

**NEBRASKA STATE BOARD OF EDUCATION  
MEETING AGENDA**

**February 1-2, 2010**

*Revised: January 26, 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 NEBSAT Network 2 satellite access, NEBSAT 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](http://www.education.ne.gov).**

**Lunch: On February 2, 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

**MONDAY, FEBRUARY 1, 2010 – COMMITTEE MEETINGS**

- 8:00 a.m. STATE ACCOUNTABILITY AD HOC COMMITTEE  
(Conference Room C)
- 9:00 a.m. LEGISLATIVE COMMITTEE (Conference Room C)
- 9:00 a.m. POLICY COMMITTEE (Conference Room B)
- School and Family Involvement Policy
  - Model Policy to Prevent Dating Violence
  - Coordinated School Health

**MONDAY, FEBRUARY 1, 2010 – WORK SESSION**

**(Agenda items listed on the work session agenda not completed by adjournment will be carried over to February 2, 2010).**

- 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 Legislative Issues (BRIAN HALSTEAD)
      - 2.1.1 State
      - 2.1.2 Federal
    - 2.2 [Overview of the Excellence in Teaching Act implementation and proposed revisions to Rule 25 \(92 NAC 25\), Attracting Excellence to Teaching Program](#) (SHARON KATT)
    - 2.3 [Report on Participants in Nebraska Exempt Schools for the 2009/10 School Year](#) (RUSS INBODY and BETH BOLTE)
    - 2.4 [Governor's request of pay freeze](#) (COMMISSIONER BREED)
    - 2.5 Standards, Assessment and Accountability
      - 2.5.1 Science standards update (DONLYNN RICE and JIM WOODLAND)
    - 2.6 Policy Committee reports
      - 2.6.1 [School and Family Involvement Policy](#)
      - 2.6.2 [Model Policy to Prevent Dating Violence](#)

SCHEDULED TIMES

AGENDA ITEMS

- 2.7 [Discuss agreement from Building Bright Futures \(BBF\) for the purpose of partnership with NDE's Office of Early Childhood/Early Childhood Training Center](#)  
(CAROL FICHTER)
- 2.8 School Improvement Grant (SIG) application  
(MARILYN PETERSON)
- 2.9 Commissioner's appraisal process  
(COMMISSIONER BREED)
- 10:30 a.m. 3. PRESENTATIONS
- 3.1 Career Academy Schools (DR. DANIEL SHOEMAKE, Administrator, Educational Service Unit No. 6, Milford, Nebraska; DR. RANDALL A. NELSON, Administrator Southeast Nebraska Career Academies Partnership; and MR. ROD RHODES, Director Career Academies/Associate Campus Director, Southeast Community College – Beatrice)
- 12:00 p.m. 4. HEARINGS
- 4.1 Hearing in NDE Case No. 09-21, *Commissioner v. Sanford Kaplan*
- 4.2 Hearing in NDE Case No. 09-23, *Commissioner v. Brenda Kay Croghan*
- 4.3 Hearing in NDE Case No. 09-22, *In re Reinstatement of John Anthens II*
5. EXECUTIVE SESSION – To receive legal counsel regarding contested cases.
6. ACTION ITEMS
- 6.1 [Consider the PPC's Recommended Decision in NDE Case No. 09-21, Commissioner v. Sanford Kaplan](#)
- 6.2 [Consider the PPC's Recommended Decision in NDE Case No. 09-23, Commissioner v. Brenda Kay Croghan](#)
- 6.3 [Consider the PPC's Recommended Decision in NDE Case No. 09-22, In re Reinstatement of John Anthens II](#)
- 6.4 [Consider the Hearing Officer's Recommended Decision in NDE Case No. 09-19, Richard Porter v. Commissioner](#)

SCHEDULED TIMES

AGENDA ITEMS

**TUESDAY, FEBRUARY 2, 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 [January 5-6, 2010, Lincoln, NE](#)
    - 2.2 [January 25, 2010, Legislative Retreat, Lincoln, NE](#)
  3. APPROVAL OF AGENDA for February 2, 2010
    - 3.1 Commissioner's recommendations
  4. PUBLIC PARTICIPATION
    - 4.1 Request for appearance  
  
(NONE)
    - 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.)
  5. HEARINGS  
  
(NONE)
  6. EXECUTIVE SESSION  
  
(If needed)
  7. ACTION ITEMS
    - 7.1 Board actions on legislative issues (BRIAN HALSTEAD)
    - 7.2 [Approve the proposed revisions of Rule 41 \(92 NAC 41\), Regulations for Private Postsecondary Career Schools Authorization to Operate](#) (SHARON KATT and CAROL GRELL)
    - 7.3 [Approve the proposed revisions of Rule 42 \(92 NAC 42\), Regulations Governing the Registration of Agents for Private Postsecondary Career Schools and the Issuance of Certificates of Approval to Recruit](#) (SHARON KATT and CAROL GRELL)

SCHEDULED TIMES

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- 7.4 [Approve the Model Policy to Prevent Dating Violence](#)  
(MARY ANN LOSH and LELA McNINCH)
- 7.5 Consider moving the June 8-9, 2010 State Board of Education Meeting to July 7-8, 2010  
(COMMISSIONER BREED and PAT ROSCHEWSKI)
- 7.6 [Approve grant agreement and acceptance of grant funds from Building Bright Futures \(BBF\) for the purpose of partnership with NDE's Office of Early Childhood/Early Childhood Training Center to design and establish a professional development system to be implemented as part of a quality improvement initiative that will improve the outcomes of young children and their likelihood of success in school](#) (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](#)
- 8.4 Miscellaneous
  - 8.4.1 [Appoint a Hearing Officer in NDE Case No. 10-01, \*Judith Carman v. Commissioner\*](#)
- 8.5 Grants  
(NONE)
- 8.6 Contracts
  - 8.6.1 [Grant the Commissioner authority to continue contracting with Meiner Solutions, LLC, to maintain and update NCLB, Special Education, Teacher Certification, and Data Reporting/Curriculum systems as necessary](#)  
(SHARON KATT and MARILYN PETERSON)
  - 8.6.2 [Grant the Commissioner the authority to continue contracting with Colyar Consulting Group, Inc. for maintenance and upgrades of Web-based Reporting System for Nutrition Services](#) (MARILYN PETERSON and BEV BENES)

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- 8.7 Leases
  - 8.7.1 [Grant the Commissioner authority to renew the lease between the Department of Administrative Services, State Building Division and the Department of Education's Early Childhood Training Center for office space in Omaha, NE at 6949 South 110<sup>th</sup> Street](#) (RUSS INBODY and CAROL FICHTER)
- 8.8 Committees
  - 8.8.1 [Approve appointment to the Special Education Advisory Council \(SEAC\)](#) (GARY SHERMAN and ANN BIRD)
- 9. SPECIAL PRESENTATION AND DISCUSSIONS
- 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 State Accountability Ad Hoc Committee report
  - 10.5 Legislative Committee report
  - 10.6 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](#)

ADJOURNMENT – The next regularly scheduled meeting of the State Board of Education will be held on Tuesday, March 2, 2010 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 1, 2010 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 22, 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](http://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.*