

## State Board of Education Work Session

Thursday, August 4, 2022

Nebraska Innovation Campus, Banquet Hall, 2021 Transformation Drive, 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, August 4, 2022, 9:00 a.m.

#### 1. CALL TO ORDER

President Koch Johns called the meeting to order at 9:05 a.m.

##### 1.1 Roll Call

Roll Call showed the following attendance:

Maureen Nickels  
Deborah Neary  
Lisa Fricke

Robin Stevens  
Kirk Penner

Patsy Koch Johns  
Patti Gubbels

Commissioner Blomstedt was also in attendance.

Absent: Jacquelyn Morrison

##### 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. Meeting Protocol

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

#### 2. BOARD TRAINING

The State Board engaged in a work session with Cory Epler, NDE Representative on Statewide Assessment.

President Koch Johns called for a recess at 10:07 a.m. The meeting resumed at 10:20 a.m.

Robin Stevens returned at 10:23 a.m.

Kirk Penner returned at 10:39 a.m.

#### 3. ADJOURNMENT

President Koch Johns adjourned the meeting at 11:15 a.m.

The State Board of Education will reconvene Friday, August 5, 2022, at 9:00 a.m. at Nebraska Innovation Campus, Banquet Hall, 2021 Transformation Drive, Lincoln, NE 68508.

## STATE BOARD OF EDUCATION MEETING, Friday, August 5, 2022, 9:00 a.m.

### 1. CALL TO ORDER – President Patsy Koch Johns called the meeting to order at 9:03 a.m.

#### 1.1 Roll Call

Roll Call showed the following attendance:

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

Commissioner Blomstedt was also in attendance.

#### 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. Meeting Protocol

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

### 2. SPECIAL PRESENTATIONS

#### 2.1. Michelle Fouts, 2021 Nebraska Milken Educator, at the time of the award, a Second Grade Teacher, Bryant Elementary School, Kearney, Nebraska

Commissioner Blomstedt introduced Michelle Fouts, 2021 Nebraska Milken Educator.

#### 2.2. Katie Mace, 2021 Nebraska Milken Educator, at the time of the award, an English and Speech Teacher, Lyons-Decatur Northeast Schools, Lyons, Nebraska.

Commissioner Blomstedt introduced Katie Mace, 2021 Nebraska Milken Educator.

#### 2.3. Impact Story of ESSER Fund Investments

Zainab Rida, NDE Representative, introduced Ray Collins, Superintendent, Wilber-Clatonia, Josh Cumpston, Superintendent, Fillmore Central, Dr. Michele Rayburn, Director of Student Services, ESU 6, Dr. John Skretta, Administrator, ESU6, and Amber Hartsock, NDE Representative who presented to the Board on the school mental health project.

### 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 Items 5.2.B., 5.3.B., 5.3.F. were requested to be removed for separate vote.

#### 3.2. Information on Educator Pipeline Investments and Educator Certification Enhancements

Lane Carr and Brad Dirksen, NDE Representatives, presented to the Board on Educator Shortage.

#### 3.3. Information on Career and Technical Education Funding

Katie Graham, NDE Representative, presented to the Board on Career and Technical Education Funding.

Deborah Neary left at 11:53 a.m. and returned at 11:55 a.m.

#### 4. PRESIDENT'S REPORT

No report.

#### 5. CONSENT AGENDA

Motion by Patti Gubbels, second by Lisa Fricke to approve the Consent Agenda without agenda items 5.2.B., 5.3.B., and 5.3.F.

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

The motion passed.

President Koch Johns called for a recess at 12:14 p.m. The meeting resumed at 12:43 p.m.

#### 9. PUBLIC COMMENT PERIOD

9.1. The following individuals from the public spoke in support of the NDE Board: Dick Vautravers, Eileen Vautravers, Jackie Egan, Lynette Stevens

The following individuals from the public spoke regarding Board Member Deborah Neary's emails: Gloria Mason, Judy Derr, Kami Riley, Larry Mason, Laurie Woosley, Olivia Bengé, Tina Lassek

The following individuals from the public spoke against the Health Standards: Amber Parker, Angie Eberspacher, Brooke Ritter, Cindy Guthrie, Jeanne Greisen, Jenna Derr, Kelli Brady, Laura Rauscher, Liz Davids

Deloris Tonack spoke against the Praxis and about Teacher's Certification

Steve Berke spoke about the misleading documentary Mind Polluters

Sue Greenwold spoke about children taking surveys without parental consent

Heather Schmidt spoke about privacy and questions asked of her daughter in health class that were an invasion of privacy.

Jacquelyn Morrison left 1:32 p.m. and returned 1:36 p.m.

Patti Gubbels left 1:59 p.m. and returned 2:02 p.m.

Maureen Nickels left 2:15 p.m. and returned 2:18 p.m.

Deborah Neary left 2:19 p.m. and returned 2:23 p.m.

9.2. Written Public Comment

Submitted written public comments are linked through SPARQ in Board Agenda item number 9.2., SBOE Written Public Comment August 2022.

President Koch Johns called for a recess at 2:32 p.m. The meeting resumed at 2:44 p.m.

## 6. STANDING COMMITTEE REPORTS

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

6.1.A. Discussion Item: Report on Commissioner/Executive Committee Short-term Planning

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

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.C Action Item: Authorize the Commissioner to contract with Kuder Inc for the continuation of services provided for a statewide license for Nebraska Career Connections.

Motion by Maureen Nickels, second by Kirk Penner to authorize the Commissioner to contract with Kuder Inc.

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

The motion passed.

6.2.D. Action Item: Authorize the Commissioner to approve the 2022-2023 reVISION Action grants.

Motion by Maureen Nickels, second by Patti Gubbels to approve the 2022-2023 reVISION Action grants.

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

The motion passed.

6.2.E. Action Item: Authorize the Commissioner to contract with the recipients of the Educator Shortage Grant from August 2022 to December 2024.

Motion by Maureen Nickels, second by Lisa Fricke to contract with the recipients of the Educator Shortage Grant from August 2022 to December 2024.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes

Deborah Neary:	Yes
Maureen Nickels:	Yes
Robin Stevens:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	No
Kirk Penner	Yes

The motion passed.

- 6.2.F. Action Item: Authorize the Commissioner to award grants to the named ESUs for Pre-K through grade 2 support.

Motion by Maureen Nickels, second by Lisa Fricke to award grant to the named ESUs for Pre-K through grade 2 support.

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

The motion passed.

- 6.2.G. Action Item: Authorize the Commissioner to accept the Federal Grant Award and enter into Cooperative Agreement with the USDA Food and Nutrition Service.

Motion by Maureen Nickels, second by Robin Stevens to accept the Federal Grant Award and enter into Cooperative Agreement with the USDA Food and Nutrition Service.

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

The motion passed.

- 6.2.H. Action Item: Authorize the Commissioner to award School Year 2022-2023 Fresh Fruit and Vegetable Grand Award Notifications.

Motion by Maureen Nickels, second by Patti Gubbels to award School Year 2022-2023 Fresh Fruit and Vegetable Grand Award Notifications.

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

Kirk Penner Yes

The motion passed.

- 6.2.I. Action Item: Authorize the Commissioner to contract with Westat, Inc. for support of The Office of Special Education in meeting the general supervision requirements set forth by The Individuals with Disabilities Education Act (IDEA).

Motion by Maureen Nickels, second by Deborah Neary, to authorize the Commissioner to contract with Westat, Inc.

Lisa Fricke: Yes  
Patsy Koch Johns: Yes  
Deborah Neary: Yes  
Maureen Nickels: Yes  
Robin Stevens: Yes  
Patti Gubbels: Yes  
Jacquelyn Morrison: No  
Kirk Penner Yes

The motion passed.

- 6.2.J. Action Item: Authorize the Commissioner to contract with complaint investigators ACERI Partners, LLC; Emily Adams dba Data Driven Enterprises; Lisa Arborgast; Nicole Stewart; and PRISM Investigations, LLC.

Motion by Maureen Nickels, second by Patti Gubbels, to authorize the Commissioner to contract with complaint investigators ACERI Partners, LLC; Emily Adams dba Data Driven Enterprises; Lisa Arborgast; Nicole Stewart; and PRISM Investigations, LLC.

Lisa Fricke: Yes  
Patsy Koch Johns: Yes  
Deborah Neary: Yes  
Maureen Nickels: Yes  
Robin Stevens: Yes  
Patti Gubbels: Yes  
Jacquelyn Morrison: No  
Kirk Penner Yes

The motion passed.

- 6.2.K. Action Item: Authorize the Commissioner to contract with Hourglass for one year to provide software as a service and discovery and knowledge transfer services for the Comprehensive Needs Assessment.

Motion by Maureen Nickels, second by Robin Stevens, to authorize the Commissioner to contract with Hourglass.

Lisa Fricke: Yes  
Patsy Koch Johns: Yes  
Deborah Neary: Yes  
Maureen Nickels: Yes  
Robin Stevens: Yes  
Patti Gubbels: Yes  
Jacquelyn Morrison: No  
Kirk Penner Yes

The motion passed.

6.2.L. Discussion Item: 2023-2025 Biennial Budget Request Submission

Bryce Wilson, NDE Representative, presented to the Board on the draft 2023-2025 Biennial Budget Request Submission that the Board will act on at the September meeting.

Patti Gubbels left at 3:01 p.m. and returned 3:04 p.m.

6.3. **Planning and Evaluation Committee** – Patti Gubbels, Chair, reported on the meeting of the Committee.

Cory Epler, NDE Representative, presented to the Board on the Nebraska Student-Centered Assessment System (NSCAS) Science Development timeline.

6.3.A. Action Item: Grant conditional approval under Rule 14 (92 NAC 14), *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*, for the following applicant nonpublic school to operate in the 2022-23 school year.

Motion by Deborah Neary, second by Robin Stevens to grant conditional approval under Rule 14 (92 NAC 14), *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*, for the following applicant nonpublic school to operate in the 2022-23 school year.

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

The motion passed.

6.3.B. Action Item: Approve the Rule 11 (92 NAC 11), *Regulations for the Approval of Prekindergarten Programs* established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants, teacher waiver request for Grand Island Public Schools and approve annual operation of the early childhood program for the named school district.

Motion by Deborah Neary, second by Maureen Nickels to approve the Rule 11 (92 NAC 11), *Regulations for the Approval of Prekindergarten Programs* teacher waiver request for Grand Island Public Schools and approve annual operation of the early childhood program for the named school district.

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

The motion passed.

- 6.3.C. Action Item: Approve the Rule 11 (92 NAC 11), *Regulations for the Approval of Prekindergarten Programs* established by School Boards or Educational Service Units and for the Issuance of Early Childhood Education Grants, teacher waiver request for Lexington Public Schools and approve annual operation of the early childhood program for the named school district.

Motion by Deborah Neary, second by Maureen Nickels to approve the Rule 11 (92 NAC 11), *Regulations for the Approval of Prekindergarten Programs* teacher waiver request for Lexington Public Schools and approve annual operation of the early childhood program for the named school district.

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

The motion passed.

- 6.3.D. Authorize the Commissioner to set statewide assessment cut scores for NSCAS Science General and NSCAS Science Alternate.

Motion by Patti Gubbels, second by Robin Stevens, to approve the recommended cut scores for NSCAS Science and NSCAS Science Alternate.

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

The motion passed.

Motion by Patti Gubbels, second by Deborah Neary, that during the Summer 2023 the NSCAS Science, English Language Arts (ELA) and Math cut scores, including the alternate assessments, be reviewed and revised for consistency.

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

The motion passed.

Robin Stevens left 3:45 p.m. and returned 3:47 p.m.



6.3.E. Discussion Item: Nebraska’s College and Career Ready Standards for Mathematics

Cory Epler, NDE Representative, presented to the Board on Nebraska’s College and Career Ready Standards for Mathematics.

Maureen Nickels left 4:11 p.m. and returned 4:13 p.m.

Kirk Penner left 4:14 p.m. and returned 4:16 p.m.

6.4. **Rules and Regulations Committee** – Lisa Fricke, Vice Chair reported on the meeting of the Committee.

6.4.A. Report on Rules

Commissioner Blomstedt reported on the rules.

A Public Hearing was held on July 26, 2022, for Title 92, Nebraska Administrative Code, Chapter 20.

6.4.B. Action Item: Approve proposed revisions to State Board Bylaw B13, *Rule Development*.

Motion by Lisa Fricke, second by Maureen Nickels, to approve proposed revisions to State Board Bylaw B13, *Rule Development*.

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

The motion passed.

**7. SPECIAL COMMITTEE REPORTS**

7.1. Report from the Ad Hoc Committee on Board Policy Manual Revision – Patti Gubbels, Chair, reported on the meeting of the Committee.

**8. ADDITIONAL BUSINESS**

5.2.B. Approve the 2022-2023 Nebraska Council on Teacher Education (NCTE) Membership Roster.

Motion by Deborah Neary, second by Maureen Nickels to approve the 2022-2023 Nebraska Council on Teacher Education (NCTE) Membership Roster.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Maureen Nickels:	Yes
Robin Stevens:	Abstain
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	No

The motion passed.

- 5.3.B. Authorize the Commissioner to amend the contract with Student1 to continue improvements NDE Central Data Repository and ADVISER LDS and to maintain Level 4 technical support related to integration of Ed-Fi technologies pursuant to 2019 Federal SLDS Grant terms.

Motion by Maureen Nickels, second by Deborah Neary to amend the contract with Student1 to continue improvements NDE Central Data Repository and ADVISER LDS and to maintain Level 4 technical support related to integration of Ed-Fi technologies pursuant to 2019 Federal SLDS Grant terms.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Maureen Nickels:	Yes
Robin Stevens:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	No

The motion passed.

- 5.3.F. Authorize the Commissioner to contract with Children’s Hospital & Medical Center for the purpose of providing expertise on child health topics and intervention through a partnership with the Nebraska Healthy Schools Program.

Motion by Deborah Neary, second by Maureen Nickels to contract with the Children’s Hospital & Medical Center for the purpose of providing expertise on child health topics and intervention through a partnership with the Nebraska Health Schools Program.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Maureen Nickels:	Yes
Robin Stevens:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	No

The motion passed.

## 10. INFORMATION ITEMS AND REPORTS

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

## 11. GOOD OF THE ORDER

(NONE)

## 12. ADJOURNMENT

President Koch Johns adjourned the meeting at 4:53 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, September 2, 2022, at 9:00 a.m. in Lincoln, Nebraska.