

State Board of Education Business Meeting

Thursday-Friday, September 2-3, 2021

Embassy Suites by Hilton Omaha – LaVista/Hotel & Conference Center, Windsor V,
12520 Westport Pkwy, LaVista, NE 68128

[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, September 2, 2021, 2:30 PM.

1. CALL TO ORDER – President Maureen Nickels called the meeting to order at 2:39 p.m.

1.1 Roll Call

Roll Call showed the following attendance:

Maureen Nickels

Patti Gubbels

Robin Stevens

Patsy Koch Johns

Lisa Fricke

Deborah Neary

Absent: Patricia Timm and Jacquelyn Morrison

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

Commissioner Blomstedt shared that this is Scott Summers, NDE Representative, last Board Meeting.

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

2.2 Report on Rules

Title 92, Nebraska Administrative Code, Chapter 24 is with the Attorney General awaiting approval.

Title 92, Nebraska Administrative Code, Chapter 1 and Title 92, Nebraska Administrative Code, Chapter 2 are with the Governor awaiting approval.

2.3 Board Operations Information

Ryan Foor, NDE Representative, shared that Board Members will receive information for expense reimbursement training next week.

The October Board Meeting conflicts with the National Association of State Boards of Education (NASBE) Virtual Meeting. A different schedule for Committee meetings will take place in October.

3. SPECIAL PRESENTATIONS AND DISCUSSIONS

(NONE)

4. PRESIDENT'S REPORT

President Maureen Nickels noted that the NASBE Annual Conference conflicts with the October Board Meeting.

Dr. Rachel Wise, former NDE State Board Member, received the NASBE 2021 Distinguished Service Award. This is the highest honor for a State Board Member to receive.

Patti Gubbels, NDE State Board Member, was elected to be on the NASBE Board of Directors to represent new members.

5. STANDING COMMITTEE REPORTS

5.1. **Policy Committee** – Patti Gubbels on behalf of Patricia Timm, Chair, reported on the Committee meeting.

The Committee continues the conversation of the reorganization of the State Board Policy Reference Manual and believes that a full State Board discussion in a retreat setting would be best to gain input regarding the proposed reorganization.

Two General Board Position Statements S5, *Expanded Learning Opportunities* and S11, *Position Statement for Nebraska Digital Education* are set to expire 10/6/2021. The Committee agreed that these two statements are antiquated and suggest that these be allowed to sunset and new restructured statement(s) be written.

Discussion of Board Policies, P5, *Contracts, Grants and Purchases* and P11, *Data Access and Use* will be scheduled for the Committee's October meeting.

Also, next month the Committee will begin the scheduled four-year review of B20, *Board Membership in Associations* and P7, *Teaching Certificates*.

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

The Board discussed contract and grant amounts that require Board approval. 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.

Legislative Committee – No report. The Committee did not meet this month.

Commissioner's Appraisal Committee – No report. The Committee did not meet this month.

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

The Committee on Teaching, Learning and Serving reports on three action items. The Committee reports on three potential action items. The Committee recommends approval of the College and Career Ready Standards for English Language Arts. Additionally, the Committee recommends the Board suspend the process on the proposed Accountability, Accreditation, and Approval rules. Both items are on the agenda for proposed action today.

Regarding the Statement on Health Education Standards, the Committee has proposed a revised draft and plans to meet again at 5:00 p.m. today for further discussion. The Committee may propose additional drafts later this afternoon for the Board's consideration. The Committee recommends the Board adopt the Statement on Health Education Standards at the Friday Board meeting.

5.4.A. Approve the Nebraska's College & Career Ready Standards for English Language Arts passed with a motion by Lisa Fricke, second by Patsy Koch Johns.

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

5.4.B. Suspend the process on the proposed Accountability, Accreditation and Approval rules 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:	Absent
Patti Gubbels:	Yea
Jacquelyn Morrison:	Absent

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 September 2, 2021, and had two action items to approve the renewal of the Rule 11 waiver request from ESU#3 and Santee Community Schools, the Committee recommended the approval of these items.

5.5.A. Approve the Rule 11 teacher waiver request for Educational Service Unit #3 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: Absent
Patti Gubbels: Yea
Jacquelyn Morrison: Absent

- 5.5.B. Approve Rule 11 teacher waiver request for Santee Community Schools passed with a motion by Patsy Koch, second by Robin Stevens.

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

- 5.5.C. Leading for Equity and Excellence Program (LEEP)

There was no further discussion on this item.

- 5.6 **Budget and Finance Committee** – Patti Gubbels on behalf Patricia Timm, Chair, reported on the Committee meeting. The Committee discussed in further detail and asked questions about each of the three consent agenda items with NDE staff answering the Committee’s questions by providing additional information. The Committee was in support of all three consent agenda items reviewed.

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** – 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 a maximum of three (3) hours, where each person may address the Board for up to two (2) minutes, at the Friday, September 3, 2021, meeting. The Board may take a 45-minute lunch break during such time announced at a time prior to recessing, with this break not included in the three-hour time limit; motion made by Maureen Nickels, second by Patsy Koch Johns.

Board Members discussed the main motion.

1. Motion to amend the main motion by striking “a maximum of three (3) hours and with this break not included in the three (3) hour time limit,” and insert the words “to end by 4:00 p.m.” in the place of the three (3) hour limit passed with a motion by Deborah Neary, second by Lisa Fricke.

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

2. The Board voted on the motion as amended:
Pursuant to Board Policy B9, I move to limit public comment to end by 4:00 p.m. where each person may address the Board for up to two minutes at the Friday, September 3, 2021, meeting. The Board may take a 45-minute lunch break announced at a time prior to recessing. Motion passed.

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

7 INFORMATION ITEMS AND REPORTS

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

8 GOOD OF THE ORDER

9 ADJOURNMENT

President Nickels adjourned the meeting at 3:21 p.m.

The State Board of Education will reconvene Friday, September 3, 2021, at 9:00 a.m. at Embassy Suites by Hilton Omaha – LaVista/Hotel & Conference Center, Windsor V, 12520 Westport Pkwy, LaVista, NE 68128.

STATE BOARD BUSINESS MEETING, FRIDAY, SEPTEMBER 3, 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
Deborah Neary		

Absent: 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.

2. CONSENT AGENDA

Approval of the Consent Agenda passed with a motion by Robin Stevens, second by Lisa Fricke.

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

3. AQuESTT TEACHING, LEARNING AND SERVING DOMAIN COMMITTEE

3.1 Statement on Health Education Standards

I move the State Board of Education hereby postpones the development of Health Education Standards. The State Board of Education received substantial input on the draft Health Education Standards and recognizes that now is not the time to continue the process. Furthermore, the Covid-19 Pandemic has placed varied demands on school districts, parents and families and communities. The intent of the State Board of Education is to determine the most appropriate time to address Health Education Standards after taking into consideration the state of the pandemic; the needs of children, schools, and communities; and the readiness of local school stakeholders. The decision to continue the process of developing Health Education Standards must be supported by a majority vote of the State Board of Education. Motion made by Lisa Fricke, second by Patsy Koch Johns.

Board Member discussion followed.

Jacquelyn Morrison left the meeting at 9:24 a.m. Morrison returned at 9:25 a.m.

1. Jacquelyn Morrison made a motion to refer the statement back to the Committee for further discussion, second by Deborah Neary.
2. Robin Stevens asked if it was appropriate to convene to executive session.

President Nickels reported that Legal Counsel advised against convening to executive session. Legal Counsel further advised against executive session.

3. Motion to take a five-minute recess passed with a motion by Robin Stevens, second by Jacquelyn Morrison.

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

The recess began at 9:41 a.m. The meeting resumed at 9:46 a.m.

Patti Gubbels returned at 9:47 a.m.

4. President Nickels called for further discussion on the motion to refer.

Board Member discussion continued for the motion to refer. The Board voted on the motion to refer

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

The Motion to refer failed.

5. President Nickels asked Lisa Fricke to restate the main motion. President Nickels asked for further discussion on the main motion.

Board Member discussion continued for the main motion.

6. Patti Gubbels asked questions on the process to call for vote.

Ryan Foor, NDE Representative, recommended the motion to use is move the previous question.

Patti Gubbels moved the previous question, second by Robin Stevens.

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

Motion required a 2/3 vote and failed.

7. Debate continued on the main motion.

President Nickels asked Commissioner Blomstedt to read the first line of State Board Bylaw B6, *Agendas/Meeting Materials for Regular Meetings* to clarify how Board Members can request agenda items.

8. Robin Stevens moved the previous question, second by Patsy Koch Johns.

Lisa Fricke:	Yea
Patsy Koch Johns:	Yea
Deborah Neary:	Nay
Maureen Nickels:	Yea
Robin Stevens:	Yea
Patricia Timm:	Absent
Patti Gubbels:	Yea
Jacquelyn Morrison:	No

Debate ceased on the main motion.

President Nickels asked Lisa Fricke to reread the main motion (restated below):

I move the State Board of Education hereby postpones the development of Health Education Standards. The State Board of Education received substantial input on the draft Health Education Standards and recognizes that now is not the time to continue the process. Furthermore, the Covid-19 Pandemic has placed varied demands on school districts, parents and families and communities. The intent of the State Board of Education is to determine the most appropriate time to address Health Education Standards after taking into consideration the state of the pandemic; the needs of children, schools, and communities; and the readiness of local school stakeholders. The decision to continue the process of developing Health Education Standards must be supported by a majority vote of the State Board of Education.

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

The motion passed.

President Nickels called for a break at 10:19 a.m. The meeting resumed at 10:31 a.m.

4. PUBLIC COMMENT PERIOD

The following individuals from the public spoke regarding Board Member Deborah Neary's emails recommending Lisa Schulze for the Health Standards writing team: Aliisa Crifffield, Brooke Stuhr, Cindy Guthrie, Deb Savage, Kami Riley, Kathy Adams, Kelli Brady, Lori Woosley, Melissa McClanahan, Peg Fong, Tarra Maguire, Trish Legg

The following individuals from the public spoke against the Health Standards: Adam Gotschall, Alyssa Demoret, Amanda Ristine, Amber Brown, Amber Parker, Amy Williams, Amy Wilson, Angie Eberspacher, Barbara Gard, Ben Stangl, Beth Hiatt, Carol Watson, Caroline Epp, Catherine Brooks, Dawn Urman, Dee Elder, Diane Kinnan, Donna Kozak, Dorothy Renter, Elissa Martin, Greg Brown, Gwen Easter, Jenn Boswell, Jenna Derr, Jennifer Hicks spoke on behalf of Michael Connolly, Jim Palmensheim, John Lowe, Judy Derr, Julie Sheldon, Justin Riddle, Kelli Lepler, Kirby Wilson, Liz Davids, Marilyn Rickley, Mark Akinsher, Mark Bonkiewicz, Mark Lutchens, Marni Hodgen, Mary Harper, Matt Innis, Michaela Prigmore, Michelle Schiel, Mike Mener, Monti Starkey, Nicole Hutchings, Patrick Martin, Rob Clements, Robert Saab, Sam Schlegel, Sara Freeouf, Sara Hunter, Scott Guthrie, Scott McKeen, Shane Lewis, Sheena Kinnan, Sue Fikli, Teresa Carey, Tim Hall, Tina Doerr, Wayne Smith, William "Pat" Moore

The following individuals from the public spoke for the Health Standards: Amy Lacroix, Bria Gilmore, Chelsea Egenberger, Cindy Maxwell-Ostdiek, Dave Richardson, Debra McKnight, Eli Rigatvso, Ethan Hotchkiss, Fred Robertson, Jamie Gould, Jesse Barondeau, Jessi Hitchins, Jessica Vandercoy, Jill Higgen, Josie Hayko, Julie Lubisi, Kelly Dennings, Kenna Barnes, Kristen Dupree, Lauren Koop-Daughtrey, Lily Castellan, Melanie Coronado Anaya, Melissa Wurth, Michael Greene, Michelle DeVitt, Mikayla Atkins, Monica Meier, Morgan Ryan, Naomi Hattaway, Roberta Wilhelm, Stacie Bleicher, Teddy Blatlock, Tia Manning, Wendy Goldberg

Brenda Fournier spoke on an initiative to the Legislature to replace the State Board of Education and replace with a smaller Department of Education.

Jacquelyn Morrison left at 11:23 a.m. She returned at 11:33 a.m.

President Nickels called for a break at 12:18 p.m. The meeting resumed at 1:10 p.m.

Patsy Koch Johns left at 3:22 p.m. She returned at 3:29 p.m.

4.2. Written Public Comment

Submitted written public comments are linked through SPARQ in Board Agenda item number 4.2, documents SBOE Written Public Comment September 2021 – Google Forms.

5. ADJOURNMENT

President Nickels adjourned the meeting at 3:35 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, October 8, 2021, at 9 a.m. at a location to be determined.