

**NEBRASKA STATE BOARD OF EDUCATION
MEETING AGENDA**

February 7-8, 2011

(Revised: February 2, 2011)

**Location: State Board Meeting Room
State Office Building, Sixth Floor
301 Centennial Mall South
Lincoln, NE 68509-4987**

Broadcast: The Work Session and Board Meeting will be broadcast for public viewing at locations with NETSAT Network 2 satellite access, NETSAT CHANNEL 105. Technical assistance is available up to one week prior to the broadcast of the Board Meeting and Work Session. Site participants need to contact the NET Help Desk at 800-698-3426. State agencies have access via state channel 4.

Agenda: Except for emergency items added at the time of the meeting, the agenda will not be changed less than 24 hours prior to the start of the meeting and any changes will be immediately posted on the website.

The Board will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to take action on any of the items listed.

Interpreter: If you need interpreter services or other reasonable accommodations, please contact the Nebraska Department of Education at (402) 471-5024 five (5) days prior to the meeting to coordinate arrangements.

Website: An electronic version of the State Board agenda and support materials are available on the Department of Education's Homepage: www.education.ne.gov.

Lunch: On February 8, if necessary, the State Board of Education may break for lunch at 12:00 p.m. The lunch will take place in Conference Room C at the State Office Building, Sixth Floor, 301 Centennial Mall South, Lincoln, Nebraska. The Board may resume work on the agenda at approximately 1:00 p.m.

SCHEDULED TIMES

AGENDA ITEMS

MONDAY, FEBRUARY 7, 2011 – COMMITTEE MEETINGS

- 8:00 a.m. STATE ACCOUNTABILITY AD HOC COMMITTEE
(V-Tel Room)
- 9:00 a.m. POLICY COMMITTEE (Conference Room A)
- 9:00 a.m. LEGISLATIVE COMMITTEE (Conference Room C)

MONDAY, FEBRUARY 7, 2011 – WORK SESSION

(Agenda items listed on the work session agenda not completed by adjournment will be carried over to February 8, 2011).

- 10:00 a.m.
1. CALL TO ORDER
 - 1.1 Roll Call
 - 1.2 Announcement of the placement of the Open Meetings Act information
 2. REPORTS AND DISCUSSION
 - 2.1 Standards, Assessment and Accountability
 - 2.1.1 State Accountability (PAT ROSCHEWSKI)
 - NeSA system
 - 2.1.2 Federal Accountability / ARRA Report / Persistently Low Achieving Schools (PLAS) (MARILYN PETERSON)
 - 2.2 [Discuss granting the Commissioner authority to negotiate and enter into a grant agreement with Building Bright Futures, Inc. that will provide NDE with another year of funding for the design and implementation of an early childhood quality improvement initiative, including the development of curriculum and training sessions and the design and piloting of a professional development and quality improvement network](#) (CAROL FICHTER)
 - 2.3 [Provide information regarding the Effective Educator 2020 Summit being planned for June 7-8, 2011](#) (COMMISSIONER BREED and SHARON KATT)
 - 2.4 [2011 Nebraska Department of Education \(NDE\) Projects](#) (COMMISSIONER BREED)
 - 2.5 [Receive 2010 Report of the Civics Nebraska Partnership Advisory Council](#) (LARRY STARR and MAJOR GENERAL WALTER ZINK, II)

SCHEDULED TIMES

AGENDA ITEMS

- 2.6 [Report on Participants in Nebraska Exempt Schools for the 2010/11 School Year](#) (RUSS INBODY)
- 2.7 Legislative Update (BRIAN HALSTEAD)
 - 2.7.1 State
 - 2.7.2 Federal

8:15 – 9:15 p.m. Discussion on Education Issues
Location: University of Nebraska-Lincoln Van Brunt Visitors Center, Presentation Room, 313 North 13th Street, Lincoln, Nebraska 68588

TUESDAY, FEBRUARY 8, 2011 – BREAKFAST

7:30 – 8:45 a.m. Breakfast with State Board of Education Members and Nebraska Legislators
Location: Terrace Grille, 333 South 13th Street, Lincoln, Nebraska 68508

TUESDAY, FEBRUARY 8, 2011 – BUSINESS MEETING

- 9:00 a.m.
- 1. CALL TO ORDER – BUSINESS MEETING
 - 1.1 Roll Call
 - 1.2 Pledge of Allegiance
 - 1.3 Announcement of the placement of the Open Meetings Act information
 - 2. APPROVAL OF THE MINUTES
 - 2.1 [January 6-7, 2011, Lincoln, Nebraska](#)
 - 2.2 [January 24, 2011, Lincoln, Nebraska](#)
 - 3. APPROVAL OF AGENDA for February 8, 2011
 - 3.1 Commissioner's recommendations
 - 4. PUBLIC PARTICIPATION
 - 4.1 Request for appearance
 - 4.2 Public Comment Period (An Action Item marked with ** will include time for public comment on that item at the time it is addressed by the Board.)

SCHEDULED TIMES

AGENDA ITEMS

11:00 a.m.

5. HEARINGS
 - 5.1 Hearing in NDE Case No. 10-29, *Commissioner v. W. David Barnes*
 - 5.2 Hearing in NDE Case No. 10-30, *In the Matter of the Reinstatement of Thatcher Lamm*
6. EXECUTIVE SESSION –
 - 6.1 Contested Cases
7. ACTION ITEMS
 - 7.1 Board actions on legislative issues (BRIAN HALSTEAD)
 - 7.2 [Consider approval of 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](#) (JOEL SCHERLING)
 - 7.3 [Consider the PPC's Recommendation in NDE Case No. 10-29, Commissioner v. W. David Barnes](#) (LESLIE DONLEY)
 - 7.4 [Consider the PPC's Recommendation in NDE Case No. 10-30, In the Matter of the Reinstatement of Thatcher Lamm](#) (LESLIE DONLEY)
 - 7.5 [Grant the Commissioner the authority to negotiate and enter into a grant agreement with Building Bright Futures, Inc. that will provide NDE with another year of funding for the design and implementation of an early childhood quality improvement initiative, including the development of curriculum and training sessions and the design and piloting of a professional development and quality improvement network](#) (CAROL FICHTER)
8. APPROVAL OF CONSENT AGENDA (The following items are management decisions and/or legal counsel recommendations, which require Board approval.)
 - 8.1 Identify items for separate vote
 - 8.2 Approve consent agenda

THE FOLLOWING SECTIONS ARE THE PROPOSED CONSENT AGENDA ITEMS

- 8.3 [Personnel Report](#)

SCHEDULED TIMES

AGENDA ITEMS

- 8.4 Miscellaneous
 - 8.4.1 Dismiss Option Enrollment Case No. 11-01, *Hamm v. Norris School District*, pursuant to the request of the Petitioner (MARGARET WORTH)
 - 8.4.2 [Approve school district request for exclusions to the budget limitation in accordance with the provisions of the Tax Equity and Educational Opportunities Support Act \(TEEOSA\)](#) (RUSS INBODY)
 - 8.4.3 [Request approval for Vocational Rehabilitation to accept \\$1,775.35 as beneficiary of Gaylord E. Riley's VA life insurance](#) (MARK SCHULTZ)
- 8.5 Grants
 - 8.5.1 [Grant the Commissioner the authority to provide a grant to Sarpy County Reporting Center for career development activities and support services](#) (DONLYNN RICE and RICHARD KATT)
- 8.6 Contracts
 - 8.6.1 [Grant the Commissioner the authority to contract with Orizon CPAs LLC for \\$42,100 to complete Child and Adult Care Food Program \(CACFP\) Agreed-Upon Procedure Audits for 35 Child and Adult Care Food Program \(CACFP\) For Profit Only Centers](#) (MARILYN PETERSON and BEV BENES)
 - 8.6.2 [Grant the Commissioner the authority to continue to contract with Colyar Consulting Group, Inc. for maintenance and up-grades of web-based reporting system for Nutrition Services](#) (MARILYN PETERSON and BEV BENES)
 - 8.6.3 [Grant the Commissioner the authority to continue to contract with Nebraska Council of School Administrators to provide conference management services for the Nebraska Career Education Conference](#) (DONLYNN RICE and RICHARD KATT)
 - 8.6.4 [Grant the Commissioner the authority to amend the existing contract with David and Associates to provide additional marketing services for the promotion of Science, Technology, Engineering, and Mathematics \(STEM\) education in Nebraska](#) (DONLYNN RICE and RICHARD KATT)

SCHEDULED TIMES

AGENDA ITEMS

- 8.7 Leases
(NONE)
- 8.8 Committees
 - 8.8.1 [Notification of vacancies on the Nebraska Private Postsecondary Career Schools Advisory Council](#) (SHARON KATT and CAROL GRELL)
- 9. SPECIAL PRESENTATION AND DISCUSSIONS
(NONE)
- 10. BOARD REPORTS, DATES AND DISCUSSION ITEMS (Brief general discussion by Board members of possible topics for future Board meetings; requests for reports or studies to be conducted by the Commissioner and staff; and reports of activities and information from Board members.)
 - 10.1 Dates for joint meetings with policy partners
 - 10.2 Approve request for meeting attendance
 - 10.3 Meeting participation
 - 10.4 Legislative Committee report
 - 10.5 Policy Committee report
- 11. INFORMATION ITEMS/WRITTEN REPORTS (The following items are for Board information only. They require official notice. No presentation planned. No requested action planned.)
 - 11.1 [Statutorily required notice of contracts involving public employees](#)
 - 11.2 [Contracts approved by Commissioner](#)
 - 11.3 [Report of Individuals with Disabilities Education Act \(IDEA\) Grants/Contracts](#) (GARY SHERMAN)
 - 11.4 [State Board Policies G3, G4 and B3 for review](#) (MARGARET WORTH)

ADJOURNMENT – The next regularly scheduled meeting of the State Board of Education will be held on Tuesday, March 8, 2011 at 9:00 a.m. at the Nebraska State Office Building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509. A work session will be held on Monday, March 7, 2011 at 10:00 a.m. at the Nebraska State Office building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509.

SCHEDULED TIMES

AGENDA ITEMS

This agenda contains a list of subjects known at the time of its distribution on January 31, 2011. A copy of the agenda reflecting any changes will be available for public inspection during the normal business hours in the Office of the Commissioner of Education and on the website www.education.ne.gov. *Except for items of an emergency nature, the agenda will not be changed later than 24 hours before the scheduled commencement of the meeting.*