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NEBRASKA STATE BOARD OF EDUCATION
Nebraska Department of Education
Minutes of Meeting
May 8-9, 2014

MINUTES OF THE WORK SESSION – Thursday, May 8, 2014

The State Board of Education met for purposes of a work session on Thursday, May 8, 2014, beginning at 2:00 p.m. The session was held at the State Office Building in the State Board Meeting Room in Lincoln, Nebraska. Publicized notice of the session was given by posting notice on the Department’s website on the internet; emailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the time, date and location of the meeting.

1. CALL TO ORDER

- 1.1 President Rachel Wise called the meeting to order at 2:05 p.m. Roll call showed the following members present: Patricia Timm, Lynn Cronk, Rachel Wise, Lillie Larsen, John Sieler, Molly O’Holleran, John Witzel. Glen Flint was absent. Commissioner Matthew Blomstedt was also present.
- 1.2 President Wise announced the placement of the Open Meetings Act.

2. REPORTS, DISCUSSIONS AND ACTIONS

- 2.1 Commissioner Blomstedt provided an overview of the Agenda and expressed appreciation for the work of the Board Committees prior to the Work Session.
- 2.2 Legislation
 - 2.2.1 Rachel Wise, Chair of the Legislative Committee, provided an overview of the Committee Meeting discussions
 - 2.2.2 Addressing state legislation, Brian Halstead, Assistant Commissioner, provided a Final Legislative Report for 103rd Legislature (Handout). Legislative topics from Board members for the next session should be submitted to the Legislative Committee for consideration.
 - 2.2.3 There was no federal legislation report.

2.3 STANDARDS

2.3.1 Lillie Larsen, Chair of the Standards Committee, provided an overview of the Committee Meeting discussions

2.3.2 Commissioner Blomstedt explained the relationship of timelines across projects and expressed appreciation for the work of the Board committees and staff.

Donlynn Rice and Tricia Parker-Siemers, Department of Education representatives, provided an update on the Nebraska Language Arts Standards (Handout Language Arts Standards Revision)

2.5 ASSESSMENT

2.5.1 Valorie Foy, Department of Education representative, provided an update on NeSA and preliminary contract review. (Handout: May 6, 2014, letter from DRC to Valorie Foy to ensure 2014-2015 assessment year in Nebraska).

Lisa Peterson-Nelson, Chief Quality Officer from DRC, reviewed the May 6, 2014, letter from DRC.

Commissioner Blomstedt explained the Common NeSA System Architecture. Kirk Langer, Director of Technology for Lincoln Public Schools, discussed the challenges LPS experienced during the NeSA testing window.

John Bundy, CEO of DRC, discussed the issue and efforts to provide a successful experience in the future.

2.5.2 Valorie Foy, Department of Education representative, shared a plan to review current Nebraska assessment requirements.

2.6 Melody Hobson and Linda Meyers discussed the approval of the Early Childhood Education Program Grants. The program at Loomis was inadvertently left off the grant list but is included in the grant awards.

2.7 Freida Lange, Department of Education representative, discussed the accreditation of ESUs for 2014-2015 School Year under Rule 84 (92 NAC 84), *Regulations for Educational Service Units*.

- 2.8 Freida Lange and Rick Moses, Department of Education representatives, discussed classification of Interim Program Schools as approved to operate for the 2014-2015 School Year under Rule 18 (92 NAC 18), *Regulations and Procedures for the Approval of Interim-Program Schools in County Detention Homes, Institutions, and Juvenile Emergency Shelters*.
- 2.9 Brent Gaswick, Department of Education representative, discussed the hearing draft for the repeal of Rule 88 (92 NAC 88), *Regulations for School Technology Fund Program* and to set a hearing date and appoint a hearing official to conduct a hearing on behalf of the State Board.
- 2.10 President Wise asked Board members to begin thinking about the presentation and/or topics for the Nebraska Association of School Boards State Conference in November. The discussion will continue at the June Board meeting.

2.4 ACCOUNTABILITY

- 2.4.1 Molly O'Holleran, Chair of the State Accountability Committee, provided an overview of the meeting discussions. The Committee asked the Commissioner to pursue a Nebraska waiver proposal.
- 2.4.2 Valorie Foy, Marilyn Peterson, and Jeremy Heneger, Department of Education representatives, provided an update on accountability. (Handouts: ESEA Flexibility, dated 5/8/14; Nebraska Performance Accountability System (NePAS) 1.1, dated 1/7/14; Draft Work Plan for developing NePAS and implementing NePAS)

3. PRESENTATIONS

None.

4. COMMITTEE REPORTS

- 4.1 Lynn Cronk, Chair of High Ability Learner Study Group, reported on the work of the Committee. Draft recommendations will be presented to the Board for action at the June Board meeting. Next meeting is May 21, 2014, at NDE.
- 4.2 John Sieler, Chair of Policy Committee, reported on the discussions of the Committee.

- 4.3 Patricia Timm, Chair of the Strategic Goal Setting Committee, updated the Board on the Committee activities. Proposed details of the goals were provided. Board members are asked to provide any changes to Patricia Timm. The document will be presented for approval at the June meeting.

There being no further business to come before the Board, President Wise adjourned the meeting at 5:25 p.m.

MINUTES OF THE BUSINESS MEETING – Friday, May 9, 2014

The State Board of Education met for purposes of a meeting on Friday, May 9, 2014, beginning at 9:00 a.m. The meeting was held at the State Office Building in the State Board Meeting Room in Lincoln, Nebraska. Publicized notice of the session was given by posting notice on the Department's website on the internet; emailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the time, date and location of the meeting.

1. CALL TO ORDER

- 1.1 President Wise called the meeting to order at 9:05 a.m. Roll call showed the following Board members present: Lillie Larsen, Patricia Timm, Rachel Wise, Lynn Cronk, John Sieler, Molly O'Holleran, and John Witzel. Glen Flint was absent. Commissioner Matthew Blomstedt was also present.
- 1.2 President Wise led the Pledge of Allegiance.
- 1.3 President Wise announced the location of the Open Meetings Act.

2. APPROVAL OF THE MINUTES

Motion by John Witzel, second by Lillie Larsen: To approve the minutes of the April 7-8, 2014, State Board of Education meeting.

Voting Yes: Timm, Cronk, Wise, Larsen, Sieler, O'Holleran, Witzel
Absent: Flint

The motion passed.

3. APPROVAL OF THE AGENDA

3.1 Motion by Lynn Cronk, second by Patricia Timm: To approve the Agenda for the May 9, 2014, business meeting.

Voting Yes: Timm, Witzel, Cronk, Wise, Larsen, Sieler, O'Holleran
Absent: Flint

The motion passed.

4. PUBLIC PARTICIPATION

4.1.1 Schools Taking Action for Nebraska Children's Education (STANCE) group presented information about STANCE program. (Galen Boldt, Wahoo Public Schools; Greg Barnes, Seward Public Schools; Mike Lucas, York Public Schools; Jeff Edwards, Nebraska City Public Schools) (Handouts: 3)

4.1.2 Henry Burke, speaking against Nebraska English Standards

4.2 Public Comment

- Jay Sears, Nebraska State Education Association, speaking to SCEE (State Consortium Educator Effectiveness) summit, ESEA flexibility and educator effectiveness evaluation system
- Jeff Cole, parent of graduating senior, thanking Board and NDE for supporting high quality Nebraska education

At 9:40 a.m., President Wise called for a break. The meeting resumed at 9:50 a.m.

7. ACTION ITEMS

7.3 Motion by Patricia Timm, second by Molly O'Holleran: To approve accreditation of ESUs for 2014-2015 School Year under Rule 84 (92 NAC 84), Regulations for Educational Service Units.

Voting Yes: Timm, Witzel, Cronk, Wise, Larsen, Sieler, O'Holleran
Absent: Flint

The motion passed.

- 7.4 Motion by Patricia Timm, second by John Witzel: To classify Interim Program Schools as approved to operate for the 2014-2015 school year under Rule 18 (92 NAC 18) *Regulations and Procedures for the Approval of Interim Program Schools in County Detention Homes, Institutions and Juvenile Emergency Shelters*.

Voting Yes: Timm, Witzel, Cronk, Wise, Larsen, Sieler, O'Holleran
Absent: Flint

The motion passed.

- 7.5 Motion by Lynn Cronk, second by Lillie Larsen: To approve the hearing draft for the repeal of Rule 88 (92 NAC 88), *Regulations for School Technology Fund Program*, 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, Witzel, Cronk, Wise, Larsen, Sieler, O'Holleran
Absent: Flint

The motion passed.

- 7.6 Motion by Patricia Timm, second by Lynn Cronk: To grant the Commissioner the authority to approve Early Childhood Education Program Grants.

Voting Yes: Timm, Witzel, Cronk, Wise, Larsen, Sieler, O'Holleran
Absent: Flint

The motion passed.

- 7.7 The Board considered the nominations for the NASBE Board of Directors. No action taken.

5. HEARINGS

- 5.1 A hearing was held in Case No. 14-01, *Commissioner v. Matthew Brown*. Minutes of the hearing are attached.

- 5.2 A hearing was held in Case No. 14-02, *Commissioner v. Amanda Ludwig*. Minutes of the hearing are attached.

6. EXECUTIVE SESSION

Motion by John Sieler, second by Patricia Timm: To move into Executive Session to deliberate and receive advice from Legal Counsel on contested cases.

Voting Yes: Timm, Witzel, Cronk, Wise, Larsen, Sieler, O'Holleran
Absent: Flint

The motion passed. At 10:20 a.m., the Board moved into Executive Session to deliberate and receive advice from Legal Counsel on contested cases.

Motion by John Sieler, second by Patricia Timm: To adjourn the Executive Session and return to the regular business meeting of the Board.

Voting Yes: Timm, Witzel, Cronk, Wise, Larsen, Sieler, O'Holleran
Absent: Flint

The motion passed. At 10:41 a.m., the Board adjourned the Executive Session and returned to the regular business meeting of the Board.

7. ACTION ITEMS

7.1 Motion by Patricia Timm, second by John Witzel: In *Commissioner v. Matthew Brown*, NDE Case No. 14-01, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, revoking the Respondent's administrative certificate for a period of ten years, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Timm, Witzel, Cronk, Wise, Larsen, Sieler, O'Holleran
Absent: Flint

The motion passed.

7.2 Motion by Lynn Cronk, second by Lillie Larsen: In *Commissioner v. Amanda Ludwig*, NDE Case No. 14-02, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, permanently revoking the Respondent's teaching certificate, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Timm, Witzel, Cronk, Wise, Larsen, Sieler, O'Holleran
Absent: Flint

The motion passed.

At 10:44 a.m., President Wise called for a break. The meeting resumed at 10:53 a.m.

8. CONSENT AGENDA

Motion by John Sieler, second by Molly O'Holleran: To approve the Consent Agenda with the exception of Consent Agenda Item 8.6.1, which was removed for separate vote.

Voting Yes: Timm, Witzel, Cronk, Wise, Larsen, Sieler, O'Holleran
Absent: Flint

The motion passed.

8.6.1 Motion by Molly O'Holleran, second by Patricia Timm: To grant the Commissioner the authority to approve medical consultant contracts for the Disability Determinations Section.

Voting Yes: Timm, Witzel, Cronk, Larsen, Sieler, O'Holleran
Abstain: Wise
Absent: Flint

The motion passed.

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

10.2 Approve request for meeting attendance

President Wise will be attending the National Association of State Boards of Education business meeting in Arlington, Virginia on June 19-21, 2014.

John Witzel and Glen Flint will be attending the National Association of State Boards of Education (NASBE) New State Board Member Institute in Arlington, Virginia, on July 25-27, 2014.

Molly O'Holleran, Rachel Wise, John Sieler plan to attend Administrators' Days in Kearney, Nebraska, on July 30-August 1, 2014.

Board members are invited to attend the NCE Conference in Kearney, Nebraska, on June 4, 2014.

10.3 Meeting Participation

Board members reported on various meetings and events attended.

At 11:20 a.m., President Wise adjourned the meeting. The next meeting of the State Board of Education will be held in Lincoln, Nebraska, on June 6, 2014.

DRAFT

STATE BOARD OF EDUCATION

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

MINUTES OF HEARING

**Matthew L. Blomstedt, Commissioner v. Matthew Brown, Case No. 14-03
May 9, 2014, 10:00 a.m.**

The State Board of Education met on May 9, 2014, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No.14-03, *Matthew L. Blomstedt, Commissioner v. Matthew Brown*. Publicized notice of the hearing was given by posting notice on the Department's website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Rachel Wise declared a quorum present and called the hearing to order at 10:10 a.m. The following State Board of Education members were present:

Patricia Timm	Rachel Wise	Lynn Cronk	Glen Flint (absent)
John Sieler	Lillie Larsen	Molly O'Holleran	John Witzel

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

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

Brian Halstead, General Counsel, appeared on behalf of the Commissioner of Education and had no objection to the recommendation of the Professional Practices Commission.

The Respondent was not present nor represented by Counsel.

There being no further testimony, President Wise adjourned the hearing at 10:16 a.m.

STATE BOARD OF EDUCATION

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

MINUTES OF HEARING

**Matthew L. Blomstedt, Commissioner v. Amanda M. Ludwig, Case No. 14-01
May 9, 2014, 10:00 a.m.**

The State Board of Education met on May 9, 2014, in the State Board Meeting Room, Sixth Floor, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, for the purpose of holding a hearing on Case No.14-01, *Matthew L. Blomstedt, Commissioner v. Amanda M. Ludwig*. Publicized notice of the hearing was given by posting notice on the Department’s website on the internet; e-mailed to news media requesting notification and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time and location of the hearing. Specific notice of the hearing was provided to the parties involved in the proceeding.

Board President Rachel Wise declared a quorum present and called the hearing to order at 10:16 a.m. The following State Board of Education members were present:

Patricia Timm	Rachel Wise	Lynn Cronk	Glen Flint (absent)
John Sieler	Lillie Larsen	Molly O’Holleran	John Witzel

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

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

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

The Respondent was not present nor represented by Counsel.

There being no further testimony, President Wise adjourned the hearing at 10:19 a.m.