

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

Matthew L. Blomstedt, Ph.D.)	NDE Case No. 23-25
Commissioner of Education)	
500 S. 84 th Street, 2 nd Floor)	
P.O. Box 94933)	
Lincoln, NE 68509-4933,)	
)	
Petitioner,)	FINAL ORDER
)	
v.)	
)	
Garrett Stricklin)	
2319 San Marino Road)	
Sidney, NE 69162,)	
)	
Respondent.)	

This matter came before the State Board of Education (“State Board”), Lincoln, Nebraska, on September 27, 2023, upon the recommendation of the Nebraska Professional Practices Commission (“NPPC”) that the public Nebraska Initial teaching certificate of the Respondent, Garrett Stricklin, 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 was Tamra L. Walz, General Counsel, on behalf of the Commissioner of Education. NPPC Clerk Kelly Muthersbaugh appeared and provided a summary of the NPPC’s recommendation in this matter. The Respondent appeared on his own behalf.

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 Matthew L. Blomstedt, Ph.D., Commissioner of Education, P.O. Box 94933, Lincoln, NE 68509-4933;

3. The Respondent is Garrett Stricklin, 2319 San Marino Road, Sidney, NE 69162;

4. The Respondent holds a public Nebraska Initial teaching certificate number 2019008021, endorsed in Physical Education PK-12, with an expiration date of August 31, 2024;

5. The Respondent was employed as a teacher by the Potter-Dix Schools beginning with the 2019-2020 school year;

6. On or about February 25, 2022, during physical education class, the Respondent chased a student, grabbed the student by the sweatshirt hood, threw the student to the ground, and kicked the student twice in the chest. The Respondent's actions violated school policy;

7. On February 28, 2022, the Respondent submitted his resignation which was accepted by the Potter-Dix School Board on March 15, 2022;

8. On August 16, 2022, pursuant to a plea agreement, the Respondent plead guilty to Disturbing the Peace in the Kimball County Court, and was sentenced to six months' probation, fifty hours of community service, and assessed a fine and court costs;


9. 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."; Title 92, *Nebraska Administrative Code*, Chapter 27, Section 004.03C (effective date: November 12, 2003) ("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 (same effective date) ("the educator: Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student"); Section 005.02B2 (same effective date) ("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 005.06A (same effective date) ("The educator shall: Resolve discipline problems in accordance with law, school board policy, and administrative regulations and policies"); Section 005.06D (same effective date) ("The educator shall: Develop and maintain positive standards of conduct"); and Section 005.10C (same effective date) ("each educator . . . shall: Appropriately control his or her emotions");

9. By a preponderance of the evidence, just cause exists pursuant to Neb. Rev. Stat. § 79-866(2) (2014) to revoke the Respondent's teaching certificate for a period of three years; and

10. The public Nebraska Initial teaching certificate of Garrett Stricklin, number 2019008021, endorsed in Physical Education PK-12, with an expiration date of August 31, 2024, shall be revoked for a period of three years from and after the date of this order. Respondent is fully advised that he will be required to submit evidence of receiving anger management counseling prior to any reinstatement of his teaching certificate.

Dated this 29th day of September, 2023.

STATE BOARD OF EDUCATION

BY: 
Patti Gubbels, President

The vote by the State Board of Education to approve the Final Order in Case No. 23-25, on September 27, 2023, was 5 in favor, 1 against, abstaining, and 2 absent. Individual State Board members voted as follows:

IN FAVOR: L. Fricke, S. Jones, P. Gubbels, D. Neary, K. Penner

AGAINST: P. Koch Johns

ABSTAINING: _____

ABSENT: J. Morrison, E. Tegtmeier

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Final Order was served upon Respondent, Garrett Stricklin, 2319 San Marino Road, Sidney, NE 69162, by regular U.S. Mail; Kelly Muthersbaugh, NPPC Clerk, 301 Centennial Mall South, Lower Level, Lincoln, NE 68509, via interoffice mail; and 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 29th day of September, 2023.



49-3346-30