

**NEBRASKA STATE BOARD OF EDUCATION
MEETING AGENDA**

December 7-8, 2010

**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 December 8, the State Board of Education will 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 will resume work on the agenda at approximately 1:00 p.m.

SCHEDULED TIMES

AGENDA ITEMS

2:00 – 5:00 p.m. MONDAY, DECEMBER 6, 2010 – NEW BOARD MEMBER ORIENTATION

8:00 – 11:00 a.m. TUESDAY, DECEMBER 7, 2010 – NEW BOARD MEMBER ORIENTATION

TUESDAY, DECEMBER 7, 2010 – COMMITTEE MEETINGS

11:30 a.m. – 12:30 p.m. STATE ACCOUNTABILITY AD HOC COMMITTEE
(Conference Room B)

1:00 – 2:00 p.m. POLICY COMMITTEE (Conference Room A)

- Review Nebraska Center for the Education of Children who are Blind or Visually Impaired (NCECBVI) 2010 Trust Fund Expenditure Report and 2011 Trust Fund Budget Proposal
- Review timeline and procedures for State Board Policy review

1:00 – 2:00 p.m. LEGISLATIVE COMMITTEE (Conference Room C)

- Dr. Peter Seiler, Executive Director, Nebraska Commission for the Deaf and Hard of Hearing
- Potential Legislation for 2011
- Draft language for Rules 10 and 14 involving middle grades activities

TUESDAY, DECEMBER 7, 2010 – WORK SESSION

(Agenda items listed on the work session agenda not completed by adjournment will be carried over to December 8, 2010).

2:00 p.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)
 - 2.1.2 Leadership in Using NeSA Data (PAT ROSCHEWSKI)
 - 2.1.3 Federal Accountability / ARRA Report / Persistently Low Achieving Schools (PLAS) / [Data Access and Use Policy](#) / Demonstration of Data Reporting System (DRS) (MARILYN PETERSON)

SCHEDULED TIMES

AGENDA ITEMS

- 2.2 Update on efforts to ensure school districts operate at least 450 hours per year when required (MELODY HOBSON)

6:00 p.m. NEW BOARD MEMBER ORIENTATION DINNER at the Nebraska Club, U.S. Bank Building, 233 South 13th Street, Suite 2000, Lincoln, Nebraska 68508

WEDNESDAY, DECEMBER 8, 2010 – 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 [November 2-3, 2010, Lincoln, NE](#)
 - 3. APPROVAL OF AGENDA for December 8, 2010
 - 3.1 Commissioner's recommendations
 - 4. PUBLIC PARTICIPATION
 - 4.1 SPECIAL RECOGNITION
 - 4.1.1 Garret Higginbotham, 2010 Nebraska Milken Educator (COMMISSIONER BREED)
 - 4.1.2 Nebraska Association for Health Physical Education Recreation and Dance (NAHPERD) Award (VICKI HIGHSTREET, EXECUTIVE DIRECTOR OF THE NEBRASKA ASSOCIATION FOR HEALTH, PHYSICAL EDUCATION, RECREATION AND DANCE)
 - 4.2 Request for appearance
 - 4.2.1 Doug Christensen, Commissioner Emeritus
Polly Feis, Former Deputy Commissioner
 - 4.3 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. 10-23, *Commissioner v. Joseph Abdalla*
 - 5.2 Hearing in NDE Case No. 10-24, *Commissioner v. Richard Rohde*
 - 5.3 Hearing in NDE Case No. 10-25, *Commissioner v. Jodi Hammans (Reeder)*
 - 5.4 Hearing in NDE Case No. 10-26, *Commissioner v. Jarad Anthony*
 - 5.5 Hearing in NDE Case No. 10-27, *In the Matter of the Reinstatement of Dwight Nelson*
6. EXECUTIVE SESSION –
 - 6.1 Contested Cases
7. ACTION ITEMS
 - 7.1 [Approve the 2011-2013 NDE-NAPE/AFSCME Bargaining Agreement](#) (JOEL SCHERLING)
 - 7.2 Consider the PPC's Recommendation in NDE Case No. 10-23, *Commissioner v. Joseph Abdalla* (LESLIE DONLEY)
 - 7.3 [Consider the PPC's Recommendation in NDE Case No. 10-24, Commissioner v. Richard Rohde](#) (LESLIE DONLEY)
 - 7.4 [Consider the PPC's Recommendation in NDE Case No. 10-25, Commissioner v. Jodi Hammans \(Reeder\)](#) (LESLIE DONLEY)
 - 7.5 [Consider the PPC's Recommendation in NDE Case No. 10-26, Commissioner v. Jarad Anthony](#) (LESLIE DONLEY)
 - 7.6 [Consider the PPC's Recommendation in NDE Case No. 10-27, In the Matter of the Reinstatement of Dwight Nelson](#) (LESLIE DONLEY)
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

SCHEDULED TIMES

AGENDA ITEMS

THE FOLLOWING SECTIONS ARE THE PROPOSED CONSENT AGENDA ITEMS

- 8.3 [Personnel Report](#)
- 8.4 Miscellaneous
 - 8.4.1 [Appoint a Hearing Officer in NDE Case No. 10-28, Gregory Allen Smith v. Commissioner \(LESLIE DONLEY\)](#)
 - 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 \(TEEOSA\) \(RUSS INBODY\)](#)
- 8.5 Grants
(NONE)
- 8.6 Contracts
 - 8.6.1 [Grant the Commissioner the authority to continue contracting with Meiner Solutions, LLC, to maintain and enhance, as necessary, the following systems within NDE Data System: Teacher Certification, Early Childhood Education, Special Education, Approval and Accreditation, Data Reporting, Curriculum Reporting, No Child Left Behind \(NCLB\), and Nebraska Student and Staff Record System \(NSSRS\) / Nebraska Education Staff System \(NESS\) \(MARILYN PETERSON and SHARON KATT\)](#)
 - 8.6.2 [Grant the Commissioner the authority to continue to purchase the English Language Development Assessment \(ELDA\) for the English Language Learners \(ELL\) \(MARILYN PETERSON\)](#)
 - 8.6.3 [Grant the Commissioner the authority to continue contracting with the University of Nebraska-Lincoln Board of Regents for an evaluation of Title I Schools \(MARILYN PETERSON and DIANE STUEHMER\)](#)
 - 8.6.4 [Grant the Commissioner the authority to continue contracting with ESU #9 to be the fiscal agent for ESU support for the four statewide trainers for the Nebraska Student and Staff Record System \(MARILYN PETERSON\)](#)

SCHEDULED TIMES

AGENDA ITEMS

- 8.6.5 [Grant the Commissioner the authority to continue to contract with Havelka Educational Services to continue to assist with Persistently Low Achieving Schools \(PLAS\) and Educator Effectiveness](#) (DONLYNN RICE and MARILYN PETERSON)
- 8.6.6 [Grant the Commissioner the authority to continue to accept the Letter of Agreement between the Nebraska Parental Information & Resource Center \(PIRC\) Program and the Nebraska Department of Education](#) (MARY ANN LOSH and JAN HANDA)
- 8.7 Leases
(NONE)
- 8.8 Committees
- 8.8.1 [Approve appointments and reappointments to the State Accreditation Committee](#) (FREIDA LANGE)
9. SPECIAL PRESENTATION AND DISCUSSIONS
- 10:00 a.m. 9.1 Eating Disorders (TERESA SCANLAN, 2010 MISS NEBRASKA)
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](#)

SCHEDULED TIMES

AGENDA ITEMS

- 12. SPECIAL RECOGNITION
 - 12.1 Board Member Presentations/Resolutions
 - 12.1.1 Kandy Imes – 8 years
 - 12.1.2 Joe Higgins – 8 years
 - 12.1.3 Fred Meyer – 12 years

ADJOURNMENT – The next regularly scheduled meeting of the State Board of Education will be held on Friday, January 7, 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 Thursday, January 6, 2011 at 2:00 p.m. at the Nebraska State Office building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509.

This agenda contains a list of subjects known at the time of its distribution on November 24, 2010. 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.*