MINUTES OF THE RETREAT – Monday, January 25, 2010
The State Board of Education met for purposes of a legislative retreat on Monday, January 25, 2010, beginning at 9:00 a.m. The session was held at the Nebraska State Education Association Board Room, 605 South 14th Street, 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 data, time and location of the meeting.

1. CALL TO ORDER

1.1 Roll Call

President Kandy Imes called the meeting to order at 9:00 a.m. A roll call showed the following members present: Jim Scheer, Mark Quandahl, Rebecca Valdez, Joe Higgins, Patricia Timm, Fred Meyer, Robert Evnen, Kandy Imes. Commissioner Roger Breed was also present.

1.2 President Imes announced the placement of the Open Meetings Act.

2. APPROVAL OF AGENDA

Motion by Patricia Timm, second by Robert Evnen: To approve the Agenda as published.


The motion passed.
3. **REVIEW 2010 PROPOSED STATE LEGISLATION AND TAKE ACTION ON BOARD POSITIONS**

Brian Halstead reviewed the bill analysis and process for bill review. Mr. Halstead advised the Board that hearing dates for some of the bills have not yet been set and the dates listed are estimated.

Board Member Robert Evnen expressed appreciation to Brian Halstead and Department staff for their diligent work on the bill analysis. He noted that the limited timeline to review numerous bills and produce analysis produced an excellent document.

**LB 713 – Change provisions relating to school health inspections**

This bill was heard by the Education Committee on January 19. Board members asked for information concerning the bill. Brian Halstead appeared in a neutral position and provided technical support.

**LB 754 – Adopt the Blind Persons Literacy Rights and Education Act**

This bill was heard by the Education Committee on January 19. The Board took the following action:

Motion by Jim Scheer, second by Joe Higgins: To oppose LB 754 with a letter from the Board noting the conflict with federal law and offering to handle the issue within the Department.


The motion passed.

**LB 711 – Change interlocal agreement provisions relating to unified school systems**

Neutral, offering technical testimony if requested

**LB 741 – Exclude lobbying expenses as a general fund operating expenditure for purposes of the Tax Equity and Educational Opportunities Support Act**

Neutral, offering technical testimony if requested
LB 898 – Adopt the Student Expression Act

Motion by Robert Evnen, second by Fred Meyer: To oppose LB 898 with a letter from Board President Kandy Imes outlining concerns and beliefs.

Voting Yes: Imes, Scheer, Quandahl, Valdez, Timm, Meyer, Evnen
Voting No: Higgins

The motion passed.

LB 929 – Require schools to distribute certain information to parents of children with special hearing needs

Motion by Jim Scheer, second by Patricia Timm: To oppose LB 929 with a letter from Board President Kandy Imes expressing concerns.


The motion passed.

LB 1001 – Change and eliminate residency provisions relating to postsecondary education

Motion by Fred Meyer, second by Rebecca Valdez: To oppose LB 1001 with a letter from Board President Kandy Imes expressing need for a seamless education pathway for all Nebraska high school students.

Voting No: Quandahl, Evnen

The motion passed.

LB 1061 – Adopt the Tuition Equalization Grant Program Act

Neutral, offering technical testimony if requested

At 10:15 a.m., President Imes called for a break. The retreat resumed at 10:28 a.m.
LB 1014 – Create the Teacher Performance Pay Fund and provide for additional public teacher pay

Motion by Robert Evnen, second by Jim Scheer: To support LB 1014 with a letter from the Commissioner expressing revenue concerns.


The motion passed.

LB 1071 – Change provisions relating to schools

Motion by Joe Higgins, second by Jim Scheer: To support LB 1071 with staff testimony.


The motion passed.

LB 1087 - Change provisions relating to payment for educational services (Rule 18)

Motion by Jim Scheer, second by Robert Evnen: To support LB 1087 with a letter from the Board and staff testimony regarding the cost placed on the Department.

Voting No: Quandahl

The motion passed.

LB 962 - Require blood lead testing prior to school enrollment

Neutral, offering technical testimony if requested

LB 1006 – Change provisions relating to kindergarten entrance age

Motion by Jim Scheer, second by Patricia Timm: To support LB 1006 with a letter from the Board and asking NDE staff to further investigate the process and cost of appropriate assessment.


The motion passed.
LB 1021 - Adopt the High School Activities Association Act

Neutral, offering technical testimony if requested

LB 957 - Provide for memoranda of understanding related to student information sharing

Motion by Robert Evnen, second by Jim Scheer: To support LB 957 with a letter from the Board and staff testimony.


The motion passed.

LB 966 – Adopt the Classroom Educational Expenditure Act

Neutral, offering technical testimony if requested

LB 1007 – Provide for performance measures under the Quality Education Accountability Act

Motion by Robert Evnen, second by Fred Meyer: To support LB 1007 except in supporting a single score for every district. To Request in letter and testimony the Board’s discretion to determine a methodology for identifying persistently lowest achieving schools.


The motion passed. Board member Robert Evnen will appear before the Committee at the hearing tentatively scheduled for February 16.

LB 1069 - Change technology purchase and funding provisions relating to educational service units

Neutral, offering technical testimony if requested

LB 937 – Eliminate per diem payments for members of learning community coordinating councils

Neutral, offering technical testimony if requested

LB 974 – Change permissible uses of a learning community levy as prescribed

Neutral, offering technical testimony if requested
LB 1070 – Change provisions relating to learning communities

Motion by Jim Scheer, second by Patricia Timm: To support LB 1070 with staff testimony on aspects involving the Department of Education.


The motion passed.

LB 1095 – Change distribution of educational service unit funds

Neutral, offering technical testimony if requested

LB 920 – Provide for school transportation safety committees

Neutral, offering technical testimony if requested

LB 913 – Adopt the Criminal Offender Employment Act

Motion by Robert Evnen, second by Jim Scheer: To oppose LB 913 with staff testimony.

Voting No: Valdez

The motion passed.

LB 800 – Provide methods of early intervention for children at risk

Motion by Jim Scheer, second by Robert Evnen: To send a letter of interest to the Judiciary Committee expressing appreciation for their efforts and expressing concerns with the details of LB 800.


The motion passed.

Board Member Jim Scheer discussed the process of the adoption of Core Standards.

Commissioner Breed shared an invitation from the Governor for breakfast at 7:30 a.m. on April 7 at the Residence.

There being no further business to come before the Board, President Imes adjourned the retreat at 12:38 p.m.