

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

**NEBRASKA STATE BOARD OF EDUCATION  
Nebraska Department of Education  
Minutes of Meeting  
April 7-8, 2014**

**MINUTES OF THE LUNCHEON MEETING WITH NEBRASKA ASSOCIATION FOR SUPERVISION AND CURRICULUM DIRECTORS – Monday, April 7, 2014**

State Board Members met at Noon with Members of the NASCD at the Nebraska Council of School Administrators office at 455 South 11<sup>th</sup> Street, Suite A, Lincoln, Nebraska. Board Members present were Lynn Cronk, Patricia Timm, Glen Flint, Lillie Larsen, John Witzel, Molly O’Holleran, and Rachel Wise. John Sieler was absent. The meeting adjourned at 1:30 p.m.

**MINUTES OF THE WORK SESSION – Monday, April 7, 2014**

The State Board of Education met for purposes of a work session on Monday, April 7, 2014, beginning at 3:00 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 3:04 p.m. Roll call showed the following members present: Patricia Timm, Lynn Cronk, Rachel Wise, Lillie Larsen, John Sieler, Molly O’Holleran, Glen Flint, and John Witzel. Commissioner Matt 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 Work Session agenda.

2.1.1 President Wise and Commissioner Blomstedt welcomed new State Board of Education Members Glenn Flint and John Witzel.

## 2.2 LEGISLATION

- 2.2.1 Rachel Wise, Chair of the Legislative Committee, reported on the meeting of the Committee. Board Members are asked to begin thinking of focus areas for 2015.
- 2.2.2 Brian Halstead, Assistant Commissioner, provided an update on state legislation. (Handout: 2014 Legislative Session dated April 7-8, 2014)
- 2.2.3 Molly O'Holleran, Board Member, provided a report on federal legislation. Mrs. O'Holleran serves on the Governmental Affairs Committee for NASBE (National Association of State Boards of Education).

Commissioner Blomstedt also reported on meeting with representatives of the U.S. Department of Education.

## 2.3 STANDARDS

- 2.3.1 Lillie Larsen, Chair of the Standards Committee, provided an overview of the Committee meeting.
- 2.3.2 Donlynn Rice and Tricia Parker, Department of Education representatives, provided a review of the standards setting process and reviewed proposed updates to the Language Arts standards. (Handout: proposed standards)

## 2.4 ACCOUNTABILITY

- 2.4.1 Molly O'Holleran, Chair of the Accountability Committee, reported on the Committee meeting.
- 2.4.2 Valorie Foy, Department of Education representative, provided an update on Accountability and NeSA. (Handout: Assessment Update, dated April 7, 2014)

## 2.5 POLICY COMMITTEE REPORT

- 2.5.1 John Seiler, Chair of the Policy Committee, submitted a proposal for revisions to State Board Policy B11 on *Board Meeting Notification for Regular Meetings*. The Board will be asked to take action on the proposed revisions during the April business meeting.

- 2.6 Freida Lange, Department of Education representative, discussed continuing approval of Nonpublic Schools for the school year 2014-2015 under Rule 14 (92 NAC 14), *Regulations and Procedures for the Legal Operation of Approved Nonpublic schools*. (Handout: PowerPoint Agenda Item 2.6)
- 2.7 Sharon Katt and Pat Madsen, Department of Education representatives, discussed the reappointment of the current Board-appointed alternate member representative to the Nebraska Council on Teacher Education (NCTE) in the category of State Board Appointed Teachers.
- 2.8 Sharon Katt and Vicki Bauer, Department of Education representatives, discussed the proposed Rule 82 (92 NAC 82), *Rules and Regulations Governing the Diploma of High School Equivalency Act*.
- 2.9 Melody Hobson, Department of Education representative, discussed a contract amendment for the Nebraska Association for the Education of Young Children (NAEYC).
- 2.10 Melody Hobson, Department of Education representative, discussed the contract amendment for training and coaching services.
- 2.11 Donlynn Rice and Robin Jirovsky, Department of Education representatives, discussed the potential soil conservation grant from the Nebraska Environmental Trust.
- 2.12 Dean Folkers, Department of Education representative, discussed the amendment to the contract with Double Line Partners in support of the Statewide Longitudinal Data Systems (SLDS) grant work.
- 2.13 Dean Folkers, Department of Education representative, discussed the hearing draft of Rule 6 (92 NAC 6), *Regulations and Procedures for Secure Data Sharing*.

#### **4. ADDITIONAL STATE BOARD COMMITTEE REPORTS**

- 4.1 Lynn Cronk, Chair of the High Ability Learner Study Group, provided a report on the committee meeting.

There being no further business to come before the Board, President Wise adjourned the meeting at 5:55 p.m.

## **SENATOR BREAKFAST – Tuesday, April 8, 2014**

The State Board of Education met at 7:30 a.m. for a breakfast meeting with state senators at the Nebraska Club, 233 South 13<sup>th</sup> Street, Lincoln, Nebraska. Board members present were: Patricia Timm, Lynn Cronk, Rachel Wise, Lillie Larsen, John Sieler, Molly O’Holleran, Glen Flint, and John Witzel. The meeting adjourned at 8:30 a.m.

## **MINUTES OF THE BUSINESS MEETING – Tuesday, April 8, 2014**

The State Board of Education met for purposes of a meeting on Tuesday, April 8, 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 9:00 a.m. Roll call showed the following Board members present: Lillie Larsen, Patricia Timm, Rachel Wise, Lynn Cronk, John Sieler, Molly O’Holleran, Glen Flint, and John Witzel. 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.

### **RESOLUTION RECOGNIZING THE LIFE AND SERVICE OF RUSS INBODY**

President Wise read the [attached State Board Resolution](#) in recognition of the Life and Service of Russ Inbody, Director of the School Finance and Organizational Services, who passed away March 18, 2014.

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

Motion by Patricia Timm, second by Lillie Larsen: To approve the minutes of the March 3-4, 2014, State Board of Education meeting.

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

The motion passed.

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

3.1 Motion by Patricia Timm, second by John Witzel: To approve the Agenda for the April 8, 2014, business meeting.

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

The motion passed.

3.2 President Wise welcomed new Board members, John Witzel and Glen Flint. President Wise also made note of committee assignments.

### **4. PUBLIC PARTICIPATION**

4.1 Request for Appearance

4.1.1 Henry Burke, speaking against Nebraska Education Standards

4.2 Public Comment

- Jay Sears, Nebraska State Education Association, welcome new board members; support for Action Item 7.2 Language Arts standards
- Amber Parker – locker room, restroom policy – protecting safety of students – letter of support for focus on education and providing alternative restrooms for transgender individuals
- Michaelle McCullough – speaking in support of restroom/locker room policy
- Rachel Pinkerton – speaking to standards process revisions

### **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, Flint, Larsen, Sieler, O'Holleran

The motion passed. At 9:43 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 of the Board and return to the business meeting.

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

The motion passed. At 10:20 a.m., the Board adjourned the Executive Session of the Board and returned to the business meeting.

## 7. ACTION ITEMS

- 7.1 Motion by Lillie Larsen, second by Molly O'Holleran: In *Jeanna Pestel v. Deputy Commissioner*, NDE Case No. 13-18, that this Board adopt the Findings of Fact and Conclusions of Law of the Hearing Officer. However, the Board believes the Petitioner has met her burden, that she is of good moral character, and therefore approves Petitioner's application to renew her administrative certificate provided she meets all other certification requirements, and to adopt the Final Order proposed by Legal Counsel.

Voting Yes: Timm, Cronk, Wise, Flint, Larsen, Sieler, O'Holleran  
Voting No: Witzel

The motion passed.

- 7.2 Motion by Lillie Larsen, second by John Witzel: To approve the release of the Draft College-and-Career-Ready Language Arts Standards for public comment.

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

The motion passed.

- 7.3 Motion by John Sieler, second by Mollie O'Holleran: To approve the [attached proposed revisions](#) contained in Draft 3 to State Board Policy B11, *Board Meeting Notification for Regular Meetings*.

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

The motion passed.

- 7.4 Motion by Patricia Timm, second by Lynn Cronk: To grant the Commissioner the authority to approve Nonpublic Schools for the school year 2014-2015 under Rule 14 (92 NAC 14), *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*.

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

The motion passed.

- 7.5 Motion by Lynn Cronk, second by Patricia Timm: To approve the proposed Rule 82 (92 NAC 82), *Rules and Regulations Governing the Diploma of High School Equivalency Act*, including the non-substantive changes presented.

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

The motion passed.

- 7.6 Motion by Patricia Timm, second by Lillie Larsen: To grant the Commissioner the authority to sign a contract amendment for the Nebraska Association for the Education of Young Children (NAEYC).

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

The motion passed.

- 7.7 Motion by Patricia Timm, second by John Sieler: To grant the Commissioner the authority to amend a contract for training and coaching services.

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

The motion passed.

- 7.8 Motion by John Witzel, second by Molly O'Holleran: To grant the Commissioner the authority to accept the soil conservation grant from the Nebraska Environmental Trust.

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

The motion passed.

- 7.9 Motion by Molly O'Holleran, second by Patricia Timm: To grant the Commissioner the authority to amend the contract with Double Line Partners in support of the Statewide Longitudinal Data Systems (SLDS) grant projects.

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

The motion passed.

- 7.10 Motion by Patricia Timm, second by Lillie Larsen: To grant the Commissioner the authority to adopt a hearing draft of Rule 6 (92 NAC 67), *Regulations and Procedures for Secure Data Sharing*; grant the Commissioner the authority to set a date, time and place for the hearing; and to appoint a hearing official to conduct a hearing on behalf of the State Board.

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

The motion passed.

## **8. CONSENT AGENDA**

Motion by John Sieler, second by Molly O'Holleran: To approve the Consent Agenda as published.

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

The motion passed.

## **9. SPECIAL PRESENTATIONS AND DISCUSSIONS**

Eleanor Shirley and Melody Hobson, Department of Education representatives, provided information on Step Up to Quality: Quality Rating Improvement System. (Handout: Step Up to Quality information)

### **10.2 Upcoming state conferences**

Board Members were reminded of the Department of Education Data Conference to be held April 14-15, 2014, in Kearney, Nebraska.

### **10.3 Meeting participation**

- National Association of State Boards of Education (NASBE), March 13-15, 2014, Arlington, Virginia
  - Molly O'Holleran provided a report on the Legislative Policy Forum
  - Lillie Larsen provided a report on the Truancy Study Group
  - Rachel Wise provided a report on the Board of Directors meeting
- Rachel Wise and Commissioner Blomstedt, reported on the Nebraska Rural Community Schools Association (NRCSA) Spring Conference in Kearney, Nebraska, March 20-21, 2014
- Lynn Cronk reported on the Governor's Arts Awards dinner in La Vista, Nebraska, March 25, 2014, along with Lillie Larsen and Molly O'Holleran
- Mollie O'Holleran reported on the Region V superintendents meeting

There being no further business to come before the Board, President Wise adjourned the meeting at 11:40 a.m.



**NEBRASKA DEPARTMENT OF EDUCATION**

**RESOLUTION  
STATE BOARD OF EDUCATION  
RECOGNITION OF THE LIFE AND SERVICE OF RUSS INBODY**

**WHEREAS**, Russ Inbody contributed significantly to the quality of education provided by Nebraska schools through his work with school finance for nearly 37 years; and

**WHEREAS**, Russ Inbody provided guidance and leadership to the Nebraska Department of Education and Nebraska schools as Senior Administrator of School Finance and Organizational Services and set a standard of performance and work ethic unequalled among NDE leaders; and

**WHEREAS**, Russ Inbody was an invaluable public servant and understood the complexities of education financing, transportation services, and the state aid formula; and

**AND WHEREAS**, on March 18, 2014, Russ Inbody passed away after a long illness, leaving an unparalleled legacy of outstanding leadership and dedication to the Nebraska Department of Education and Nebraska school districts.

**THEREFORE, BE IT RESOLVED:**

That the Nebraska State Board of Education recognizes the contributions and service of Russ Inbody to Nebraska schools on behalf of generations of Nebraska students; and

That the Nebraska State Board of Education extends its deepest sympathy to the family of Russ Inbody; and

That the Nebraska State Board of Education Members express their collective appreciation for his leadership and tireless dedication to the Nebraska Department of Education and the public schools of Nebraska.

On behalf of the State Board of Education,

\_\_\_\_\_  
Rachel Wise, President

Dated: \_\_\_\_\_

NEBRASKA STATE BOARD OF EDUCATION  
Bylaw and Policy Reference Manual  
04/08/2014

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Bylaw: Board Meeting Notification for Regular Meetings

By statute, the State Board shall meet regularly and periodically in the office of the State Department of Education at least four times annually. The State Board will hold regular meetings on the first Thursday and Friday of each month except the months of July and January. In January the State Board will meet on the first Thursday and Friday following the first Monday of the month. The State Board will not hold a regular meeting in July. The time of meetings will be set by the Board President.

The State Board shall give reasonable advance publicized notice of the time and place of each meeting at least five days in advance of the meeting by the following methods:

1. A copy of the notice shall be published on the Department's website on the Internet.
2. The Commissioner shall e-mail a copy of the notice to each member of the news media requesting notification.
3. Each agenda shall contain not only the time and place of the next meeting, but also the anticipated time and place of the next following scheduled meeting.
4. Each set of minutes will reflect the next scheduled meeting date.

In addition to regular meetings, special and emergency meetings may be held as provided in B10.

Board Action History

- 12/10/76 – Prior BCBA  
(Cited statutes)
- 12/10/76 – Prior BCBJ  
(Notice distribution)
- 3/11/77 – Prior BCAB  
(Cited statutes)
- 3/1/78 – Prior BCBB

(Notice distribution)

- 12/7/84 – 9321 BOP  
(Cited statute requirement; rescinded earlier policies.)

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Board Action History (cont'd)

- 12/8/95 – Prior B11  
(Added methods of notice)
- 6/7/02 – Prior B11  
(Added 5-day advance notice for regular meetings, changed newspaper to website notice, and referenced B10 for emergency and special meetings.)
- 10/3/03 – Prior B11  
(Changed time of year for setting meeting. Added additional notice distribution provision.)
- 9/7/06 – B11  
(Added November meeting requirement)
- 10/8/09 – B11  
(Removed requirement that the State Board meet the first week of June and December each year, consistent with LB 549 [Laws, 2009].)
- 4/8/14 – B11  
(Specific regular meeting schedule established.)

Cross-References

- 79-1336(4) and (5) – At its November meeting the State Board must hear appeals relating to school district and ESU reimbursements and repayments for distance education equipment.
- 79-317 – State Board Meetings.