

State Board of Education Work Session

Thursday, October 6, 2022

The Venue at Highlander Accelerator, 2120 North 30th Street, Omaha, NE 68111

[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, October 6, 2022, 3:00 p.m.

1. CALL TO ORDER

President Koch Johns called the meeting to order at 3:10 p.m.

1.1 Roll Call

Roll Call showed the following attendance:

Robin Stevens
Deborah Neary

Patsy Koch Johns
Lisa Fricke

Patti Gubbels
Jacquelyn Morrison (arrived
at 3:56 p.m.)

Commissioner Blomstedt was also in attendance.

Absent: Maureen Nickels

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 Shirley Vargas, Lane Carr, Jeremy Heneger and Vicky Munoz, NDE Representatives on the Statewide Accountability System.

Kirk Penner left at 4:30 p.m.

3. ADJOURNMENT

President Koch Johns adjourned the meeting at 5:22 p.m.

The State Board of Education will reconvene Friday, October 7, 2022, at 9:00 a.m. at The Venue at Highlander Accelerator, 2120 North 30th Street, Omaha, NE 68111.

STATE BOARD OF EDUCATION MEETING, Friday, October 7, 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:

Patti Gubbels	Robin Stevens	Patsy Koch Johns
Lisa Fricke	Kirk Penner	Deborah Neary
Jacquelyn Morrison (arrived at 9:38 a.m.)		

Commissioner Blomstedt was also in attendance.

Absent: Maureen Nickels

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

No Special Presentations

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. No Consent Agenda Items were requested to be removed.

4. PRESIDENT'S REPORT

President Koch Johns delivered the President's Report.

5. CONSENT AGENDA

Motion by Deborah Neary, second by Patti Gubbels to approve the Consent Agenda.

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

The motion passed.

6. STANDING COMMITTEE REPORTS

- 6.1. **Executive Committee** – Robin Stevens, Vice Chair, reported on the Committee meeting.
- 6.2. **Budget and Finance Committee** – Kirk Penner, Vice 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 renew existing contracts and enter into new contracts with the Office of the Chief Information Officer (OCIO), individuals and vendor partners for staff augmentation services and other technology supports surrounding the NDE Statewide Longitudinal Data Systems (SLDS), technology initiatives and systems modernization

Motion by Kirk Penner, second by Patti Gubbels authorize the Commissioner to renew existing contracts and enter into new contracts with the Office of the Chief Information Officer (OCIO), individuals and vendor partners for staff augmentation services and other technology supports surrounding the NDE Statewide Longitudinal Data Systems (SLDS), technology initiatives and systems modernization.

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

The motion passed.

- 6.2.D. Action Item: Approve the participation of the Nebraska Department of Education (NDE) as a partner in the Nebraska application for a federal Preschool development Grant Birth -5 planning grant

Motion by Kirk Penner, second by Robin Stevens to approve the participation of the Nebraska Department of Education (NDE) as a partner in the Nebraska application for a federal Preschool development Grant Birth -5 planning grant.

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

The motion passed.

- 6.2.E. Action Item: Authorize the Commissioner to approve the listed estimated dollar allocations for payment of special education programs, transportation, residential services and Interim School Programs in 2022-23

Motion by Kirk Penner, second by Lisa Fricke to authorize the Commissioner to approve the listed estimated dollar allocations for payment of special education programs, transportation, residential services and Interim School Programs in 2022-23.

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

The motion passed.

- 6.2.F. Action Item: Authorize the Commissioner to approve a contract with Public Consulting Group, LLC for October 2022-March 2023

Motion by Kirk Penner, second by Robin Stevens to authorize the Commissioner to approve a contract with Public Consulting Group, LLC for October 2022-March 2023.

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

- 6.2.G. Action Item: Authorize the Commissioner to contract with Eric Snyder to serve as the State Advisor for the Educators Rising Career and Technical Student Organization

Motion by Kirk Penner, second by Deborah Neary to contract with Eric Snyder to serve as the State Advisor for the Educators Rising Career and Technical Student Organization.

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

- 6.2.H. Action Item: Approve the grant to the Nebraska Supreme Court in the provision of federally required IDEA Part C duties

Motion by Kirk Penner, second by Patti Gubbels to approve the grant to the Nebraska Supreme Court in the provision of federally required IDEA Part C duties.

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

- 6.2.I. Action Item: Authorize the Commissioner to accept the grant award from the US Department of Education for the Competitive grants for State Assessments Program (CGSA) and to contract with edCount, LLC for the tasks/activities on the award

Motion by Kirk Penner, second by Deborah Neary to authorize the Commissioner to accept the grant award from the US Department of Education for the Competitive grants for State Assessments Program (CGSA) and to contract with edCount, LLC for the tasks/activities on the award.

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

- 6.2.K. Action Item: Authorize the Commissioner to submit the Department's deficit budget request for the fiscal year 2022-23 on behalf of the State Board of Education

Motion by Kirk Penner, second by Lisa Fricke to authorize the Commissioner to submit the Department's deficit budget request for the fiscal year 2022-23 on behalf of the State Board of Education.

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

- 6.2.J. Action Item: Authorize the Commissioner to accept the State Personnel Development Federal Grant Award

Motion by Kirk Penner, second by Patti Gubbels to authorize the Commissioner to accept the State Personnel Development Federal Grant Award.

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

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

6.3.A. Action Item: Approve the Rule 11 Teacher Waiver Request for Walthill Public School

Motion by Kirk Penner, second by Robin Stevens to approve the Rule 11 Teacher Waiver Request for Walthill Public School

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

The motion passed.

6.3.B. Action Item: Authorize the Commissioner to extend the current 2022-2023 NWEA contract for statewide assessment services to include the 2023-2024 year

Motion by Deborah Neary, second by Patti Gubbels to authorize the Commissioner to extend the current 2022-2023 NWEA contract for statewide assessment services to include the 2023-2024 year.

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

The motion passed.

6.3.C. Action Item: Authorize the Commissioner to extend the current 2022-2023 DRC contract for statewide assessment services to include the 2023-2024 year

Motion by Patti Gubbels, second by Lisa Fricke to authorize the Commissioner to extend the current 2022-2023 DRC contract for statewide assessment services to include the 2023-2024 year.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes

Maureen Nickels:	Absent
Robin Stevens:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

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

6.4.A. Report on Rules

There is no action on rules.

7. SPECIAL COMMITTEE REPORTS

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

7.1.A. Action Item: Adopt the Resolution to revise the State Board of Education Policy Reference Manual

Motion by Patti Gubbels, second by Lisa Fricke to amend the motion on the floor to read adopt the resolution to revise the State Board of Education Policy Reference Manual

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

The motion passed.

- 7.2. Report from the Ad Hoc Search Committee – Patti Gubbels reported on the meeting of the Committee.

President Koch Johns called for a break at 10:04 a.m. The meeting resumed at 10:19 a.m.

6.3.D. Discussion Item: Provide an update on the Learning Community of Douglas and Sarpy Counties and the Community Achievement Plan

Shirley Vargas, NDE Representative, provided an update on the Learning Community of Douglas and Sarpy Counties and the Community Achievement Plan.

8. ADDITIONAL BUSINESS

- 8.1. Adopt a resolution declaring the State Board's support for LR335, the state's postsecondary attainment goal

Motion by Lisa Fricke, second by Patti Gubbels to adopt a resolution declaring the State Board's support for LR335, the state's postsecondary attainment goal

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

The motion passed.

8.2. Career and Technical Education (CTE) Funding

Board Member Penner updated the Board on Career and Technical Education (CTE) Funding.

8.3. Accept the resignation of Commissioner Matthew L. Blomstedt, effective January 3, 2023

Motion by Robin Stevens, second by Jacquelyn Morrison to accept the resignation of Commissioner Matthew L. Blomstedt, effective January 3, 2023.

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

The motion passed.

8.4. Designate Deputy Commissioner to carry out any duties imposed by law upon the Commissioner in accordance with §79-301 (3) when such vacancy occurs

Motion by Patsy Koch Johns, second by Lisa Fricke that this Board designate Deputy Commissioner Deborah Frison to carry out any duties imposed by law upon the Commissioner in accordance with §79-301 (3) when such vacancy occurs.

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

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)

9. PUBLIC COMMENT PERIOD

9.1. The following individuals from the public spoke against the Health Standards: Amber Parker, Don Fletcher, Gwen Easter, Haile Kucera, Katheryn Russell, Marni Hodgen

Jackie Egan spoke about student teachers having access to Educators Rising.

Justin Thiel spoke about a Board Member's campaign page activity.

Denise Bradshaw spoke about a Board Member's meeting on firearms and not inviting anyone from the Nebraska Firearms Association.

Vicki Johnson spoke about the NDE withholding subpoenaed evident which incriminates Westside school and the NDE.

Stephen Bader spoke about inappropriate materials in school libraries.

Tiffany Carter spoke about inappropriate materials in school libraries.

9.2. Written Public Comment

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

12. ADJOURNMENT

President Koch Johns adjourned the meeting at 1:45 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, November 4, 2022, at 9:00 a.m. in Lincoln, Nebraska.