

State Board of Education Work Session Meeting
May 4, 2017 2:00 p.m.
State Board Meeting Room, State Office Building, Lincoln, Nebraska
[Link to Agenda and Attachments](#)
[Link to Video of Meeting](#)

Publicized notice of the work session and business meeting was given by posting notice on the Department's website; emailed to news media requesting notification, and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time, and location of the meeting.

1. CALL TO ORDER

1.1. Roll Call - Attendance Taken at 2:00 p.m.

Present Board Members:

Patricia Timm
Rachel Wise
Maureen Nickels
Patrick McPherson
John Witzel
Lisa Fricke
Patsy Koch Johns
Molly O'Holleran

Commissioner Blomstedt was also present.

1.2. President Timm announced the placement of the **Open Meetings Act information.**

2. BOARD REPORTS, DATES AND DISCUSSIONS ITEMS

2.1. Meeting participation and joint meetings with policy partners

State Board Members discussed participation in the ESSA Stakeholder Engagement meetings in Omaha; AQuESTT Conference in Kearney, NETA Conference in Omaha; Omaha Virtual Schools; the NASB Sesquicentennial celebration in Lincoln; and other events attended during April.

2.2. Discuss requests for meeting attendance

State Board Members requested approval for upcoming events in May including the NCE Conference in June and Administrator's Days in Kearney in July.

2.3. Monthly Board Travel Expense Report

State Board Members were directed to review the Monthly Board Travel Expense Report. There was no discussion.

3. COMMISSIONER'S REPORT AND AGENDA OVERVIEW

3.1. Consent Agenda process

Commissioner Blomstedt explained the process for items on the Consent Agenda.

3.2. Report on Rules

Commissioner Blomstedt noted that Rules 21 and 1 were awaiting approval as indicated on the provided report. Rules 19 and 24 have moved on to review by the Secretary of State/Governor.

3.3. Board Priorities and Policy Research

Donlynn Rice, Department of Education representative, reported on attendance by Patsy Koch Johns and Lisa Fricke at the NASBE New Board Member conference; announcing Ryan Foor will begin transitioning to the Commissioner's Office to work with the State Board; and encouraged Board members to share their notes and ideas from the Retreat held prior to the Work Session.

3.3.A. NASBE Call for Nominations 2018 Board of Directors and 2017 Annual Awards

Donlynn Rice, Department of Education representative, discussed NASBE's annual award nominations and the process for submission.

3.4. Quarterly Report/Update from the 2017 Nebraska Teacher of the Year

Amber Vlasnik, Nebraska 2017 Teacher of the Year, provided a review of activities she's participated in since October, 2016.

4. STANDING COMMITTEE REPORTS

4.1. AQuESTT - Teaching and Learning Domain Committee

Maureen Nickels, Chair of the Teaching and Learning Domain, summarized the Committee discussions held prior to the Work Session. Her report included the following topics:

4.1.A. College, Career, and Civic Ready

4.1.A.1. Discussion Item: Presentation of a proposed draft of Nebraska's College and Career Ready Standards for Science

Cory Epler and Sarah Cooper, Department of Education representatives, discussed the status of the revisions to the science standards. This included the topics of reducing remediation courses and the development process for standards. Board Members discussed encouraging parental involvement and community engagement and possibly adding a "student" category.

4.1.B. Assessment

4.1.B.1. Action Item: Authorize the Commissioner to contract with ACT for 2017-2018 Assessment for Grade 11

Valorie Foy and Jeremy Heneger, Department of Education representatives, reviewed the process and contract for administration of the ACT test for the 2017-18 school year.

Chair Maureen Nickels announced the Committee's recommendation to approve the contract with ACT.

4.1.B.2. Action Item: Authorize the Commissioner to contract with Data Recognition Corporation (DRC) for 2017-2018 for alternate assessment for Grades 3-8 and 11

Valorie Foy and Jeremy Heneger, Department of Education representatives, explained the process and contract for alternate assessment.

Chair Maureen Nickels announced the Committee's recommendation to approve the contract with DRC.

4.1.B.3. Action Item: Authorize the Commissioner to contract with Northwest Evaluation Association (NWEA) for 2017-2018 for assessment for Grades 3-8

Valorie Foy and Jeremy Heneger provided background information on NWEA and the contract for Grades 3-8 assessments.

Chair Maureen Nickels announced the Committee's recommendation to approve the contract with NWEA.

4.1.B.4. Action Item: Grant the Commissioner the authority to amend a contract with ACS Ventures for standard setting and independent alignment

Valorie Foy and Jeremy Heneger provided information on the amendments to the contract with ACS Ventures regarding standards setting and independent alignment.

Chair Maureen Nickels announced the Committee's recommendation to approve the amendment to the contract with ACS Ventures.

President Timm called for a break at 4:40 p.m. The meeting resumed at 4:48 p.m.

4.2. AQuESTT - Student Success and Access Domain Committee

Molly O'Holleran, Chair of the Student Success and Access Domain, summarized the Committee discussions held prior to the Work Session. Her report included the following topics:

4.2.A. Positive Partnerships, Relationships and Student Success

4.2.A.1. Action Item: Approve the classification of Interim-Program Schools as approved to operate for the 2017-2018 School Year under NDE Rule 18

Freida Lange, Department of Education representative, discussed the assurance statements required for interim programs for compliance with Rule 18.

Chair Molly O'Holleran announced the Committee's recommendation to approve the classification of Interim Program Schools.

4.2.A.2. Action Item: Approve accreditation for the Educational Service Units appearing on the accompanying list for the 2017-2018 school year in accordance with the provisions of NDE Rule 84

Freida Lange, Department of Education representative, discussed the accreditation of the ESUs for 2017-2018 for compliance with Rule 18. Freida Lange explained the school visit process for accreditation.

Chair Molly O'Holleran announced the Committee's recommendation to approve the accreditation of ESUs.

4.2.B. Transitions

4.2.B.1. Action Item: Grant the Commissioner the authority to approve funding recommendations for Two-Year Opportunity Grants funded by the Expanded Learning Opportunity Grant Program

Jan Handa, Department of Education of Education representative, reviewed the slate of grants recommended for funding from lottery funds for 21st community learning centers.

Chair Molly O'Holleran announced the Committee's recommendation to approve the funding recommendations.

4.2.C. Educational Opportunities and Access

4.2.C.1. Discussion Item: Discuss the 21st Century Community Learning Center (CCLC) 2015-16 Report

Jan Handa and Jolene Johnson, University of Nebraska Medical Center, informed the Board on the work of the 21st Century Community Learning Centers.

4.3. Policy Committee

4.3.A. Action Item: Approve proposed revisions to State Board Policy B13, Agendas/Meeting Material for Regular Meetings

Patricia Timm, Chair of the Policy Committee, shared the discussions of the Committee concerning updating Board Policy B13 to align with Policy D6 regarding raising the Board approval requirement for contracts from \$25,000 to \$50,000.

Chair Patricia Timm announced the Committee's recommendation to approve the proposed revisions.

4.3.B. Action Item: Approve proposed revisions to State Board Policy G21, Policy for Coordinated School Health

Patricia Timm, Chair of the Policy Committee, shared the discussions of the Committee concerning proposed revisions to Board Policy G21 relating to coordinated school health to align with the Comprehensive plan for Whole Child Model.

Chair Patricia Timm announced the Committee's recommendation to approve the proposed revisions.

4.3.C. Consent Item: Reaffirm State Board Policy G20, Model Policy to Prevent Dating Violence

Chair Patricia Timm announced the Committee's recommendation to reaffirm the policy.

President Timm announced the placement of Items 4.4 Legislative Committee and 4.5 Strategic Planning, Performance and Improvement Committee, on the business agenda of the Board to be held Friday, May 5, 2017.

4.6. Budget and Finance Committee

4.6.A. Discussion Item: Authorize the Commissioner to renew a contract with MTW Solutions, LLC (MTW) for services and continuing support for the Nebraska Department of Education (NDE) Grants Management System (GMS) for the period July 1, 2017 through June 30, 2018

Shane Rhian, Department of Education representative, recommended extending the contract with MTW one more year and, at the end of that one year, to issue a Request for Information for other contract options.

4.6.B. Discussion Item: Quarterly Appropriation Status Report

Bryce Wilson and Shane Rhian, Department of Education representatives, reported on the status of the quarterly appropriation.

4.6.C. Action Item: Authorize the Commissioner to approve an I.T. Contract for the Disability Determinations Section

Bryce Wilson, Shane Rhian, and Mark Schultz, shared information on the I.T. Contract for Disability Determinations Section. The contract is to continue services provided by DDS with retired employee for a one contract period .

John Witzel, Chair, recommended approval of the I.T. Contract.

5. ADJOURNMENT - President Timm adjourned the Work Session at 5:30 p.m.

State Board of Education Meeting Minutes
May 5, 2017 9:00 a.m.
State Board Meeting Room State Office Building
301 Centennial Mall South Lincoln, Nebraska

1. CALL TO ORDER - Attendance Taken at 9:00 AM:

Present Board Members:

Patricia Timm
Rachel Wise
Maureen Nickels
Patrick McPherson
Molly O'Holleran
John Witzel
Lisa Fricke
Patsy Koch Johns

Commissioner Blomstedt was also present.

1.2. Pledge of Allegiance

President Timm led the Pledge of Allegiance.

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

President Timm announced the placement of the Open Meetings Act.

2. APPROVAL OF THE MINUTES

2.1. Motion Passed: Approval of the minutes of the April 6-7, 2017 State Board of Education meeting as published passed with a motion by John Witzel and a second by Pat McPherson.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

3. APPROVAL OF AGENDA

3.1. The Commissioner recommended the following changes to the Agenda:

- Moving Work Session Items 4.4, Legislative Committee, to Action Item 7.5, Legislative Committee
- Adding Work Session Item 4.5, Strategic Planning, Performance and Improvement Committee as Action Item 7.7, Strategic Planning
- Adding Retreat Item 8, Themes for Future Work, as Action Item 7.8
- Adding Retreat Item 9, Totaling the NASBE Scorecard, as Action Item 7.9

Motion Passed: Approval of the Agenda with the Commissioner recommendations passed with a motion by Patrick McPherson and a second by Molly O'Holleran.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

4. PUBLIC COMMENT PERIOD

4.1. Request for Appearance (NONE)

4.2. Other Public Comment

- Gina Miller, parent from Omaha, Nebraska, spoke in opposition to LB 651.
- Jay Sears, Nebraska State Education Association (NSEA), spoke to LB 651; appreciation of Board member attendance at the 150th anniversary celebration of NSEA; encouraging NSEA members to take part in the survey of ESSA plan; and support of the Board action concerning Assessment contracts.
- Rachel Pinkerton, LEAP, parent, spoke to science standards and opposition to LB 651.
- Deb Andrews, parent, speaking in opposition to LB 651.

President Timm called for a break at 9:23 a.m.. The meeting resumed at 9:35 a.m.

5. HEARINGS

5.1. Hearing in NDE Case No. 17-01, Commissioner v. Anthony Koester

President Timm called the hearing to order at 10:06 a.m. in the above matter. Kelly Muthersbaugh, representing the Nebraska Professional Practices Commission offered the recommendation to suspend the Respondent's certificate for a period of one year.

Brian Halstead, appearing on behalf of the Petitioner, supported the recommendation for a one-year suspension of Respondent's certificate.

The Respondent was not present nor represented by counsel.

President Timm closed the hearing at 10:08 a.m.

5.2. Hearing in NDE Case No. 17-02, Commissioner v. Christopher Burke

President Timm called the hearing to order at 10:08 a.m. in the above matter. Kelly Muthersbaugh, representing the Nebraska Professional Practices Commission offered the recommendation to revoke the Respondent's certificate for a period of five years.

Brian Halstead, appearing on behalf of the Petitioner, supported the recommendation for a five-year revocation of Respondent's certificate.

The Respondent was not present nor represented by counsel.

President Timm closed the hearing at 10:11 a.m.

5.3. Hearing in NDE Case No. 17-03, Commissioner v. Dwain Borchers

President Timm called the hearing to order at 10:11 a.m. in the above matter. Kelly Muthersbaugh, representing the Nebraska Professional Practices Commission offered the recommendation to revoke the Respondent's certificate for a period of two years.

Brian Halstead, appearing on behalf of the Petitioner, supported the recommendation for a two-year revocation of Respondent's certificate.

The Respondent was not present nor represented by counsel.

President Timm closed the hearing at 10:13 a.m.

6. EXECUTIVE SESSION

Motion Passed: To move into Executive Session at 10:15 a.m. to deliberate and receive advice from legal counsel on contested cases passed with a motion by John Witzel and a second by Molly O'Holleran.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

Motion Passed: To adjourn the Executive Session of the Board at 10:35 a.m. and return to the Business Meeting passed with a motion by Patsy Koch Johns and a second by Maureen Nickels.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7. ACTION ITEMS

7.1.A. Motion Passed: In Commissioner v. Anthony Koester, NDE Case No. 17-01, that this Board reject the Recommendation of the Nebraska Professional Practices Commission suspending Respondent's teaching certificate for one year. This rejection is based on the question relative to Mr. Koester's leave of absence request and the sufficiency of the record presented passed with a motion by Rachel Wise and a second by Patrick McPherson.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes

John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.1.B. Motion Passed: In Commissioner v. Christopher Burke, NDE Case No. 17-02, 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 John Witzel and a second by Maureen Nickels.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.1.C. Motion Passed: In Commissioner v. Dwain Borchers, NDE Case No. 17-03, 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 two years, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Maureen Nickels and a second by Patsy Koch Johns.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.2. AQuESTT - Teaching and Learning Domain Committee

7.2.A.1. Motion Passed: To authorize the Commissioner to contract with ACT for 2017-2018 Assessment for Grade 11 passed with a motion by Maureen Nickels and a second by Lisa Fricke.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.2.A.2. Motion Passed: To authorize the Commissioner to contract with Data Recognition Corporation (DRC) for 2017-2018 for alternate assessment for Grades 3-8 and 11 passed with a motion by Maureen Nickels and a second by Patsy Koch Johns.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.2.A.3. Motion Passed: To authorize the Commissioner to contract with Northwest Evaluation Association (NWEA) for 2017-2018 for assessment for Grades 3-8 passed with a motion by Maureen Nickels and a second by Lisa Fricke.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.2.A.4. Motion Passed: To authorize the Commissioner to amend a contract with ACS Ventures for standard setting and independent alignment passed with a motion by Maureen Nickels and a second by Rachel Wise.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.3. AQuESTT - Student Success and Access Domain Committee

7.3.A.1. Motion Passed: To approve the classification of Interim-Program Schools as approved to operate for the 2017-2018 School Year under Rule 18 (92 NAC 18), Regulations and Procedures for the Approval of Interim-Program Schools in County Detention Homes, Institutions and Juvenile Emergency Shelters passed with a motion by Molly O'Holleran and a second by Patrick McPherson.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.3.A.2. Motion Passed: To approve accreditation for the Educational Service Units appearing on the accompanying list for the 2017-2018 school year in accordance with the provisions of Rule 84 (92 NAC 84), Regulations for Educational Service Units passed with a motion by Molly O'Holleran and a second by Patsy Koch Johns.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.3.B.1. Motion Passed: To authorize the Commissioner to approve funding recommendations for Two-Year Opportunity Grants funded by the Expanded Learning Opportunity Grant Program passed with a motion by Molly O'Holleran and a second by John Witzel.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.4. Policy Committee

7.4.A. Motion Passed: To approve proposed revisions to State Board Policy B13, Agendas/Meeting Material for Regular Meetings passed with a motion by Patsy Koch Johns and a second by Rachel Wise.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.4.B. Motion Passed: To approve proposed revisions to State Board Policy G21, Policy for Coordinated School Health, with amendment of adding a cross-reference to 79-712 R.R.S. passed with a motion by Molly O'Holleran and a second by Lisa Fricke.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.5. Legislative Committee

7.5.A. Review 2017 Proposed State Legislation and Take Action on Board Positions

Brian Halstead, Department of Education representative, provided an update on the mainline budget bill. He also provided updates on LB 512, LB 415, LB 595, and LB 651 as outlined in the provided report.

Deputy Commissioner Halstead reported on the Federal resolution for funding.

No action was taken by the Board.

7.6. Budget and Finance Committee

7.6.A. Motion Passed: To authorize the Commissioner to approve an I.T. contract for the Disability Determinations Section passed with a motion by John Witzel and a second by Patrick McPherson.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

7.7. Strategic Planning, Performance and Improvement Committee (Carried forward from Work Session Item 4.5)

Commissioner Blomstedt gave a presentation regarding AQuESTT and the process for supporting schools and students to reach goals. He noted the importance of stakeholder engagement and the opportunity for direction from the strategic plan.

8. APPROVAL OF CONSENT AGENDA

8.1. Identify items for separate vote (NONE)

8.2. Motion Passed: To approve the consent agenda as presented passed with a motion by Rachel Wise and a second by John Witzel.

Patricia Timm	Yes
Rachel Wise	Yes
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

9. SPECIAL PRESENTATIONS AND DISCUSSIONS (NONE)

10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

10.1. Meeting participation

Motion Passed: Motion to approve meeting participation passed with a motion by John Witzel and a second by Patrick McPherson.

Patricia Timm	Yes
Rachel Wise	Absent
Maureen Nickels	Yes
Patrick McPherson	Yes
Molly O'Holleran	Yes
John Witzel	Yes
Lisa Fricke	Yes
Patsy Koch Johns	Yes

12. ADJOURNMENT

There being no further business to come before the Board, President Timm adjourned the business meeting at 11:16 a.m.

A work session will be held on Thursday, June 1, 2017, at 2:00 p.m. and a Board meeting will be held on Friday, June 2, 2017, at 9:00 a.m. at the Nebraska Department of Education State Board Meeting Room.