

**State Board of Education Work Session and Business Meeting**

August 4-5, 2016  
State Board Meeting Room  
State Office Building  
Lincoln, Nebraska

**State Board of Education Work Session**

**1. CALL TO ORDER**

- 1.1. Roll Call - Attendance taken at 1:31 p.m.

Present Board Members:

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

Commissioner Blomstedt was also present.

- 1.2. President Wise announced the placement of the Open Meetings Act information

**2. BOARD REPORTS, DATES AND DISCUSSIONS ITEMS**

- 2.1. Board Members shared their opportunities to participate in conferences and joint meetings with policy partners.
- 2.2. Discussion of requests for meeting attendance will be held later in the meeting.
- 2.3. Monthly Board Travel Expense Report was provided.

**3. COMMISSIONER'S REPORT AND AGENDA OVERVIEW**

- 3.1. Commissioner Blomstedt reminded Board Members of the Consent Agenda process.
- 3.2. Commissioner Blomstedt reviewed the Report on Rules.
- 3.3. Kathy Kennedy (KLK Consulting) and Sue Anderson, Department of Education representative, presented the Priority School Plans drafts for Druid Hill Elementary

School, Loup County Elementary School, and Santee Middle School. Three Levers were designed for each plan to include Communication, Student and Staff Culture, and Instructional Leadership

At 2:30 p.m., President Wise called for a break. The meeting resumed at 2:37 p.m.

3.4. There was no report on Board Priorities and Policy Research

#### **4. DISCUSSION OF ACTION ITEMS**

4.1. Board Members will be asked to take separate action on the three priority school plans. Board Members expressed gratefulness and appreciation for the work of the Department, the schools, and Kathy Kennedy and Sue Anderson.

4.2. Deputy Commissioner Frison discussed with the Board the contracts with KKK Consulting to assist Priority Schools.

4.3. Commissioner Blomstedt discussed with the Board a contract with Educational Service Unit No. 1 for an instructional coach for Santee Community Schools.

4.4. Commissioner Blomstedt and Bryce Wilson, Department of Education representative, updated the Board on the proposed revisions to Rule 4 (92 NAC 4), Regulations for Textbook Loans to Children Enrolled in Private Schools in Nebraska.

4.5. Melody Hobson, Department of Education representative, discussed a new contract with Virginia Janning for training and coaching services to several school district prekindergarten programs.

4.6. Melody Hobson, Department of Education representative, discussed public school districts and Educational Service Units that have established prekindergarten programs in accordance with the provisions of Rule 11 (92 NAC 11), Early Childhood Education Programs

4.7. Dean Folkers, Department of Education representative, discussed a contract with ESUCC.

4.8. Rich Katt, Department of Education representative, discussed a contract with Charmain Satee to provide technical assistance to school districts and Community Colleges to increase gender enrollment in Career Education courses.

## **5. COMMITTEE REPORTS AND OTHER ITEMS FOR DISCUSSION**

### **5.1. AQuESTT**

### **5.2. TEACHING AND LEARNING REPORTS**

Maureen Nickels, Chair of the Teaching and Learning Domain of AQuESTT, reported on the meeting of the Domain.

#### **5.2.A. Assessment Tenet Report**

Jeremy Heneger, Valorie Foy, Department of Education representatives, reported on the meeting of the Assessment Tenet Committee.

President Wise called for a break at 3:47 p.m. The meeting resumed at 3:55 p.m.

### **5.3. STUDENT SUCCESS AND ACCESS REPORTS**

Molly O'Holleran, Chair of the Student Success and Access Domain, reported on the meeting of the Domain.

### **5.4. DATA AND CONTINUOUS IMPROVEMENT REPORT**

5.4.A. Commissioner Blomstedt reported on the work of the Data and Continuous Improvement study group. Recommendations will be provided to the Board at the September meeting regarding the course for Evidence Based Assessment (EBA).

### **5.5. FINANCE COMMITTEE REPORT**

John Witzel, Chair, reported on the meeting of the Finance Committee.

#### **5.5.A. Audit Presentation**

Bryce Wilson and Shane Rhian, Department of Education representatives, discussed the draft of the State Audit Report. The Board will take action to accept the Audit Report in September.

The Board expressed appreciation for the work of the Department Finance team.

#### **5.5.B. Biennium Budget Presentation**

Bryce Wilson and Shane Rhian, Department of Education representatives, presented the Biennium Budget to the Board. Board members are invited to contact Bryce or Shane with questions.

## **5.6. STRATEGIC PLANNING REPORT**

Commissioner Blomstedt, President Wise, and Donlynn Rice, Department of Education representative, discussed the work of the Strategic Planning Committee. The Board will meet with FSG at the September meeting.

## **5.7. POLICY**

5.7.1. Patricia Timm, Chair, reported on the meeting of the Policy Committee.

## **5.8. LEGISLATION**

5.8.1. Lillie Larsen, Chair, reported on the meeting of the Legislative Committee.

Deputy Commissioner Halstead reported on the status of the Every Student Succeeds Act (ESSA) proposed regulations.

## **6. ADJOURNMENT**

There being no further action to come before the Board, President Wise adjourned the Work Session at 4:43 p.m.

### **[State Board of Education Meeting Agenda - August 05, 2016 9:00 AM](#)**

#### **1. CALL TO ORDER**

1.1. Roll Call - Attendance Taken at 9:01 AM:

Present Board Members:

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

Commissioner Blomstedt was also present.

1.2. President Wise led the Pledge of Allegiance.

- 1.3. President Wise announced the placement of the Open Meetings Act information.

## 2. APPROVAL OF THE MINUTES

- 2.1. **Motion Passed:** Approval of the minutes of the June 2-3, 2016, State Board of Education meeting as published passed with a motion by Patrick McPherson and a second by Lillie Larsen.

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

## 3. APPROVAL OF AGENDA

- 3.1. **Motion Passed:** Approval of the Agenda with a notice that a Special Presentation on Dyslexia will be moved to immediately following Public Comment passed with a motion by Patricia Timm and a second by Patrick McPherson.

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

## 4. PUBLIC COMMENT PERIOD

- 4.1. REQUEST FOR APPEARANCE

- 4.1.A. Roberta Chilcoat spoke on matters relating to employment at a Vocational Rehabilitation field office,

- 4.2. OTHER PUBLIC COMMENT - None

## 9. SPECIAL PRESENTATIONS AND DISCUSSIONS

- 9.1. Follow-Up on Administrators' Days Session, Dyslexia: What Educators Need to Know

Gwelda Carlson, Treasurer, of the Nebraska Dyslexia Association, presented on Dyslexia and provided a handout.

## 5. HEARINGS

### 5.1. Hearing in NDE Case No. 16-10, Commissioner v. Jeffrey Daugherty

A hearing was held in the above case beginning at 9:45 a.m. Kathy Vontz, a representative of the Professional Practices Commission, presented the recommendation of the Commission to permanently revoke the Nebraska certificate of the Respondent.

Brian Halstead, on behalf of the Commissioner of Education, appeared in support of the Commission's recommendation to permanently revoke the Nebraska certificate of the Respondent.

The Respondent was not present nor represented by counsel.

President Wise closed the hearing at 9:47 a.m.

### 5.2. Hearing in NDE Case No. 16-11, Commissioner v. Johnathan Shafer

A request from the Respondent for a continuance of the hearing was presented to the Board.

**Motion Passed:** Motion to deny the request for continuance passed with a motion by Lillie Larsen and a second by Maureen Nickels.

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

A hearing was held in the above case beginning at 9:48 a.m.

Kathy Vontz, a representative of the Professional Practices Commission, presented the recommendation of the Commission to permanently revoke the Nebraska certificate of the Respondent.

Brian Halstead, on behalf of the Commissioner of Education, appeared in support of the Commission's recommendation to permanently revoke the Nebraska certificate of the Respondent. Mr. Halstead indicated that the Respondent had numerous opportunities to participate in the proceedings and received copies of all documents.

The Respondent was not present nor represented by counsel.

President Wise closed the hearing at 9:52 a.m.

5.3. Hearing in NDE Case No. 16-12, Commissioner v. Bryan Black

A hearing was held in the above case beginning at 9:53 a.m.

Kathy Vontz, a representative of the Professional Practices Commission, presented the recommendation of the Commission to permanently revoke the Nebraska certificate of the Respondent.

Brian Halstead, on behalf of the Commissioner of Education, appeared in support of the Commission's recommendation to permanently revoke the Nebraska certificate of the Respondent.

The Respondent was not present nor represented by counsel.

President Wise closed the hearing at 9:56 a.m.

5.4. Hearing in NDE Case No. 16-13 Commissioner v. David Perilo

A hearing was held in the above case beginning at 9:56 a.m.

Kathy Vontz, a representative of the Professional Practices Commission, presented the recommendation of the Commission to revoke the Nebraska certificate of the Respondent for a period of five years at which time the Respondent may apply for reinstatement of his certificate.

Brian Halstead, on behalf of the Commissioner of Education, appeared in support of the Commission's recommendation of a 5-year revocation and to satisfy all terms and conditions of the court system to address the issue.

The Respondent was present and provided testimony regarding his addition.

President Wise closed the hearing at 10:06 a.m.

5.5. Hearing in NDE Case No. 16-14 Commissioner v. Patrick O'Boyle

A hearing was held in the above case beginning at 10:06 a.m.

Kathy Vontz, a representative of the Professional Practices Commission, presented the recommendation of the Commission to revoke the Nebraska certificate of the Respondent for a period of five (5) years.

Brian Halstead, on behalf of the Commissioner of Education, appeared in support of the Commission's recommendation to revoke the Nebraska certificate of the Respondent.

The Respondent was not present nor represented by counsel.

President Wise closed the hearing at 10:10 a.m.

**6. EXECUTIVE SESSION**

**Motion Passed:** Motion to move into Executive Session to deliberate and receive advice from Legal Counsel on contested cases at 10:11 a.m. passed with a motion by Lillie Larsen and a second by John Witzel.

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

At 10:11 a.m., the Board moved into Executive Session.

**Motion Passed:** Motion to adjourn Executive Session and return to the regular meeting of the Board at 10:26 a.m. passed with a motion by Lillie Larsen and a second by John Witzel.

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



The Board returned to the regular meeting at 10:26 a.m.

## 7. ACTION ITEMS

- 7.1. **Motion Passed:** In Commissioner v. Jeffrey Daugherty, NDE Case No. 16-10, 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 Patrick McPherson.

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

- 7.2. **Motion Passed:** In Commissioner v. Johnathan Shafer, NDE Case No. 16-11, 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 certificates, and to adopt the Final Order proposed by Legal Counsel, passed with a motion by Patrick McPherson and a second by Lillie Larsen.

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

- 7.3. **Motion Passed:** In Commissioner v. Bryan Black, NDE Case No. 16-12, 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 John Witzel.

|                   |     |
|-------------------|-----|
| Glen Flint        | Yes |
| Lillie Larsen     | Yes |
| Patrick McPherson | Yes |

|                  |     |
|------------------|-----|
| Maureen Nickels  | Yes |
| Molly O'Holleran | Yes |
| Patricia Timm    | Yes |
| Rachel Wise      | Yes |
| John Witzel      | Yes |

- 7.4. **Motion Passed:** I move in Commissioner v. David Perilo, NDE Case No. 16-13, 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, and to adopt the Final Order proposed by Legal Counsel, passed with a motion by Molly O'Holleran and a second by Maureen Nickels.

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

- 7.5. **Motion Passed:** In Commissioner v. Patrick O'Boyle, NDE Case No. 16-14, 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, and to adopt the Final Order proposed by Legal Counsel, passed with a motion by Maureen Nickels and a second by Patrick McPherson.

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

President Wise called for a break at 10:31 a.m. The meeting resumed at 10:42 a.m.

- 7.6. **Motion Passed:** Grant the Commissioner the authority to approve the progress plan for Druid Hill Elementary (Omaha Public School District) in accordance with the provisions of Rule 10 (92 NAC 10), Regulations and Procedures for the Accreditation of Schools, Section 010.02D3, passed with a motion by John Witzel and a second by Patricia Timm.

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

- 7.7. Motion Passed:** Grant the Commissioner the authority to approve the progress plan for Loup County Elementary (Loup County Public School District) in accordance with the provisions of Rule 10 (92 NAC 10), Regulations and Procedures for the Accreditation of Schools, Section 010.02D3 passed with a motion by John Witzel and a second by Patricia Timm.

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

- 7.8. Motion Passed:** Grant the Commissioner the authority to approve the progress plan for Santee Middle School (Santee Community School District) in accordance with the provisions of Rule 10 (92 NAC 10), Regulations and Procedures for the Accreditation of Schools, Section 010.02D3 passed with a motion by John Witzel and a second by Patricia Timm.

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

- 7.9. Motion Passed:** To authorize the Commissioner to enter into contracts with KLK Consulting to assist priority schools passed with a motion by Molly O'Holleran and a second by Patricia Timm.

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

- 7.10. Motion Passed:** Authorize the Commissioner to enter into a contract with Educational Service Unit No. 1 for an instructional coach for a priority school passed with a motion by Patricia Timm and a second by Molly O'Holleran.

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

- 7.11. Motion Passed:** Adopt proposed revisions to Rule 4 (92 NAC 4), Regulations for Textbook Loans to Children Enrolled in Private Schools in Nebraska passed with a motion by Patrick McPherson and a second by Glen Flint.

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

- 7.12. Motion Passed:** Grant the Commissioner the authority to approve a contract with Virginia Janning for training and coaching services to several school district prekindergarten programs passed with a motion by Patricia Timm and a second by Lillie Larsen.

|                   |     |
|-------------------|-----|
| Glen Flint        | Yes |
| Lillie Larsen     | Yes |
| Patrick McPherson | Yes |
| Maureen Nickels   | Yes |
| Molly O'Holleran  | Yes |

|               |     |
|---------------|-----|
| Patricia Timm | Yes |
| Rachel Wise   | Yes |
| John Witzel   | Yes |

- 7.13. Motion Passed:** Grant the Commissioner the authority to approve public school districts and educational service units that have established prekindergarten programs in accordance with the provisions of Rule 11 (92 NAC 11), Early Childhood Education Programs passed with a motion by John Witzel and a second by Molly O'Holleran.

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

- 7.14. Motion Passed:** Grant the Commissioner the authority to approve the contract for ESUCC passed with a motion by Maureen Nickels and a second by Patricia Timm.

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

- 7.15. Motion Passed:** Grant the Commissioner the authority to contract with Charmain Satee to provide technical assistance to school districts and Community Colleges to increase gender enrollment in Career Education courses passed with a motion by Patricia Timm and a second by Maureen Nickels.

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

**8. APPROVAL OF CONSENT AGENDA**

**Motion Passed:** Approve as presented passed with a motion by Patricia Timm and a second by Lillie Larsen.

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

**9. SPECIAL PRESENTATIONS AND DISCUSSIONS**

9.2. Commissioner Blomstedt presented his Annual Report to the State Board of Education

**10. BOARD REPORTS, DATES AND DISCUSSION ITEMS**

10.1. Meeting participation

**Motion Passed:** Approve the requested travel passed with a motion by Patricia Timm and a second by Maureen Nickels.

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

10.2. Board members were reminded to review the Monthly Board Travel Expense Report.

**12. ADJOURNMENT** - President Wise adjourned the meeting at 11:26 a.m.

The next regularly scheduled meeting of the State Board of Education will be held on Friday, September 2, 2016 at 9:00 a.m. A work session will be held on Thursday, September 1, 2016 at 2:30 p.m. Both meetings will be held at the Nebraska State Office Building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509.