

State Board of Education Meeting Notification and Agenda

August 08, 2014 9:00 AM
State Board Meeting Room
State Office Building, Sixth Floor
301 Centennial Mall South
Lincoln, NE 68509-4987

1. CALL TO ORDER

1.1. Roll Call - Attendance Taken at 9:02 AM:

Present Board Members:

Glen Flint
Lillie Larsen
Molly O'Holleran
John Sieler
Patricia Timm
Rachel Wise
John Witzel

Absent Board Members:

District 6 - Vacant

1.2. Pledge of Allegiance

1.3. Announcement of the placement of the Open Meetings Act information

2. APPROVAL OF THE MINUTES

2.1. Approve the minutes of the June 5-6, 2014, State Board of Education meeting as published

Motion Passed: Approval of the minutes of the June 5-6, 2014, State Board of Education meeting as published passed with a motion by John Witzel and a second by Molly O'Holleran.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

3. APPROVAL OF AGENDA

3.1. Commissioner's recommendations and items to be removed from consent agenda

Discussion:

Commissioner Blomstedt recommended moving Consent 8.2 to an Action Item.

Motion Passed: The approval of the Agenda passed as recommended with a motion by Patricia Timm and a second by John Witzel.

District 6	Absent
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

4. PUBLIC COMMENT PERIOD

4.1. REQUEST FOR APPEARANCE

4.1.A. GED

Discussion:

Hannah and Jody Fayman, speaking to GED testing process

4.1.B. Public Comment

Discussion:

Jay Sears, NSEA, speaking in appreciation of the service of Lynn Cronk as a State Board member.

Gina Miller, OPS parent, speaking to the Council on Student Attendance and in support of Brenda Vosik as a candidate.

Bob Meyers, Omaha, retired educator, Phi Delta Kappa International; speaking to Future Educators Association, inviting to October 14, 9:00 a.m., showcase of teaching at White's Community Engagement Center, UNO.

Rachel Pinkerton, handout, speaking to U.S. History

Paul Meyer, Millard resident, speaking to grade point average and sports.

5. HEARINGS

5.1. Hearing in NDE Case No. 14-05, Commissioner v. Gregory Lynn Vest

Discussion:

The hearing began at 10:05 a.m. Kathi Vontz, a representative of the Nebraska Professional Practices Commission, presented the recommendation of a one-year suspension of his teaching certificate. Brian Halstead, on behalf of the Petitioner, supported the recommendation of the Commission. Respondent, Gregory Vest, appeared and spoke on his own behalf. The hearing was closed at 10:15 a.m.

5.2. Hearing in NDE Case No. 14-06, Commissioner v. Jason Dannelly

Discussion:

The hearing began at 10:15 a.m. Kathi Vontz, a representative of the Nebraska Professional Practices Commission, presented the recommendation for permanent revocation of Respondent's special services certificate. Brian Halstead, on behalf of the Commissioner of Education, appeared in support of the recommendation of the Commission. The Respondent was not present, nor represented by legal counsel. The hearing was closed at 10:20 a.m.

5.3. Hearing in NDE Case No. 14-07, Commissioner v. Suzanne Foster

Discussion:

The hearing began at 10:20 a.m. Kathi Vontz, a representative of the Nebraska Professional Practices Commission, presented the recommendation for a one-year revocation of Respondent's teaching certificate. Brian Halstead, on behalf of the Commissioner of Education, appeared in support of the recommendation of the Commission. The Respondent was not present but was represented by Counsel, Rick Wade, and requested that in view of the completion of the recommended treatment and additional counseling that a reprimand or six-month revocation be issued in lieu of the one-year revocation. The hearing was closed at 10:33 a.m.

5.4. Hearing in NDE Case No. 14-08, Commissioner v. Joseph Blackstad

Discussion:

The hearing began at 10:32 a.m. Kathi Vontz, a representative of the Nebraska Professional Practices Commission, presented the recommendation for a ten-year revocation of Respondent's teaching certificate. Brian Halstead, on behalf of Commissioner of Education, appeared in support of the recommendation of the Commission. The Respondent was not present but was represented by Counsel, Rick Wade, and requested consideration for a five-year revocation. The hearing was closed at 10:45 a.m.

6. EXECUTIVE SESSION

Motion Passed: Motion to go into Executive Session to deliberate and receive advice from Legal Counsel on contested cases at 10:46 a.m. passed with a motion by John Sieler and a second by Patricia Timm.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

At 10:46 a.m., the Board moved into Executive Session to deliberate and receive advice from legal Counsel on contested cases.

Motion Passed: Motion to come out of Executive Session and return to the regular meeting of the Board at 11:40 a.m. passed with a motion by John Sieler and a second by Patricia Timm.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

At 11:40 a.m., the Board adjourned the Executive Session and returned to the regular meeting of the Board.

7. ACTION ITEMS

7.1. Approve proposed revisions to STATE BOARD POLICY B20, "Computer Equipment/Internet Access and Electronic Mail Acceptable Use."

Motion Passed: To adopt proposed revisions to Policy B20 passed with a motion by John Sieler and a second by John Witzel.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.2. Accept the Resignation of State Board Member, Lynn Cronk

Discussion:

Letter read by Rachel Wise from Lynn Cronk, State Board Member, District 6, resigning her position on the Board due to moving out the district.

Motion Passed: Accept the Resignation of State Board Member, Lynn Cronk passed with a motion by Patricia Timm and a second by Lillie Larsen.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.3. Approve the repeal of Rule 88 (92 NAC 88), Regulations for School Technology Fund Program

Motion Passed: Approve the repeal of Rule 88 (92 NAC 88), Regulations for School Technology Fund Program passed with a motion by John Witzel and a second by Patricia Timm.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Absent
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.4. Approve early childhood programs operated by public school districts and ESUs

Motion Passed: Approve early childhood programs operated by public school districts and ESUs passed with a motion by Patricia Timm and a second by Lillie Larsen.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Absent
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.5. Approve the Nebraska Educator Preparation Programs for 2014-2015

Motion Passed: Approve the Nebraska Educator Preparation Programs for 2014-2015 passed with a motion by Molly O'Holleran and a second by Patricia Timm.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Absent
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.6. Grant the Commissioner the authority to approve a contract to provide a multi-month training to Adult Education staff on Transitioning from Adult Education to College and Career Readiness

Motion Passed: Grant the Commissioner the authority to approve a contract to provide a multi-month training to Adult Education staff on Transitioning from Adult Education to College and Career Readiness passed with a motion by John Witzel and a second by Lillie Larsen.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.7. Grant conditional approval under Rule 14 (Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools) for the applicant NonPublic Schools to operate in the 2014-15 school year

Motion Passed: Grant conditional approval under Rule 14 (Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools) for the applicant NonPublic Schools to operate in the 2014-15 school year passed with a motion by Patricia Timm and a second by John Sieler.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes

Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.8. Grant conditional approval under Rule 18 (Interim-Program Schools in County Detention Homes, Institutions, & Juvenile Emergency Shelters) for the applicant interim program to operate in the 2014-2015 school year

Motion Passed: Grant conditional approval under Rule 18 (Interim-Program Schools in County Detention Homes, Institutions, & Juvenile Emergency Shelters) for the applicant interim program to operate in the 2014-2015 school year passed with a motion by Molly O'Holleran and a second by Patricia Timm.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.9. Consider the PPC's Recommended Decision in NDE Case No. 14-05, Commissioner v. Gregory Lynn Vest

Motion Passed: In Commissioner v. Gregory Lynn Vest, NDE Case No. 14-05, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, suspending the Respondent's teaching certificate for a period of one year, beginning July 7, 2014, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Patricia Timm and a second by Molly O'Holleran.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.10. Consider the PPC's Recommended Decision in NDE Case No. 14-06, Commissioner v. Jason Dannelly

Motion Passed: In Commissioner v. Jason Dannelly, NDE Case No. 14-06, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, permanently revoking the Respondent's special services

certificate, and to adopt the Final Order proposed by Legal Counsel passed with a motion by John Sieler and a second by Patricia Timm.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.11. Consider the PPC's Recommended Decision in NDE Case No. 14-07, Commissioner v. Suzanne Foster

Motion Passed: In Commissioner v. Suzanne Foster, NDE Case No. 14-07, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, revoking the Respondent's teaching certificate for a period of one year, and to adopt the Final Order proposed by Legal Counsel effective 7/7/14 passed with a motion by John Witzel and a second by Molly O'Holleran.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

7.12. Consider the PPC's Recommended Decision in NDE Case No. 14-08, Commissioner v. Joseph Blackstad

Motion Passed: In Case No. 14-08, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, revoking the Respondent's teaching certificate for a period of ten years, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Patricia Timm and a second by Molly O'Holleran.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes

John Witzel Yes

7.13. Consider Hearing Officer's Recommended Decision in Option Enrollment Case No. 14-03, White v. North Platte Public Schools, and adopt the Final Order prepared by Legal Counsel

Motion Passed: In option enrollment Case No. 14-03, Dale and Heather White v. North Platte Public Schools, that this Board adopt the Hearing Officer's Recommended Findings of Fact and Conclusions of Law, and on further consideration of the facts in this case, the State Board concludes that the Respondent school district's decision to deny the Petitioner's option enrollment application by not waiving the release deadline should be reversed and that the State Board should adopt the Final Order proposed by Legal counsel passed with a motion by Glen Flint and a second by Lillie Larsen.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

8. APPROVAL OF CONSENT AGENDA

8.2. Approve consent agenda

Motion Passed: To approve the Consent Agenda as published passed with a motion by Molly O'Holleran and a second by Patricia Timm.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

9. SPECIAL PRESENTATIONS AND DISCUSSIONS

Discussion:

Cheryl Breasseale, Department of Education representative, was recognized for her service to NDE upon retirement.

9.1. Adopt Resolution honoring State Board Member, Lynn Cronk

Discussion:

Motion Passed: Adopt Resolution honoring State Board Member, Lynn Cronk passed with a motion by John Sieler and a second by Molly O'Holleran.

District 6	Vacant
Glen Flint	Yes
Lillie Larsen	Yes
Molly O'Holleran	Yes
John Sieler	Yes
Patricia Timm	Yes
Rachel Wise	Yes
John Witzel	Yes

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

None.

12. ADJOURNMENT - the meeting was adjourned by President Wise at 12:04 p.m.