

State Board of Education Meeting Minutes

November 05, 2015 2:00 PM
State Board Meeting Room
State Office Building, Sixth Floor
301 Centennial Mall South
Lincoln, NE 68509-4987

Video archives of the State Board meetings are also available at:
http://www.education.ne.gov/StateBoard/Video_Archives.html

1. CALL TO ORDER

1.1. Roll Call - Attendance Taken at 2:31 PM:

Present Board Members:

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

Commissioner Blomstedt was also present.

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

2. BOARD REPORTS, DATES AND DISCUSSION ITEMS

2.1. Recognition of 2016 Nebraska Teacher of the Year, Tim Royers, Millard West High School, Omaha, Nebraska

2.2. Year in Review, 2015 Nebraska Teacher of the Year, Shelby Aaberg, Scottsbluff High School, Scottsbluff, Nebraska

2.3. Meeting participation and joint meetings with policy partners

2.3.A. NASB/NASA State Education Conference, November 18-20, La Vista, Nebraska

2.3.A.1. State Board Roundtable, November 19, 2015, La Vista Conference Center/Embassy Suites, La Vista, Nebraska

2.3.B. Coordinating Commission for Postsecondary Education Breakfast Meeting, December 3, 2015, The Cornhusker Hotel, Renaissance Room, Lincoln, Nebraska, 8:00 a.m.

2.4. Discuss requests for meeting attendance

2.5. Monthly Board Travel Expense Report

3. COMMISSIONER'S REPORT AND AGENDA OVERVIEW

3.1. Consent agenda process

3.2. Report on Rules scheduled for Hearings

3.3. Board Priorities and Policy Research

3.3.A. NASBE Opportunities and Grants

Donlynn Rice, Department of Education representative, discussed the NASBE Standards Based Alignment grant and NASBE Project Unify.

3.4. Board Travel Request for Information

3.5. Update on Process for Strategic Planning

Patrick McPherson reported on the Board Committee efforts in reviewing the strategic planning proposals. The Committee is looking to present 3 or 4 proposals to the Board at the December meeting.

4. DISCUSSION OF ACTION ITEMS

4.1. Discuss Information Technology purchases for Nebraska Vocational Rehabilitation (VR)
Tibor Moldavan, Vocational Rehabilitation representative, provided information.

5. COMMITTEE REPORTS AND OTHER ITEMS FOR DISCUSSION

5.1. AQuESTT

5.1.A. WAIVER

5.1.A.1. Updated status report

Commissioner Blomstedt provided an update.

5.1.B. TEACHING AND LEARNING

5.1.B.1. College & Career Ready (Standards)

Lillie Larsen reported.

5.1.B.2. Assessment

5.1.B.3. Educator Effectiveness

5.1.C. STUDENT SUCCESS AND ACCESS

5.1.C.1. Positive Partnerships, Relationships & Student Success

5.1.C.2. Transitions

5.1.C.3. Educational Opportunities & Access

5.2. DATA AND CONTINUOUS IMPROVEMENT REPORT

5.2.A. Discuss approval of AQuESTT items for (1) Distribution percentages for the accountability classification levels of Nebraska public schools and districts; (2) How the Evidence Based Analysis (EBA) will factor into the final classification of Nebraska public schools and districts; and (3) The process for designating priority schools.

Commissioner Blomstedt reported. The Board will be asked to grant the Commissioner authority to set these items during the Business meeting on Friday, November 6, 2015.

5.3. POLICY

5.3.A. Policy Committee Report

Lillie Larsen reported. The Board will be asked to approve the Committee recommendations during the business meeting on Friday.

5.3.A.1. Discuss proposed revisions to State Board Policy G8, "Developing Global Competence"

5.3.A.2. Discuss proposed revisions to State Board Policy B4, "Legal Assistance"

5.4. LEGISLATION

5.4.A. Legislative Committee report

Rachel Wise reported.

5.5. TEACHER/PRINCIPAL EVALUATION

5.5.A. Teacher/Principal Evaluation Study Group Report (if needed)

5.6. COMPETENCY BASED EDUCATION

5.6.A. Competency Based Education Study Group Report (if needed)

Cory Epler and Katie Graham, Department of Education representatives, provided information.

6. ADJOURNMENT

The work session adjourned at 4:57 p.m.

State Board of Education Meeting Minutes

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1. CALL TO ORDER

1.1. Roll Call

Attendance Taken at 9:04 AM:

Present Board Members:

Rachel Wise

Glen Flint

Lillie Larsen

John Witzel

Molly O'Holleran

Patricia Timm

Maureen Nickels

Patrick McPherson

Commissioner 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. Motion Passed: Approval of the minutes of the October 1-2, 2015, State Board of Education meeting as published 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

3. APPROVAL OF AGENDA

3.1. Motion Passed: Approval of the agenda as presented 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

4. PUBLIC COMMENT PERIOD

4.1. REQUEST FOR APPEARANCE

4.1.A. Nebraska Sexual Education Curriculum

Henry Burke

4.1.B. Comprehensive Sex Education

Dr. Ed Truemper

4.2. OTHER PUBLIC COMMENT

- Deb Andrews, speaking to local control, parental choice
- Jay Sears, Nebraska State Education Association, speaking to national accreditation visits and work on educator evaluation project with CCSSO
- Rachel Pinkerton, speaking to gender
- Katherine Wang, speaking to education as a way out of poverty; value of education
- Ann Masters, speaking to Malaika Foundation; requesting support for Action Item 7.1, Developing Global Competence

5. HEARINGS (10:00 a.m.)

5.1. Hearing in NDE Case No. 15-14, Commissioner v. Richard Cobos

The hearing was called to order at 10:06 a.m. The Petitioner was appeared and represented by counsel, Brian Halstead, in support of the PPC recommendation of permanent revocation of the certificate of the Respondent. Respondent was not present nor represented by counsel. The hearing was closed at 10:08 a.m.

5.2. Hearing in NDE Case No. 15-15, Commissioner v. Ty Warner

The hearing was called to order at 10:08 a.m. The Petitioner appeared and was represented by counsel, Brian Halstead, in support of permanent revocation of the Respondent's certificate. The Respondent was not present nor represented by counsel. The hearing was closed at 10:10 a.m.

5.3. Hearing in NDE Case No. 15-16, Commissioner v. Jessica Nielsen

The hearing was called to order at 10:10 a.m. The Petitioner appeared and was represented by counsel, Brian Halstead, in support of PPC recommendation of a five year revocation. The Respondent was present, appearing on her own behalf. The hearing was closed at 10:13 a.m.

5.4. Hearing in NDE Case No. 15-17, Commissioner v. Kari Bappe

The hearing was called to order at 10:14 a.m. The Petitioner appeared and was represented by counsel, Brian Halstead, appearing in support of the PPC recommendation to suspend the Respondent's certificate for two years. The Respondent was not present nor represented by counsel. The hearing was closed at 10:15 a.m.

6. EXECUTIVE SESSION

6.1. Executive Session Items and monthly updates of contested cases and litigation

6.2. Discuss Commissioner's Appraisal

Motion Passed: To move into Executive Session at 10:16 a.m. to deliberate and receive advice from Legal Counsel on contested cases and for the protection of the public interest and to prevent needless injury to his reputation to discuss the Commissioner's performance appraisal and to consult with Legal Counsel regarding the Commissioner's contract passed with a motion by Lillie Larsen 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

Motion Passed: To adjourn the executive session at 11:15 a.m. and resume the regular business meeting 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

7. ACTION ITEMS

7.1. Motion Passed: Approval of proposed revisions to State Board Policy G8, "Developing Global Competence" 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

7.2. Motion Passed: Approval of proposed revisions to State Board Policy B4, "Legal Assistance" 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

7.3. Motion Passed: I move in Commissioner v. Richard Cobos, NDE Case No. 15-14, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, permanently revoking Respondent's teaching certificate, and to adopt the Final Order proposed by Legal Counsel 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

7.4. Motion Passed: I move in Commissioner v. Ty Warner, NDE Case No. 15-15, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, permanently revoking Respondent's teaching certificate, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Patricia Timm 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

7.5. Motion Passed: I move in Commissioner v. Jessica Nielsen, NDE Case No. 15-16, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, revoking Respondent's teaching certificate for a period of five years beginning August 31, 2015, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Patrick McPherson 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

7.6. Motion Passed: I move in Commissioner v. Kari Bappe, NDE Case No. 15-17, that this Board adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, suspending Respondent's teaching certificate for two years, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Maureen Nickels and a second by Molly O'Holleran.

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: Approval to purchase Information Technology purchases for Nebraska VR 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

7.8. Approve request for detailed information on Board Travel Expenses.

Commissioner Blomstedt reported that he is working with Patrick McPherson on his request for travel information.

FOR THE RECORD: Patrick McPherson stated for the record: "I do believe that there is a problem with travel expenses, I think sending 7 people to a national convention is not necessary, we have spent 58,000 some dollars on travel expenses for these board members between July 1 of 2014 and June 30 of 2015. We've got members who have spent as much as \$14 or \$17,000 on travel. I think that is totally wrong."

7.9. Motion Passed: To grant the Commissioner the authority to approve AQuESTT items for (1) Distribution percentages for the accountability classification levels of Nebraska public schools and districts; (2) How the Evidence Based Analysis (EBA) will factor into the final classification of Nebraska public schools and districts; and (3) The process for designating priority schools 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

8. Motion Passed: Approval of the Consent Agenda as presented 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

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

10.1. Motion Passed: Approval of meeting attendance requests passed with a motion by Molly O'Holleran 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	No

10.2. Monthly Board Travel Expense Report

11. INFORMATION ITEMS/WRITTEN REPORTS

11.1. Statutorily required notice of contracts involving public employees

11.2. Contracts approved by Commissioner

11.3. State Board Policy G6, "Virtual Education"

11.4. State Board Policy G19, "Standards, Assessment, and Accountability (SAA) Belief Statements"

12. ADJOURNMENT - The meeting adjourned at 11:30 a.m.