

State Board of Education Meeting

February 5-6, 2015
State Board Meeting Room
State Office Building, Sixth Floor
301 Centennial Mall South
Lincoln, NE 68509-4987

1. CALL TO ORDER

Work Session Attendance Taken at 2:04 PM:

Present Board Members:

Rachel Wise
Glen Flint
Lillie Larsen
John Witzel
Molly O'Holleran
Patricia Timm
Maureen Nickels
Patrick McPherson

Commissioner Matthew Blomstedt was also present.

- 1.2. Announcement of the placement of the Open Meetings Act information
- 1.3. Presentation on accountability

Dr. Brian Gong, Executive Director, National Center for the Improvement of Educational Assessment; and Task Force Members: Leslie Eastman, ESU 18; Deeann Goeser, ESU 19; Cindy Cray, Assistant Superintendent at Elkhorn; and John Skretta, Superintendent at Norris presented on the accountability process.

2. BOARD REPORTS, DATES AND DISCUSSION ITEMS

- 2.1. Board members shared reports on various meeting participation and joint meetings with policy partners.
- 2.2. Board members are asked to submit requests for approval of meeting participation prior to each Board meeting.

3. COMMISSIONER'S REPORT AND AGENDA OVERVIEW

- 3.1. Consent agenda process

3.2. STATUS REPORT ON EDUCATION OF CHILDREN WHO ARE DEAF OR HARD OF HEARING

Dr. Pete Seiler, Secretary, Nebraska Association of the Deaf, also commented on requirements for licensing interpreters.

3.2.A. NDE Staff Report, Emphasis: Educational Interpreters

Rhonda Fleischer, Teresa Coonts, NDE representatives; and Donna Moss, Hastings Public Schools reported on education programs for children who are deaf or hard of hearing.

3.2.B. Next Steps in potential rule changes regarding interpreters

At 3:37 p.m., President Wise called for a break. The meeting resumed at 3:50 p.m.

3.3. Board Policy Review Process

4. DISCUSSION OF ACTION ITEMS

4.1. Joel Scherling, Department of Education representative, discussed the proposed hearing draft for Rule 93, Chapters 1-16, (93 NAC 1-16) "Nebraska Department of Education Personnel Rules"

4.2. Bryce Wilson, Department of Education representative, discussed the proposed hearing draft for Rule 92 (92 NAC 92), "Regulations Governing the Minimum Equipment Standards and Safety Inspection Criteria for Pupil Transportation Vehicles"

4.3. State Board Member Patricia Timm and Melody Hobson, Department of Education representative, discussed the proposed hearing draft for Rule 11 (92 NAC 11), "Regulations for the Approval of Prekindergarten Programs Established by School Boards of Educational Service Units and for the Issuance of Early Childhood Education Grants"

4.4. ASSESSMENT DIRECTION AND VISION

4.4.A. State Board Member Glen Flint and Valorie Foy, Department of Education representative, discussed amendments to the Data Recognition Corporation 2014-2015 Contract

4.5. Sharon Katt and Pat Madsen, Department of Education representatives discussed the adoption of Rule 24 (92 NAC 24), "Regulations for Certificate Endorsements," and the associated Guidelines for approval at the February 6, 2014 Board Meeting

- 4.6. Freida Lange, Department of Education representative, discussed the adoption of Rule 10 (92 NAC 10), "Regulations and Procedures for the Accreditation of Schools" and the hearing summary document.

5. COMMITTEE REPORTS AND OTHER ITEMS FOR DISCUSSION

5.1. AQuESTT

- 5.1.A. Valorie Foy, Department of Education representative reviewed the Accountability Model of AQuESTT -Recommendation of the Task Force

- 5.1.B. Aprille Phillips and Matt Heusman, Department of Education representatives, reviewed the draft application for the ESEA Waiver.

5.1.C. TEACHING AND LEARNING

- 5.1.C.1. Lillie Larsen reported on the meeting of the College & Career Ready tenet.

- 5.1.C.1.1. Donlynn Rice, Deb Romanek and Cory Epler reported on the Nebraska Math Standards Update

- 5.1.C.2. State Board Member Glen Flint reported on the Assessment tenet.

- 5.1.C.3. State Board Member Maureen Nickels reported on Educator Effectiveness tenet

- 5.1.C.3.1. Sharon Katt and Kevin Peters, Department of Education representatives, discussed proposed changes to Rule 21 (92 NAC 21), "Regulations for the Issuance of Certificates and Permits"

5.1.D. STUDENT SUCCESS AND ACCESS

- 5.1.D.1. State Board Member Molly O'Holleran reported on Positive Partnerships, Relationships & Student Success tenet

- 5.1.D.2. State Board Member John Witzel reported on the Transitions tenet

- 5.1.D.3. State Board member Patricia Timm reported on the Educational Opportunities and Access tenet.

5.2. POLICY

- 5.2.A. Lillie Larsen, Chair, provided the Policy Committee Report.

6. **ADJOURNMENT** . President Wise adjourned the meeting at 5:45 p.m.

MINUTES OF THE BUSINESS MEETING

1. CALL TO ORDER

Business Meeting Attendance Taken at 9:02 AM:

Present Board Members:

Rachel Wise

Glen Flint

Lillie Larsen

John Witzel

Molly O'Holleran

Patricia Timm

Maureen Nickels

Patrick McPherson

Commissioner Matthew Blomstedt was also present.

- 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 January 8-9, 2015 State Board of Education meeting as published.

Motion Passed: approved with a motion by John Witzel and a second by Patricia Timm.

Rachel Wise Yes

Glen Flint Yes

Lillie Larsen Yes

John Witzel Yes

Molly O'Holleran Yes

Patricia Timm Yes

Maureen Nickels Yes

Patrick McPherson Yes

- 2.2. Approve the minutes of the January 28, 2015 State Board of Education Legislative Retreat as published

Motion Passed: approved with a motion by Patricia Timm and a second by John Witzel.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

3. APPROVAL OF AGENDA

Motion Passed: passed with a motion by Patrick McPherson and a second by Lillie Larsen.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

4. PUBLIC COMMENT PERIOD

4.1. Motion Passed: To set a maximum time limit for public comment of 60 minutes total and up to three minutes per person as permitted by Board Policy B12 passed with a motion by Patricia Timm and a second by Patrick McPherson.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

Public Comments referred to Patrick McPherson, unless otherwise noted.

- Rachel Pinkerton
- Doug Kagan
- Mary Jane Truemper

- Robert Meyers, speaking to LB 616 and LB 26
- Anne Konen
- John Sciara
- Mark Anderson
- Carol Windrum
- Pam Klaebisch
- Julie Fredrickson
- Ted Sheely
- Mark Gill
- Richard Zierke speaking to the Americanization statute
- Ted Hamann
- Jay Sears, Nebraska State Education Association, speaking to Board action on Rules
- Lory Dance

4.2. REQUEST FOR APPEARANCE (10 minutes) - Dr. Patrick Jones speaking to “McPherson Must Go”

4.3. REQUEST FOR APPEARANCE (10 minutes) - Paul Meyer, speaking in support of Pat McPherson.

6. EXECUTIVE SESSION

Motion Passed: That the State Board move into Executive Session to deliberate and receive advice from Legal Counsel on contested cases at 10:27 a.m. passed with a motion by Lillie Larsen and a second by Patricia Timm.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

Motion Passed: To adjourn executive session at 10:34 a.m. passed with a motion by Lillie Larsen and a second by Patrick McPherson.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7. ACTION ITEMS

7.1. Motion Passed: In Gregory Allen Smith v. Commissioner, NDE Case No. 14-09, that this Board adopt the Hearing Officer's recommendation that this Board accept the request of the Petitioner to participate in student teaching activities, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Glen Flint and a second by Patrick McPherson.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.2. Motion Passed: To grant the Commissioner the authority to approve a hearing draft for proposed revisions to Title 93, Chapters 1-16, (93 NAC 1-16) "Nebraska Department of Education Personnel Rules," and authorize the Commissioner to set a time and place for a hearing and appoint a hearing official to conduct a hearing on behalf of the State Board passed with a motion by John Witzel and a second by Patricia Timm.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.3. Motion Passed: To grant the Commissioner the authority to approve a hearing draft for Rule 92 (92 NAC 92), "Regulations Governing the Minimum Equipment Standards and Safety Inspection Criteria for Pupil Transportation Vehicles," and authorize the Commissioner to set a time and place for a hearing and appoint a hearing official to conduct a hearing on behalf of the State Board passed with a motion by Patricia Timm and a second by Lillie Larsen.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.4. Motion Passed: To grant the Commissioner the authority to approve a hearing draft of Rule 11 (92 NAC 11), "Regulations for the Approval of Prekindergarten Programs Established by School Boards of Educational Service Units and for the Issuance of Early Childhood Education Grants," and authorize the Commissioner to set a time and place for a hearing and appoint a hearing official to conduct a hearing on behalf of the State Board passed with a motion by Patricia Timm and a second by Lillie Larsen.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.5.A. Motion Passed: Approve amendments to Data Recognition Corporation 2014-2015 Contract passed with a motion by Molly O'Holleran and a second by Glen Flint.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.6. Motion Passed: To adopt revisions to Rule 24 (92 NAC 24), "Regulations for Certificate Endorsements" passed with a motion by John Witzel and a second by Patrick McPherson.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.7. Motion Passed: Approve the "Guidelines Recommended for Use with Rule 24" passed with a motion by Patricia Timm and a second by John Witzel.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.8. Motion Passed: Adopt the proposed revisions to Rule 10 (92 NAC 10), "Regulations and Procedures for the Accreditation of Schools" passed with a motion by Patricia Timm and a second by Maureen Nickels.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

At 12:00 Noon, President Wise called for a break. The meeting resumed at 12:06 p.m.

7.9. LEGISLATION

7.9.A. Rachel Wise, Chair, provided the Legislative Committee report .

7.9.B. Brian Halstead, Department of Education represented, discussed State Legislation and Board Actions on legislative issues

Motion Passed: To oppose LB 616 passed with a motion by John Witzel and a second by Patricia Timm.

Rachel Wise	Yes
Glen Flint	No
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	No

Motion Failed: To rescind opposition to LB 617 failed with a motion by Glen Flint and a second by Patrick McPherson.

Rachel Wise	No
Glen Flint	Yes
Lillie Larsen	No
John Witzel	No
Molly O'Holleran	No
Patricia Timm	No
Maureen Nickels	No
Patrick McPherson	Yes

Motion Passed: To support LB 287 and LB 516 passed with a motion by Molly O'Holleran and a second by John Witzel.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

Motion Passed: To support LB 519 with exceptions and inclusions discussed by the board, with staff testimony passed with a motion by Molly O'Holleran and a second by John Witzel.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

7.9.C. Federal Legislation and Board Action on Federal Legislation

Motion Passed: Approval of the ESEA Reauthorization 2015 NEBRASKA POSITION STATEMENT giving commissioner authority to provide additional information passed with a motion by Molly O'Holleran and a second by Patrick McPherson.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

8. APPROVAL OF CONSENT AGENDA

Motion Passed: Approval passed with a motion by Patricia Timm and a second by John Witzel.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

9. SPECIAL PRESENTATIONS AND DISCUSSIONS

- 9.1. Chrissy Tonkinson and Carolyn Rooker provided information on the 2014 Kids Count in Nebraska Report.

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

- 10.1. Motion Passed: Approval for Lillie Larsen, Molly O'Holleran, and John Witzel to attend NAG conference; and those requests listed passed with a motion by Patricia Timm and a second by Lillie Larsen.

Rachel Wise	Yes
Glen Flint	Yes
Lillie Larsen	Yes
John Witzel	Yes
Molly O'Holleran	Yes
Patricia Timm	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes

12. ADJOURNMENT. President Wise adjourned the meeting at 12:43 p.m. The next meeting of the State Board will be held March 5-6, 2015, in the State Office Building, Lincoln, Nebraska.