

BEFORE THE STATE BOARD OF EDUCATION
STATE OF NEBRASKA

Deborah A. Frison, Ed.D.)	NDE Case No. 23-27
Dep. Commissioner of Education)	
500 S. 84 th Street, 2 nd Floor)	
P.O. Box 94933)	
Lincoln, NE 68509-4933,)	
)	
Petitioner,)	FINAL ORDER
)	(CORRECTED)
v.)	
)	
Brandon Watson)	
1340 Patterson Drive)	
Lincoln, NE 68522,)	
)	
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 Standard teaching certificate of the Respondent, Brandon Watson, be suspended for a period of one year. 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 Deborah A. Frison, Ed.D., Deputy Commissioner of Education, 500 S. 84th Street, 2nd Floor, P.O. Box 94933, Lincoln, NE 68509;
3. The Respondent is Brandon Watson, 1340 Patterson Drive, Lincoln, NE 68522;
4. The Respondent holds a public Nebraska Standard teaching certificate number 20220000736, endorsed in Music PK-12, with an expiration date of August 31, 2027;
5. The Respondent was employed by the Seward Public Schools as a middle school band teacher beginning with the 2020-2021 school year;
6. Beginning on or about August 12, 2022, the Respondent did not adhere to the terms of his contract with Seward Public Schools for the 2022-2023 school year;
7. The Respondent has violated Neb. Rev. Stat. § 79-821 (2014), which states, in pertinent part: “Upon presentation of proof that any teacher . . . has, without just cause, violated or abrogated his or her contract with a school district in the state, the State Board of Education shall suspend the certificate of such teacher . . . for a period of not more than one calendar year after a hearing has been held at a time and place fixed by the board and of which notice has been given to the person whose certificate is sought to be suspended by either registered or certified mail at least ten days prior to the hearing.”; 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 004.06C (effective date: November 12, 2003) (“the educator: Shall give prompt notice to the employer of any change in availability of service”); 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”); and Section 007 (same effective date) (“Educators shall adhere fully to the terms of a contract or appointment.”);

8. By a preponderance of the evidence, just cause exists pursuant to Neb. Rev. Stat. § 79-866(2) (2014) to suspend the Respondent's certificate for a period of one year; and

9. The public Nebraska Standard teaching certificate of Brandon Watson, number 20220000736 endorsed in Music PK-12, with an expiration date of August 31, 2027, shall be suspended for a period of one year beginning September 27, 2023.

Dated this 10th day of October, 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. 23-27, on September 27, 2023, was 6 in favor, against, abstaining, and 2 absent. Individual State Board members voted as follows:

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

AGAINST: _____

ABSTAINING: _____

ABSENT: E. Tegtmeier, J. Morrison

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Final Order (Corrected) was served upon the Respondent, Brandon Watson, 1340 Patterson Drive, Lincoln, NE 68522, 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 10th day of October, 2023.

