

## State Board of Education Business Meeting

Friday, April 2, 2021

Courtyard Lincoln Downtown/Haymarket, Scarlet Meeting Room, 808 R St, Lincoln, NE 68508

[Link to Agenda and Attachments](#)

[Link to Video of Meeting](#)

Publicized notice of the 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.

### STATE BOARD OF EDUCATION MEETING, Friday, April 2, 2021, 9:00 AM.

#### 1. CALL TO ORDER – President Maureen Nickels called the meeting to order at 9:06 a.m.

##### 1.1 Roll Call

Roll Call showed the following attendance:

Maureen Nickels	Patti Gubbels	Deborah Neary
Robin Stevens	Patsy Koch Johns	Lisa Fricke
Jacquelyn Morrison	Patricia Timm	

Commissioner Blomstedt was also in attendance.

##### 1.2 President Nickels led the Pledge of Allegiance.

##### 1.3 President Nickels announced the placement of the Open Meetings Act.

##### 1.4 COVID-19 Meeting Protocol

Commissioner Blomstedt shared information on the COVID-19 Meeting Protocol.

#### 4. SPECIAL PRESENTATIONS AND DISCUSSIONS

##### 4.1 2021 Nebraska Teacher of the Year, Paul Timm, Lyons-Decatur Northeast Public Schools, Lyons, Nebraska Quarterly Report

Paul Timm, 7-12<sup>th</sup> grade Science at Lyons-Decatur Northeast, provided an update on the activities he has been involved with as Teacher of the Year.

#### 2. PUBLIC COMMENT PERIOD

##### 2.1 Request for 10-Minute Special Appearance

##### 2.1.A. Nebraska Catholic Conference Response to Health Standards Draft I

Jeremy Ekeler, Associate Director of Education Policy, spoke against the Human Growth and Development portion of the Health Standards first draft.

##### 2.1.B. To provide input on the draft standards that will create the framework for health education in Nebraska from the perspective of a public health professional, educator, a faith leader and a parent.

Darryl Brown Jr., pastor of the Kingdom Builders Christian Center of Omaha and testing specialist at the Nebraska AIDS Project, spoke in favor of the Health Education Standards.

2.2 Public Comment (5 Minutes)

President Nickels asked for a motion that speakers would each get three minutes to speak considering the number of speakers present, ensuring that all who are wanting to speak are given the opportunity.

In accordance with the Board Bylaw B9, I move to approve that each member of the public having three minutes to speak during the Public Comment Period failed with a motion by Patsy Koch Johns, second by Patti Gubbels.

Lisa Fricke:	Nay
Patsy Koch Johns:	Nay
Deborah Neary:	Nay
Maureen Nickels:	Nay
Robin Stevens:	Nay
Patricia Timm:	Nay
Patti Gubbels:	Nay
Jacquelyn Morrison:	Yea

In accordance with the Board Bylaw B9, I move to approve limiting the Public Comment Period on Health Education Standards to two minutes per individual failed a motion by Patsy Koch Johns, second by Patti Gubbels.

Lisa Fricke:	Nay
Patsy Koch Johns:	Nay
Deborah Neary:	Nay
Maureen Nickels:	Nay
Robin Stevens:	Nay
Patricia Timm:	Nay
Patti Gubbels:	Nay
Jacquelyn Morrison:	Yea

In accordance with the Board Bylaw B9, I move to approve limiting the Public Comment Period on Health Education Standards to two minutes per individual and close the availability to sign up to speak beyond that has been ended at 10:04 a.m. passed with a motion by Jacquelyn Morrison, second by Patricia Timm.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Yea
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Patti Gubbels:	Yea
Jacquelyn Morrison:	Yea

The following individuals from the public are speaking on the Educator Preparation Programs in the state:

Sara Skretta – Certification Officer at the University of Nebraska-Lincoln, spoke about the educator preparation programs.

Jenni Jansky – Certification Officer at the University of Nebraska-Kearney and a Certification Officer at the Nebraska Association of Colleges for Teacher Education (NACTE), provided background on the group and an update from last month's meeting.

The following individuals from the public are speaking in support of the health standards: Tessa Blome, Daemon Donigan, Adam Downs, Jamie Gould, Taylor Haenggi, Julane Hill, Harper King, Kandra King, Keegan Korf, Jenna Lopez, Christon Mactaggart, Erica Mays, Debra McKnight, Wyatt Morse, Rachel Pinkerton, Sara Rips, Rachel West.

The following individuals from the public are speaking in opposition of the health standards: Brenda Anderson, Maris Bentley, Eric Black, Fanchon Blythe, Mark Bonkiewicz, Sarah Brewer, Christina Campbell, Tanessa Conkey, Sandy Danek, Calvin Davis, Mike Davis, Gwen Easter, Charlene Edmundson on behalf of Barbara Gaard, Paul Ehernberger, Jerry Ficke, Allie French, Chris Hassebroek, Rachel Heeren, Marni Hodgen, Kathy Holkeboer, Brittany Holtmeyer, Rhonda Horner-Bohaty, Ginger Jelinek, Euphemia Jennings, Leah Johnson, Stephanie Johnson, Eric Jones, Doug Kagan, Gerald Kershby, Danyelle Kleinschmit, Julie Kleinschmit, Laurie Kohmetscher, Valerie Lackey, Jim Lange, Kelly Larsen, Lori Lowry, Melissa McClanahan, Stephani McKee, Chrystal Meduna, Colleen Michels, Steve Michels, William Mickle II, Dr. Michael Patestas, Bob Pettigrew, Andrea Price, Barb Ramsey, Steve Ray, Loreen Reynante, Sara Rolf, Gail Rule, Mark Rule, Sara Sanford, Virginia Shipp, Christina St. Hilaire, Justin Thiel, Bill Tielke, Kent Whitacre, Blake Winter, Doug Wittmann, Jacob Wyrriick, Ron Zimmer.

### 2.3. Written Public Comment

Submitted written public comments are linked in Board Agenda item number 2.3, documents Written Public Comment 04-02-2021 Document 1, Written Public Comment 04-02-2021 Document 2, Written Public Comment 04-02-2021 Document 3 and Written Public Comment 04-02-2021 Document 4.

President Nickels called for a break at 1:43 p.m. The meeting resumed at 2:24 p.m.

## 3. COMMISSIONER'S REPORT

### 3.1. Agenda Overview and Consent Agenda Process

3.1.A. No agenda items were requested for removal.

### 3.2. Report on Rules

Commissioner Blomstedt reviewed the report and there were currently no rules pending any action.

### 3.3. Board Operations Information

Ryan Foor, Department of Education representative, spoke on the amended Board expense policy that was amended in March and asked Board members to review that policy as expenses are submitted for April.

3.4. Every Student Succeeds Act (ESSA) Plan Update and Schools Designated for Support

Dr. Shirley Vargas and Lane Carr, Department of Education Representatives, presented on Every Student Succeeds Act Plan Update and Schools Designated for Support.

**5. PRESIDENT’S REPORT**

President Maureen Nickels spoke to each of the Board members and thanked them for the dedication in responding to emails and phone calls.

**6. CONSENT AGENDA**

Approval of the Consent Agenda passed with a motion by Patti Gubbels, second by Patricia Timm.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Yea
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Patti Gubbels:	Yea
Jacquelyn Morrison:	Yea

**7. STANDING COMMITTEE REPORTS**

7.6. **Budget and Finance Committee** – Patricia Timm, Chair, reported on the Committee meeting. The Committee reviewed three consent agenda items related to contracts with Vivayic, Inc for CTE program work, UNL for a study on the impacts of COVID-19 and allowing the Commissioner to obligate funds from the Federal Preschool Development Grant. No issues or concerns were noted.

The Committee reviewed the Monthly Board Travel Expense noting it was still very low since most meetings and conferences continue to be held virtually, although that is beginning to change with NRCSA being held in person last week.

The Committee reviewed in-state travel authorization with no issues or concerns being voiced.

7.6.A. Monthly Board Travel Expense Report

There was no further discussion on this item.

7.6.B. In-State Travel Authorization Reports

There was no further discussion on this item.

7.1. **Policy Committee** –Patricia Timm, Chair, reported on the Committee meeting.

The reaffirmation of State Board Position Statement S9, *Model Policy to Prevent Dating Violence*, with minor revisions of inserting the words “school district” before “administration” in the last paragraph.

Nebraska statute 79-2,141 requires NDE to adopt a model dating violence policy. That law remains unchanged since its passage in 2009 before this policy was adopted. Therefore, the Committee

recommends reaffirmation of this position statement at today's business meeting with two minor additions mentioned.

The Committee discussed the concept of the reorganization of the Board bylaws, policies, and position statements. The discussion evolved around a draft of how the bylaws and policies could be reorganized, while leaving the position statements and/or "model policies" separate and not a part of the State Board Manual.

State Board Bylaw B12, *Policy Development*, is up for review and the Committee will use this as an opportunity for more clarity about the process of restructuring the State Board Policy Manual. The process of this restructuring will most likely be unhurried and allow a well thought out process by this Committee until the Committee is comfortable to carry forward a formal recommendation to the full Board.

The Committee began their four-year review of State Board Bylaw B10, *Hearing Officers*.

7.1.A. Reaffirm State Board Position Statement S9, *Model Policy to Prevent Dating Violence* passed with a motion by Patricia Timm, second by Lisa Fricke.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Yea
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea
Patti Gubbels:	Yea
Jacquelyn Morrison:	Yea

7.1.B. Restructuring of State Board Policy Manual

There was no further discussion on this item.

7.1.C. State Board Bylaw B12, *Policy Development*

There was no further discussion on this item.

7.2. **Legislative Committee** – Robin Stevens, Chair, reported on the Committee meeting.

The Committee reviewed Bills Before the 107<sup>th</sup> Legislature.

The Committee held weekly conference calls with the Commissioner and NDE Staff while Nebraska Legislature has been conducting hearings on Bills.

The meetings have included discussion on Bills heard by the Education Committee and submitted letters or NDE Staff testifying as a proponent on Bills introduced that the Board has designated.

The Committee asked questions and discussed the status of some of the Bills on the attached document. The Commissioner will review additional information and visit with Deputy Commissioner Halstead regarding LB 338. LB 338 will be added to the document, "to be monitored." The document discussed in Committee will be attached to the April 2, 2021 Board Meeting Agenda.

7.2.A. Review 2021 Proposed State Legislation and Act on Board Positions

Board members discussed NDE Bill positions and priority status.

- 7.3. **Commissioner's Appraisal Committee** – Maureen Nickels, Chair, reported on the Committee meeting.

The Committee finalized preparations for the Commissioner's performance evaluation for 2020-21. Board members will receive the link to the electronic appraisal April 5, 2021 and will have two weeks to complete it. As was done last year, written guidance will be provided to assist with navigation.

The Board will receive a report of the appraisal results on or about April 23, 2021 and will discuss the Commissioner's performance at the May Board meeting. The Board will act on the Commissioner's contract at the June meeting.

- 7.4. **AQuESTT Teaching, Learning and Serving Domain Committee** – Lisa Fricke, Chair, reported on the Committee meeting.

The Committee recommends approval of Nonpublic schools under Rule 14.

The Committee discussed the health education standards process. The Committee reviewed the purposes of the standards and reviewed data from the Nebraska Youth Risk Behavior Survey. The purpose of health education standards is to help guide schools in the adoption of local standards and ultimately students gain knowledge and skills so they can avoid or reduce health-related risk behaviors. School districts and school systems are not required to adopt the state standards for health education.

The Committee recognizes the immense amount of public input and interest in this topic, particularly related to the *Human Growth and Development* strand. Currently there are approaching 4,000 individual responses to the survey and several thousand additional emails and communications largely focused on a singular strand of the first draft.

The Committee recommends the NDE begin to analyze the public input received through the public input survey and the standards input email. The Committee requests there to be a preliminary report identifying themes based on the input process. The Committee recommends that a revision process follow which addresses the themes identified and address concerns raised thus far that will lead to a second public draft this summer.

The Committee also recommends that the Board have a discussion today with the Commissioner relative to the recommendation to proceed with the standards process, including specific areas and/or standards for which the Board has received feedback, and that the Commissioner outline a plan following this meeting to share with the Board.

- 7.4.A. Approve the Nonpublic schools appearing on the accompanying list to operate for the 2021-2022 school year under Rule 14 (92 NAC 14), *Regulations & Procedures for the Legal Operation of Approved Nonpublic Schools* passed with a motion by Lisa Fricke, second by Patti Gubbels.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Yea
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Yea

Patti Gubbels: Yea  
Jacquelyn Morrison: Yea

#### 7.4.B. Nebraska Health Education Standards

Board members discussed their thoughts on the Nebraska Health Education Standards and stated that this was the first draft. The Board thanked the public for the communications received, survey results and everyone who came to speak during Public Comment.

#### 7.5. **AQuESTT Student Success, Access and Support Domain Committee** – Patsy Koch Johns, Chair, reported on the Committee meeting.

The first item was on Leading for Equity and Excellence Program (LEEP) State Policy Network. The Committee discussed the progress work of developing The NDE equity policy. The Committee will meet this month to review examples of equity polices, update current statements including the Human Dignity and Nondiscrimination and combine all these statements in one document.

The Committee also discussed the teacher waivers request for ESU 13. The Committee recommended to continue to work with ESU 13. The office of Early Childhood will work with ESU 13 to provide technical assistance and support where they can. ESU 13's request for waivers will be brought to the State Board in June for approval.

##### 7.5.A. Leading for Equity and Excellence Program (LEEP)

There was no further discussion on this item.

##### 7.5.B. Discussion of the Waiver request for ESU 13

There was no further discussion on this item.

#### 7.7. **Strategic Planning, Performance and Improvement Committee** – Deborah Neary, Chair, reported that the Committee did not meet.

### 8. ADDITIONAL BUSINESS

None

### 9. SPECIAL PRESENTATIONS AND DISCUSSIONS

None

### 10. INFORMATION ITEMS AND REPORTS

10.1. President Nickels referred Board Members to review information items and reports.

### 11. ADJOURNMENT

President Nickels adjourned the meeting at 3:44 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, May 7, 2021, at 9:00 a.m. at a location to be determined.