

State Board of Education Business Meeting

Thursday-Friday, August 5-6, 2021

Nebraska Innovation Campus (NIC) Banquet Hall, 2021 Transformation Drive, Lincoln, 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 and emailed to news media requesting notification, which gave the date, time, and location of the meeting.

STATE BOARD OF EDUCATION MEETING, Thursday, August 5, 2021, 1:30 PM.

1. CALL TO ORDER – President Maureen Nickels called the meeting to order at 1:34 p.m.

1.1 Roll Call

Roll Call showed the following attendance:

Maureen Nickels

Patti Gubbels

Robin Stevens

Patsy Koch Johns

Lisa Fricke

Jacquelyn Morrison

Patricia Timm

Deborah Neary

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.

2. COMMISSIONER'S REPORT

2.1 Agenda Overview and Consent Agenda Process

2.1.A. No agenda items were requested for removal. Commissioner Blomstedt shared that the overall agenda is a bit different today in order to focus on public comment tomorrow.

2.2 Report on Rules

Title 92, Nebraska Administrative Code, Chapter 1 and Title 92, Nebraska Administrative Code, Chapter 2 are with the Attorney General awaiting approval

Title 92, Nebraska Administrative Code, Chapter 24 is before the State Board for approval at the August Board Meeting.

2.3 Board Operations Information

No Report

3. SPECIAL PRESENTATIONS AND DISCUSSIONS

- 3.1. 2021 Nebraska Teacher of the Year, Paul Timm, Science Teacher, Lyons-Decatur Northeast Public Schools, Lyons, Nebraska, Quarterly Report

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

4. PRESIDENT'S REPORT

President Maureen Nickels thanked the NDE Staff at the NDE Day -Administrator Days. The NDE Staff and Writing Team are bringing forward a Health Standards Draft 2.

Executive Session

Motion to move into Executive Session at 1:47 p.m. to receive advice from General Counsel concerning the Attorney General's letter received by the Commissioner yesterday title "RE: File No. 21-M-117; Nebraska State Board of Education; Multiple Complainants" and the conduct of Public Comment at State Board meetings passed with a motion by Patsy Koch Johns, 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

At 2:00 p.m., the Board moved into Executive Session to receive legal advice from General Counsel on the Attorney General's letter.

Motion to adjourn Executive Session at 3:12 p.m. passed with a motion by Patsy Koch Johns, 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

5. STANDING COMMITTEE REPORTS

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

The Committee on Policy met via ZOOM on August 3 and reports that the Committee has three action items and recommend the full State Board approve same:

State Board Bylaw B10, *Hearing Officers* – Proposed revisions include language to specify hearing officers are to be licensed attorneys in the State of Nebraska.

State Board Bylaw B8, *Parliamentary Procedures/Rules of Order* – Proposed revision include language added in the cross-reference section; otherwise, bylaw stays the same at this time.

State Board Bylaw B15, *Board Minutes* – Proposed revisions include language added to specify when the requirement for minutes applies and its lack of applicability in quasi-judicial settings.

The Committee discussed, as part of the scheduled four-year review, State Board Internal Policies P5, *Contracts, Grants and Purchases* and P11, *Data Access and Use*.

The Committee continues discussion of the reorganization of the State Board Policy Reference Manual and believes that a full State Board discussion, possibly in a retreat setting, be scheduled for input regarding the proposed reorganization.

- 5.1.A. Approve proposed revisions to State Board Bylaw B10, *Hearing Officers* passed with a motion by Patricia Timm, second by Jacquelyn Morrison.

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

- 5.1.B. Approve proposed revisions to State Board Bylaw B8, *Parliamentary Procedures/Rules of Order* passed with a motion by Patricia Timm, 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

- 5.1.C. Approve proposed revisions to State Board Bylaw B15, *Board Minutes* 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

5.1.D. Discussion Item: Four-year review of State Board Internal Policy P5, *Grants and Purchases*

The Board discussed contract and grant limits that should be added to the Consent Agenda. Currently, the Commissioner can approve contracts up to \$50,000, but lists of all Department contracts are provided to the Board.

5.1.E. Discussion Item: Four-year review of State Board Internal Policy P11, *Date Access and Use*.

There was no further discussion on this item.

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

The Committee reports on one action item, revisions to the State Board Legislative and Regulatory Priorities, and are bringing forward for Board approval.

Brian Halstead, Department of Education representative, provided that the NDE Day presentation PowerPoint is located on the NDE Day webpage.

5.2.A. Adopt revisions to the State Board Legislative and Regulatory Priorities Document passed with a motion by Robin Stevens, second by Deborah Neary.

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

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

The Committee did not meet this month.

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

The Committee on Teaching, Learning and Serving reports on two action items and three discussion items.

The Committee reviewed the list of submissions of Affidavit of Closure of Attendance Centers and recommends approval of this item today.

Second, the Committee reviewed the proposed revisions to Rule 24, *Regulations for Certificate Endorsements* and recommends approval of this item today.

In terms of discussion items, the Committee received information from NDE staff on the English Language Arts standards revision process, the Health Education standards process, and the timeline for the approval, accreditation, and accountability rule adoption timeline. The Health Education standards is on the agenda for tomorrow for discussion and the other two items are on today's agenda for discussion by the Board.

- 5.4.A. Accept the list of submission of Affidavit of Closure of Attendance Centers 2020-2021 filed under the waiver provisions contained in State Statute 79-213 R.R.S. 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

- 5.4.B. Adopt proposed revisions to Rule 24 (92 NAC 24), *Regulations for Certificate Endorsements* 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

- 5.4.C. Discussion Item: Nebraska's College & Career Ready Standards for English Language Arts (ELA)

Cory Epler and Marissa Payzant, Department of Education representatives, provided a report on the Nebraska College and Career Ready Standards for English Language Arts process.

- 5.4.D. Discussion Item: Approval, Accreditation, and Accountability Rules timeline

Brad Dirksen, Department of Education representative, provided a timeline on the Approval, Accreditation and Accountability Rules.

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

The Committee on AQuESTT Student Success, Access and Support domain met on August 5, 2021, and had the following action items:

- Authorize the Commissioner to create the Mental Health Support Grant to address mental health needs of students and staff across Nebraska.
- Approve Rule 11 teacher waiver request for Deshler Public Schools and approve annual operation of the early childhood program for the named school district.
- Approve the renewal of the Rule 11 teacher waiver for Ainsworth Community Schools and approve annual operation of the early childhood program for the named school district.

There was one discussion item on Leading for Equity and Excellence Program (LEEP) State Policy Network. The Committee was reminded to provide feedback on Nondiscrimination statement, Human Dignity statement and the first draft of the equity policy.

The Committee had two update items. The first item was in regard to revising Coordinated School Health Policy. The Committee had a great discussion and provided feedback to improve the revision.

The Committee also discussed the possibility of inviting Dr. Helan Fagan to provide a professional development workshop on implicit bias to the Board Members. Dr. Fagan will be contacted to schedule this workshop. The Committee will coordinate with the Board President to offer this workshop for the whole Board.

The Committee discussed the Nondiscrimination statement and Human Dignity statement. The Committee suggested reconsidering the purpose of these statements before developing or revising them. The Committee should ask the following questions:

- What are measurables we should look out 4 years from now?
- What are things to implement and be successful?
- How were they successful going into the last one?
- What brought about changes?
- What do we need as a state to implement?

5.5.A. Authorize the Commissioner to create the Mental Health Support Grant to address mental health needs of students and staff across Nebraska passed with a motion by Patsy Koch Johns, 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

5.5.B. Approve Rule 11 teacher waiver request for Deshler Public Schools and approve annual operation of the early childhood program for the named school district passed with a motion by Patsy Koch, second by Deborah Neary

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

Jacquelyn Morrison left the meeting at 4:42 p.m. She returned at 4:45 p.m.

5.5.C. Approve the renewal of the Rule 11 teacher waiver for Ainsworth Community Schools and approve annual operation of the early childhood program for the named school district passed with a motion by Patsy Koch Johns, 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

5.5.D. Leading for Equity and Excellence Program (LEEP)

There was no further discussion on this item.

- 5.6 **Budget and Finance Committee** –Patricia Timm, Chair, reported on the Committee meeting. The Committee discussed and sought further information on each of the consent agenda items including the costs and benefits of memberships in National organizations.

The Committee reviewed and was in support of all consent agenda items.

The Committee reviewed the Monthly Board travel expenses and had no concerns.

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

5.6.A. Monthly Board Travel Expense Report

There was no further discussion on this item.

5.6.B. In-State Travel Authorization Reports

There was no further discussion on this item.

- 5.7 **Strategic Planning, Performance and Improvement Committee** – Deborah Neary, Chair, reported on the Committee meeting.

No report. The Committee did not meet this month.

6 ADDITIONAL BUSINESS

- 6.1 In accordance with Board Policy B9, potential action by the Board on public comment time limits for Friday, August 6, 2021

Pursuant to Board Policy B9, I move to limit public comment to two minutes per person at the Friday, August 6, 2021, meeting and to conclude no later than 2:30 p.m. The Board will take a 45-minute lunch break announced at a time prior to recessing passed with a motion by Jacquelyn Morrison, 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 INFORMATION ITEMS AND REPORTS

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

8 GOOD OF THE ORDER

Jacquelyn Morrison raised the topic of a Board Retreat for further discussion among the Board.

President Nickels reminded the Board about the Area NASB meetings and if any are attending, please RSVP.

President Nickels also reminded the Board about the NASBE Conference that will be held virtually in October.

9 ADJOURNMENT

President Nickels adjourned the meeting at 4:53 p.m.

The State Board of Education will reconvene Friday, August 6, 2021, at 9:00 a.m. at Nebraska Innovation Campus (NIC) Banquet Hall, 2021 Transformation Drive, Lincoln, 68508.

STATE BOARD BUSINESS MEETING, FRIDAY, AUGUST 6, 2021, 9:00 a.m.

1. **CALL TO ORDER** – President Maureen Nickels called the meeting to order at 9:05 a.m.

1.1 Roll Call

Roll Call showed the following attendance:

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

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.

2. CONSENT AGENDA

Approval of the Consent Agenda passed with a motion by Patsy Koch Johns, 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

3. PUBLIC COMMENT PERIOD

3.1 The following individuals from the public spoke in support of the Board adopting health standards, but in opposition to Draft 2: Aiden Whalen, Ana Reiff, Andrew Aleman, Anjali Jayan, Chelsea Lemburg, Chris Cole, Darryl Brown Jr., Eric Reiter, Helena Moray, Isaak Burnett, Isabel Salas, Jamie Gould, Jo Giles, Jodie Morgenson, Joselyn (Josie) Hayko, Karen Bell-Dancy, Karen Schrader, Kathleen Brandert, Kendall Bartling, Lily Castellan, Luke Peterson, Madeline Walker, Marshall Johnson, Michala Atkins, Morgan Ryan, Ruby Kinzie, Ryleigh Welsh, Stephanie Bondi, Kim Salas

The following individuals from the public spoke in support of health standards generally or in support of Draft1 and the inclusion of comprehensive sex education component: Ashely Schmidt, Ava Nichter, Ava Whalen, Bria Gilmore, Emily Huyck, Gina Frank, Jill Brown, Judy King, Lauren Melancon, Megan Hunt, Reece Haith, Melanie Covonado Amaya

The following individuals from the public spoke in opposition of health standards: Allie French, Amber Parker, Amy Wilson, Angie Klein, Ben Stangl, Beth Hiatt, Brad Richter, Cheryl Haakenson, Christina St. Hilaire, Cindy Guthrie, Courtney Farmer, Dallas Asher, Dan Scheer, Deb Fisbeck, Dorothy Renter, Dr. Linda Burkle, Dwane Rauscher (also addressed masks, COVID, Sexual Orientation), Elizabeth Tegtmeier, Erin Neuheisel, Fanchon Blythe, Gerald Kershner, Gwen Easter, Heather Hall, Jane Kinsey, Janece VanWinkle, Janet Johnson, Jenna Derr, Jennifer Hicks, Jennifer Thomas, Jessica Baldwin, Judy Derr, Julie Sheldon, Justin Riddle, Justin Thiel, Kami Riley, Kathleen Kauth, Kathy Holkeboer, Katie McClemens, Kelli Brady, Kirby Wilson, Kristal Davis, Laura Rauscher, Linda Carney, Liz Davids, Marge Kershner, Mark Bonkiewicz, Mark Gill, Marni Hodgen, Nancy Stahla, Oscar Blomstedt, Paula Crozier, Peg Fong, Ravynn Moran, Reggan Simons, Rock Stahla, Ronald Brester, Sam Schlegel, Sara Freeouf, Scott Klein, Sherry Jones (also addressed bullying and changes to Rule 10 and Rule 14), Stephanie Johnson, Susi Wilkinson, Warren Crozier, Alexa Thiel

Deborah Neary left the meeting at 11:10 a.m. She returned at 11:12 a.m.

Jacquelyn Morrison left the meeting at 11:08 a.m. She returned at 11:13 a.m.

President Nickels called for a break at 12:25 p.m. The meeting resumed at 1:10 p.m.

3.2 Written Public Comment

Submitted written public comments are linked through SPARQ in Board Agenda item number 3.1, documents SBOE Written Public Comment August 2021 – Google Forms and Senator Geist letter to the State Board of Education.

President Nickels called for a break at 2:16 p.m. The meeting resumed at 2:34 p.m.

Patricia Timm left the meeting at 2:15 p.m.

4. DISCUSSION OF HEALTH STANDARDS

4.1 Discussion Item: Nebraska Health Education Standards Process

Board Members discussed their thoughts on the Nebraska Health Education Standards, the Standards Process and the public comments received at today's meeting.

5. ADJOURNMENT

President Nickels adjourned the meeting at 4:02 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, September 3, 2021, at 9 a.m. at a location to be determined.