

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

Brian L. Maher, Ed.D.)	NDE Case No. 24-05
Commissioner of Education)	
500 S. 84th Street, 2nd Floor)	
P.O. Box 94933)	
Lincoln, NE 68509,)	
)	
Petitioner,)	FINAL ORDER
)	
v.)	
)	
Ryan Shanle)	
15941 Marinda Circle)	
Omaha, NE 68130,)	
)	
Respondent.)	

This matter came before the State Board of Education (State Board), Lincoln, Nebraska, on March 28, 2024, upon the recommendation of the Nebraska Professional Practices Commission (NPPC) that the Nebraska public Standard administrative certificate of the Respondent, Ryan Shanle, be revoked for a period of three years. The parties were notified of the State Board's consideration in this matter. Appearing before the State Board were Tamra L. Walz, General Counsel, on behalf of the Commissioner of Education, and NPPC Clerk Kelly Muthersbaugh, who provided a summary of the NPPC's recommendation in this matter. The Respondent did not appear.

The record of the NPPC proceeding, containing the "Findings of Fact, Conclusions of Law, and Recommendation of the Commission," all of the pleadings, exhibits, and a written transcript of the NPPC hearing, was received by the State Board into evidence as "Exhibit 1." The Notice of Disposition and the certified mail return receipt were received

into evidence as “Exhibit 2.” Upon its independent review of the entire record, the State Board finds, concludes, and orders as follows:

1. The State Board has jurisdiction in this case pursuant to Neb. Rev. Stat. § 79-866(2) (2014).

2. The Petitioner is Brian L. Maher, Ed.D., Commissioner of Education, 500 S. 84th Street, 2nd Floor, P.O. Box 94933, Lincoln, NE 68509-4933.

3. The Respondent is Ryan Shanle, 15941 Marinda Circle, Omaha, NE 68130.

4. The Respondent holds a Nebraska public Standard administrative certificate number 20220008058, endorsed as Principal PK-8, Middle Level Education 5-9, Middle Level Education/Social Sciences 5-9, and Health & Physical Education 5-9, with an expiration date of August 31, 2027.

5. The Respondent was employed as a substitute teacher by the Millard Public Schools beginning with the 2022-2023 school year.

6. On January 26, 2023, students reported to the principal that Respondent was acting “weird” upon returning from lunch. Respondent smelled of alcohol and stated that he had been drinking the night before. The Respondent refused a Blood Alcohol Content test, and a pretest of liquid in his drink bottle tested positive for alcohol. The Respondent was terminated at that time for refusing the test due to being an at-will employee.

7. The Respondent has violated Neb. Rev. Stat. § 79-866(2) (2014), which states, in pertinent part: “The board may, for just cause, revoke or suspend any teacher’s or administrator’s certificate. Violation of the standards established pursuant to this

section, commission of an immoral act, or conviction of a felony under the laws of this state shall constitute just cause for the revocation or suspension of a teacher's or administrator's certificate by the board.”; and Title 92, *Nebraska Administrative Code*, Chapter 27 (effective date: November 12, 2003), Section 004.03C (“the educator: Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety”); Section 004.03D (“the educator: Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student”); Section 004.04F (“the educator: Shall, with reasonable diligence, attend to the duties of his or her professional position”); Section 005.02B2 (“Each teacher . . . shall: Adhere to and enforce written and dated administrative policy of the school which has been communicated to the teacher or special services provider”); Section 005.06D (“The educator shall: Develop and maintain positive standards of conduct”); and Section 005.09D (“Educators shall possess effective human and interpersonal relations skills and therefore: Shall provide leadership and direction for others by appropriate example”).

8. By a preponderance of the evidence, just cause exists pursuant to Neb. Rev. Stat. § 79-866(2) to revoke the Respondent's teaching certificate for a period of three years.

9. Therefore, the Nebraska public Standard administrative certificate of Ryan Shanle, number 20220008058, endorsed as Principal PK-8, Middle Level Education 5-9, Middle Level Education/Social Sciences 5-9, and Health & Physical; Education 5-9, with an expiration date of August 31, 2027, shall be revoked for a period of three (3) years from and after the date of this order. The State Board further orders that Respondent

shall submit evidence of continued sobriety, successful treatment, and continued participation in groups to support his sobriety for the entire period of revocation prior to any reinstatement of his certificate.

Dated this 3rd day of April, 2024.

STATE BOARD OF EDUCATION

BY: 
Elizabeth J. Tegtmeier, President

The vote by the State Board of Education to approve the Final Order in Case No. 24-05, on March 28, 2024, was 6 in favor, _____ against, _____ abstaining, and 2 absent. Individual State Board members voted as follows:

IN FAVOR: E. Tegtmeier, L. Fricke, S. Jones, P. Gubbels, K. Penner, P. Koch Johns

AGAINST: _____

ABSTAINING: _____

ABSENT: D. Neary, J. Morrison

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Final Order was served upon Respondent, Ryan Shanle, 15941 Marinda Circle, Omaha, NE 68130, by regular U.S. Mail; Kelly Muthersbaugh, Clerk, Nebraska Professional Practices Commission, 301 Centennial Mall South, Lower Level, Lincoln, NE 68509, via interoffice mail; and upon Tamra L. Walz, General Counsel, Nebraska Department of Education, 500 S. 84th Street, 2nd Floor, Lincoln, NE 68510-2611, via interoffice mail, all on this 5th day of April, 2024.

A handwritten signature in blue ink, appearing to read "David B. O'Connell", is written over a horizontal line.

49-3503-30