

State Board of Education Annual Orientation and Business Meeting;

Thursday-Friday March 3-4, 2022

Lincoln Marriott Cornhusker Hotel, Lancaster I, II, III, 333 South 13th Street, 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 and emailed to news media requesting notification, which gave the date, time, and location of the meeting.

STATE BOARD WORK SESSION, Thursday, March 3, 2022, 9:00 a.m.

1. CALL TO ORDER

President Koch Johns called the meeting to order at 9:01 a.m.

1.1 Roll Call

Roll Call showed the following attendance:

Maureen Nickels

Robin Stevens

Patsy Koch Johns

Lisa Fricke

Deborah Neary

Commissioner Blomstedt was also in attendance.

Kirk Penner arrived at 9:03 a.m.

Jacquelyn Morrison arrived at 9:17 a.m.

Absent: Patti Gubbels

1.2. President Koch Johns led the Pledge of Allegiance.

1.3. President Koch Johns announced the placement of the Open Meetings Act.

1.4. COVID-19 Meeting Protocol

Commissioner Blomstedt shared that there were no specific COVID protocols.

BOARD TRAINING

The State Board engaged in a work session with Linda Richards, Blane McCann and Jason Richards from PRISM Advisors to discuss Communication with Candor.

Deborah Neary left the meeting at 9:38 a.m., returned 9:40 a.m.

Kirk Penner left the meeting at 9:42 a.m., returned at 9:44 a.m.

The Board took a recess at 11:31 a.m. The meeting resumed at 11:39 a.m.

Maureen Nickels arrived at 11:41 a.m.

Jacquelyn Morrison arrived at 11:42 a.m.

2. ADJOURNMENT

President Koch Johns adjourned the meeting at 12:39 p.m.

The State Board of Education will reconvene Friday, March 4, 2022, at 9:00 a.m. at Lincoln Marriott Cornhusker Hotel, Lancaster I, II, III, 333 South 13th Street, Lincoln, NE 68508

STATE BOARD OF EDUCATION MEETING, Friday, March 4, 2022, 9:00 a.m.

1. CALL TO ORDER – President Patsy Koch Johns called the meeting to order at 9:01 a.m.

1.1 Roll Call

Roll Call showed the following attendance:

Maureen Nickels
Lisa Fricke
Kirk Penner

Robin Stevens
Deborah Neary

Patsy Koch Johns
Jacquelyn Morrison

Commissioner Blomstedt was also in attendance.

Absent: Patti Gubbels

1.4. President Koch Johns led the Pledge of Allegiance.

1.3. President Koch Johns announced the placement of the Open Meetings Act.

1.4. Meeting Protocol

Commissioner Blomstedt asked members of the public to be considerate of the proceedings of the meeting.

2. SPECIAL PRESENTATIONS

2.1. Impact Story of ESSER Fund Investments

Lane Carr, NDE Representative, introduced Mary Jo Pankoke, Joshua Cramer, and Jo DiCostanzo, partners from the Nebraska Children and Families Foundation (NCFE) who shared the impact of ESSER Fund Investments in various school programs

3. COMMISSIONER'S REPORT

3.1. Agenda Overview and Consent Agenda Process

3.1. Agenda Overview and Consent Agenda Process

Commissioner Blomstedt provided an overview of the Consent Agenda process

3.1.A. Agenda Item 5.4.A. was requested to be removed from the Consent Agenda for separate vote.

3.2. Board Operations Information

No report.

4. **PRESIDENT'S REPORT**

President Patsy Koch Johns stated that the State Board of Education will travel to North Platte, NE for the May Board Meeting and to Omaha, NE for the October Board Meeting. This part of the Board's desire to be more accessible to the state.

Four Board Members will be attending the Nebraska Rural Community Schools Association (NRCSA) Spring Conference and participating in a Listening Session: Robin Stevens, Patti Gubbels, Kirk Penner, Maureen Nickels.

Commissioner Blomstedt and President Koch Johns spoke at the Career and Technical Student Organization Conference in Lincoln, NE. The students were advocating for Nebraska to match funding with the Perkins Grant.

President Koch Johns spent time at the State Capitol talking with fellow thespians who were advocating to their Senator.

5. **CONSENT AGENDA**

Motion by Maureen Nickels, second by Deborah Neary to approve the Consent Agenda without agenda item 5.4.A.

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

The motion passed.

6. **STANDING COMMITTEE REPORTS**

6.1. **Executive Committee** – Robin Stevens, Vice Chair, reported on the Committee meeting.

The Committee discussed the Commissioner's Appraisal process. The instrument that will be used is the same as what was used in 2021. Board Members will receive the appraisal electronically April 8th and have two weeks to complete the online appraisal. In April, the Committee will begin to discuss next year's appraisal process and contract. The results of that dialogue will be presented to the Board in May for discussion and suggestions. In June, the Board will vote on any changes to the Commissioner's contract, goals and the appraisal process.

Prior to the reorganization of Board Committees, the former Policy Committee determined necessity to review Bylaws, Board Operating Policies and Internal Policy Directives. The Policy Committee found it necessary to define and review the process for developing Board Position Statements. Patti Gubbels will give a presentation on these topics at the April Board meeting.

The Committee reviewed the 2022 Proposed State Legislation document. NDE Staff has been working with the Education Committee on LB1218.

6.1.A. Review 2022 Proposed State Legislation and Take Action on Board Positions

Brian Halstead, Deputy Commissioner, provided an update on the current Legislative Session. There was no Board action on this item.

6.2. **Budget and Finance Committee** – Maureen Nickels, Chair, reported on the Committee Meeting.

The committee reviewed one consent agenda item and recommends waiting to take action on this item until a plan for the remaining unobligated American Rescue Plan ESSER funds is discussed in further detail

The Committee had in depth discussion about the overall use of the remaining ESSER funds and requested that NDE staff bring information back to the Committee regarding how the need and use of the remaining funds is related to Covid versus a previously existing need, expectations of long-term impacts, and impacts on teacher recruitment, retention, and support.

The Committee reviewed the Monthly Board Travel Expense Report and noted total expenditures are still very low compared to years prior to the pandemic. There were no concerns on the report by Committee Members.

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

6.2.A. Monthly Board Travel Expense Report

There was no further discussion on this item

6.2.B. Review In-State Travel Authorization Reports

There was no further discussion on this item.

6.2. **Planning and Evaluation Committee** – Deborah Neary, Vice Chair, reported on the Committee.

The Committee had several discussion items: update on the Nebraska's College and Career Ready Standards for Mathematics, update on Nebraska Student-Centered Assessment System (NSCAS) and tentative revisions for Rule 10 and Rule 14.

Revisions to Rule 10 and Rule 14 are a result of revised Nebraska statutes related to civics character education and financial literacy. The statutes require that the NDE to adopt these revisions into the department's rules and regulations.

The Committee received an update from NDE Staff on the Nebraska Student-Centered Assessment System (NSCAS) growth winter pilot and the plans for administering NSCAS growth this spring.

6.3.A. Discussion Item: Nebraska's College & Career Ready Standards for Mathematics

Cory Epler, Marissa Payzant, Deb Romanek, NDE Representatives, provided an update to the Board on the revision status of the Nebraska College & Career Ready Standards for Mathematics. The writing team will meet in person at the Nebraska Association of Teachers of Mathematics Conference later this month.

6.3. **Rules and Regulations Committee** – Jacquelyn Morrison, Chair, reported on the Committee

The Committee did not have any action items on the agenda.

The Committee discussed Policy B13, which is the Policy that determines what the Board’s role and responsibility in the rules and regulation process. The Committee would like to implement revisions to the Policy to consider the Board’s role in the oversight of the rules and regulations process and would need direction from the President and Executive Committee.

6.4.A. Report on Rules

Commissioner Blomstedt reported on the rules.

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

Title 92, Nebraska Administrative Code, Chapter 51 approved by the Attorney General February 15, 2022, and was sent to the Governor February 16, 2022.

7. ADDITIONAL BUSINESS

7.1. Adopt the recommendations of the Ad Hoc Committee on Content-Area Standards

Motion by Jacquelyn Morrison, second by Lisa Fricke to adopt the recommendations of the Ad Hoc Committee on Content Area Standards

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

President Koch Johns called for a recess at 11:01 a.m. The meeting resumed at 11:12 a.m.

8. PUBLIC COMMENT PERIOD

8.1. Motion by Jacquelyn Morrison, second by Maureen Nickels to reduce the amount of individual time for each speaker from five minutes to four minutes.

There are 27 speakers signed up for public comment.

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

The following individuals from the public spoke against the Health Standards: Amber Parker, Anna Brackhan, Bonnie Krebs, Brenda McGill, Christina Campbell, Deb Fisbeck, Garren Hochstettler, Gwen Easter, Jeanne Greisen, Jennifer Hicks, Kami Riley, Kathy Adams, Lee Todd, Lis Davids, Lora Rice, Mark Bonkiewicz, Marni Hodgen, Merlyn Bartels, S. Wayne Smith, Sherry Jones, Stephanie Johnson, Sue Greenwald

Carol Watson spoke about the failure of the American education system.

Derek Jones spoke about the removal of certain books from public school libraries.

Dori Bush spoke about supporting and respecting the Board.

8.2. Written Public Comment

Submitted written public comments are linked through SPARQ in Board Agenda item number 8.2., SBOE Written Public Comment March 2022_Final.

President Koch Johns called for a recess at 12:51 p.m. The meeting resumed at 1:37 p.m.

7. ADDITIONAL BUSINESS CON'T

7.2. Consider the Hearing Officer's Proposed Findings of Fact, Conclusion of Law and Recommended Decision in NDE Case No. 22-03, *Ritter v. Northwest Public Schools*

Motion by Robin Stevens, second by Jacquelyn Morrison that the Board go into Executive Session to deliberate and receive advice of Legal Counsel concerning item 7.2, consideration for the Hearing Officer's recommended findings and decision in NDE Case No. 22-03, *Ritter vs. Northwest Public Schools*.

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

At 1:39 p.m., the Board moved into Executive Session to receive legal advice from Legal Counsel on NDE Case No. 22-03, *Ritter v. Northwest Public Schools*.

Motion by Robin Stevens, second by Kirk Penner to adjourn Executive Session at 1:58 p.m.

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

Motion by Maureen Nickels, second by Lisa Fricke to adopt the Hearing Officer's proposed findings of fact, conclusion of law and recommended decision in NDE Case No. 22-03, *Ritter v. Northwest Public Schools*.

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

- 5.4.A. Motion by Maureen Nickels, second by Lisa Fricke to authorize the Commissioner to approve the use of up to \$1,560,000 to fund grants to selected Educational Service Units for preschool through grade 2 support.

The agenda item was discussed during the Budget and Finance Committee and Committee Members thought there was a benefit to bringing forward to the full Board for dialogue about the remaining ESSER Funds and how those funds are used. This item was asked to be postponed to the May Board Meeting and have dialogue at the April Board Meeting about the remaining funds. The question was asked if there would be any ramifications for delaying approval on this agenda item and after further discussion, it was determined that there would be no ramifications.

Motion by Jacquelyn Morrison, second by Deborah Neary to postpone the motion to the May State Board Meeting.

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

9. INFORMATION ITEMS AND REPORTS

- 9.1. President Koch Johns referred Board Members to review information items and reports.

10. GOOD OF THE ORDER

(NONE)

11. ADJOURNMENT

President Koch Johns adjourned the meeting at 2:10 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, April 8, 2022, at 9:00 a.m. at a location to be determined.