-8)
Geneva: Grace Lutheran Elem (K-8)
Grand Island: Grand Island Christian Elem (K-8)
Grand Island: Platte Valley Academy (K-8)
Grand Island: Trinity Lutheran Elem (K-8)
Hadar: Immanuel Lutheran Elem (K-8)
Hampton: Hampton Lutheran Elem (K-6)
Hastings: Zion Lutheran Elem (K-8)
Holdrege: All Saints Catholic (K-4)
Hooper: Immanuel Lutheran Elem (K-8)
Hoskins: Trinity Lutheran Elem (K-8)
Howells: Howells Community Catholic (1-6)
Juniata: Christ Lutheran Elem (K-8)
Kearney: Faith Christian (K-8)
Kearney: Zion Lutheran Elem (K-8)
Lawrence: Sacred Heart Elem (K-8)
Lincoln: Blessed Sacrament Elem (K-8)
Lincoln: Cathedral of Risen Christ Elem (K-8)
Lincoln: Children's Circle Montessori (K)
Lincoln: Christ Elem (K-5)
Lincoln: Faith Lutheran (K-5)
Lincoln: George Stone SDA Elem (K-8)
Lincoln: Good Shepherd (K-8)
Lincoln: Lincoln Montessori Kindergarten (K)
Lincoln: Messiah Lutheran (K-5)
Lincoln: North American Martyrs (K-8)
Lincoln: Sacred Heart Elem (K-8)
Lincoln: St Johns Elem (K-8)
Lincoln: St Josephs Catholic (K-8)
Lincoln: St Mark Elem (K-8)
Lincoln: St Mary's Elem (K-8)

Lincoln: St Michael Catholic (K-7)

Lincoln: St Patrick's Elem (K-8)

Lincoln: St Peter's Catholic (K-8)

Lincoln: St Teresa Elem (K-8)

Lincoln: The Child's View Montessori (K)

Lincoln: Trinity Kindergarten Program (K)

Lincoln: Trinity Lutheran Elem (K-5)

Madison: St Leonard's Elem (K-6)

Madison: Trinity Lutheran Elem (K-8)

Mc Cook: St Patrick's Elem (K-8)

Norfolk: Christ Lutheran Elem (K-8)

Norfolk: Keystone Christian Academy (K-6)

Norfolk: Park Avenue Christian (K-6)

Norfolk: St Paul Lutheran Elem (K-8)

North Platte: Our Redeemer Lutheran (K-8)

North Platte: Platte Valley Christian Acad (K-8)

Ogallala: St Luke Elem (K-5)

Ogallala: St Paul's Lutheran Elem (K-5)

Omaha: All Saints Catholic (K-8)

Omaha: Friedel Jewish Academy (K-6)

Omaha: Gethsemane Lutheran Elem (K-8)

Omaha: Good Shepherd Elem (K-8)

Omaha: Holy Ghost Elem (K-8)

Omaha: Jesuit Academy (4-8)

Omaha: Legacy Primary (K)

Omaha: Madonna Elem (K-8)

Omaha: Montessori Education Cntrs (1-6)

Omaha: Montessori Lrng Cntr of Dundee (K)

Omaha: Montessori Parents' Co-op (K-6)

Omaha: Mt Calvary Lutheran Elem (K-8)

Omaha: Omaha Memorial Sch of SDA (1-8)

Omaha: Phoenix Academy of Learning (K-8)

Omaha: Primrose School of Legacy (K)

Omaha: St Paul Lutheran Elem (K-8)

Omaha: St Stanislaus Elem (K-8)

Omaha: The Children's Room (K-6)

Omaha: Lifegate Elementary (K-5)

Ord: St Mary's Elem (K-8)

Osceola: Polk County Christian (K-8)
Osmond: St Mary Elem (K-8)
Pierce: Zion Lutheran Elem (K-8)
Plainview: Zion Lutheran Elem (K-8)
Plattsmouth: St John the Baptist Elem (K-8)
Plymouth: St Paul's Lutheran Elem (K-8)
Polk: Immanuel Lutheran Elem (K-8)
Roca: Prairie Hill Learning Center (K-8)
Scottsbluff: Community Christian (K-8)
Scottsbluff: St Agnes Elem (K-5)
Scottsbluff: Valley View SDA (1-8)
Seward: St John Lutheran (K-8)
Seward: St Vincent dePaul Catholic (K-4)
St Libory: Zion Lutheran Elem (K-8)
Staplehurst: Our Redeemer Lutheran (K-8)
Sutton: Sutton Christian (K-8)
Tecumseh: St Andrew Elem (K-6)
Tobias: Zion Lutheran Elem (K-8)
Utica: St Paul's Lutheran Elem (K-8)
Valentine: Zion Lutheran Elem (K-8)
Wahoo: St Wenceslaus Elem (K-6)
Waverly: Villa Marie (K-8)
Wayne: St Mary's Elem (K-6)
West Point: St Paul's Lutheran Elem (K-8)
Weston: St John Nepomucene Elem (K-6)
Winnebago: Jesus Our Savior Luth Elem (K-3)
Wisner: Zion St John Lutheran (K-8)
York: Emmanuel Lutheran Elem (K-8)
York: St Josephs Elem (K-8)