

State Board of Education Work Session and Business Meeting.

Thursday-Friday January 5-6, 2023

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, January 5, 2023, 4:00 p.m.

1. CALL TO ORDER

President Koch Johns called the meeting to order at 4:00 p.m.

1.1 Roll Call

Roll Call showed the following attendance:

Lisa Fricke

Patti Gubbels

Jacquelyn Morrison

Patsy Koch Johns

Elizabeth Tegtmeier

Deborah Neary

Sherry Jones

Kirk Penner

Deputy Commissioner Frison 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.

2.1. Review Agenda for Friday, January 6, 2023, Business Meeting

Dr. Ryan Foor, NDE Representative, reviewed the agenda for Friday, January 6, 2023, Business Meeting.

2.2. 2023 ORGANIZATION OF THE STATE BOARD OF EDUCATION

2.2.A. Election Process and Procedures

Deputy Commissioner Frison reviewed election procedures pursuant to Board BLW 2 State Board Officers.

Deputy Commissioner Frison appointed Brian Halstead and Laura Rife as Tellers to disseminate and count the ballots.

3.2. Election of Board President

Deputy Commissioner Frison opened nominations for President of the State Board of Education.

Patsy Koch Johns nominated Jacquelyn Morrison.

Kirk Penner nominated Patti Gubbels.

There being no further nominations, the Deputy Commissioner closed the nominations.

Vote 1:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 3 votes for Jacquelyn Morrison
- 5 votes for Patti Gubbels
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result that Patti Gubbels was elected President.

3.3. Election of Board Vice President

Deputy Commissioner Frison opened nominations for Vice President of the State Board of Education.

Lisa Fricke nominated Patsy Koch Johns.

Elizabeth Tegtmeier nominated Kirk Penner.

There being no further nominations, the Deputy Commissioner closed the nominations.

Vote 1:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 4 votes received for Patsy Koch Johns
- 4 votes received for Kirk Penner
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result of no election, and ballots were reissued.

Vote 2:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 4 votes received for Patsy Koch Johns
- 4 votes received for Kirk Penner
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result of no election, and ballots were reissued.

Vote 3:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 4 votes received for Patsy Koch Johns
- 4 votes received for Kirk Penner
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result of no election, and ballots were reissued.

Vote 4:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 4 votes received for Patsy Koch Johns
- 4 votes received for Kirk Penner
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result of no election, and ballots were reissued.

President Koch Johns called for a break at 5:05 p.m. The meeting resumed at 5:17 p.m.

Vote 5:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 4 votes received for Patsy Koch Johns
- 4 votes received for Kirk Penner
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result of no election, and ballots were reissued.

Vote 6:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 4 votes received for Patsy Koch Johns
- 4 votes received for Kirk Penner
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result of no election, and ballots were reissued.

Vote 7:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 3 votes received for Patsy Koch Johns
- 4 votes received for Kirk Penner
- 1 abstain
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result of no election, and ballots were reissued.

Vote 8:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 4 votes received for Patsy Koch Johns
- 4 votes received for Kirk Penner
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result of no election, and ballots were reissued.

Vote 9:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 4 votes received for Patsy Koch Johns
- 4 votes received for Kirk Penner
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result of no election, and ballots were reissued.

Vote 10:

Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 4 votes received for Patsy Koch Johns
- 4 votes received for Kirk Penner
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result of no election, and ballots were reissued.

Vote 11:
Reporting Teller, Brian Halstead, read the vote results:

- 8 votes were cast
- 5 votes necessary for election
- 3 votes received for Patsy Koch Johns
- 5 votes received for Kirk Penner
- 0 illegal votes

The tally was delivered to the Deputy Commissioner, who announced the result that Kirk Penner was elected Vice President.

2. ADJOURNMENT

President Gubbels adjourned the meeting at 5:34 p.m.

The State Board of Education will reconvene Friday, January 6, 2023, at 9:00 a.m. at Nebraska Innovation Campus, Banquet Hall, 2021 Transformation Drive, Lincoln, NE 68508

STATE BOARD OF EDUCATION MEETING, Friday, January 7, 2022, 9:00 a.m.

1. CALL TO ORDER – President Patti Gubbels called the meeting to order at 9:06 a.m.

1.1 Roll Call

Roll Call showed the following attendance:

Sherry Jones	Patti Gubbels	Elizabeth Tegtmeier
Patsy Koch Johns	Lisa Fricke	Deborah Neary
Jacquelyn Morrison	Kirk Penner	

Deputy Commissioner Frison 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.

2. SPECIAL PRESENTATIONS

2.1. Introduction of Renee Jones, 2023 Nebraska Teacher of the Year, English teacher, Lincoln High School, Lincoln, Nebraska

The 2023 Nebraska Teacher of the Year, Renee Jones, English teacher, Lincoln, High School, Lincoln, Nebraska provided an introduction to her family, her journey to education and her goals for this year.

2.2. AQuESTT 101: An Introduction to Accountability in Nebraska

NDE Representatives Shirley Vargas, Vicky Munoz and Lane Carr presented an Introduction to Accountability in Nebraska.

2.3. NSCAS Growth Discussion with School Personnel

Board Member Neary and Board Member Penner provided discussion on NSCAS Growth. School personnel that were a part of the discussion were Leslie Eastman, Educational Service Unit 18; John Schwartz, Millard Public Schools; Mitch Kubicek, Milford Public Schools; Mike Lucas, Westside Public Schools; Andy Rikli, Papillion La Vista Community Schools.

President Gubbels called for a break at 11:11 a.m. The Board resumed at 11:22 a.m.

3. DEPUTY COMMISSIONER'S REPORT

3.1. Agenda Overview and Consent Agenda Process

3.1.A. Deputy Commissioner's recommendation and items to be removed from consent agenda

Items 5.3.A, 5.3.B., 5.3.C., 5.4.A were requested to be removed from the Consent Agenda and will be taken up after agenda item 7.6.

4. PRESIDENT’S REPORT

President Gubbels delivered the President’s Report

5. CONSENT AGENDA

Motion by Lisa Fricke, second by Patsy Koch Johns to approve the Consent Agenda without Agenda Items 5.3.A., 5.3.B., 5.3.C., and 5.4.A.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

6. SPECIAL COMMITTEE REPORTS

6.1. **Ad Hoc Search Committee** – Patti Gubbels, Chair reported on the meeting of the Committee.

7. ADDITIONAL BUSINESS

7.1. Action Item: NSCAS Growth Assessment

Motion by Deborah Neary, second by Patsy Koch Johns that the 2023 school Year assessment administration for NSCAS Growth in grades 3 through 8 be unchanged for the 2023-24 school Year with MAP Growth being provided by the Department at no cost to school districts and with NSCAS Growth being required only as the spring summative assessment.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Abstain
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

7.2. Action Item: Authorize the Commissioner to Accept GEER II Funds from the Nebraska Department of Labor to purchase robotics kits for schools through the ESUCC

Motion by Kirk Penner, second by Patsy Koch Johns to authorize the Commissioner to accept GEER II funds from the Nebraska Department of Labor to purchase robotics kits for schools through the ESUCC.

Motion by Jacquelyn Morrison, second by Deborah Neary to lay the motion on the table.

Lisa Fricke:	No
Patsy Koch Johns:	No
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	No
Patti Gubbels:	No
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion to lay on the table was lost.

Motion by Jacquelyn Morrison, second by Deborah Neary to refer agenda item 7.2. to the Budget and Finance Committee.

The Board discussed and NDE Staff were asked to provide information.

Lisa Fricke:	No
Patsy Koch Johns:	No
Deborah Neary:	No
Sherry Jones:	No
Elizabeth Tegtmeier:	No
Patti Gubbels:	No
Jacquelyn Morrison:	No
Kirk Penner	No

The motion to refer to Committee was lost.

On the motion to authorize the Commissioner to accept GEER II funds from the Nebraska Department of Labor to purchase robotics kits for schools through the ESUCC:

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

President Gubbels called for a break at 12:14 p.m. The meeting resumed at 1:05 p.m.

7.10. Discussion Item: Board Discussion on Commissioner Search

Dr. Steve Joel and Dr. Walt Cooper from McPherson and Jacobson, LLC discussed Commissioner characteristics with Board Members for the job profile.

Deborah Neary left at 2:04 p.m. Returned at 2:09 p.m.

President Gubbels called for a break at 2:50 p.m. The Board resumed at 3:00 p.m.

Jacquelyn Morrison left at 3:42 and returned at 3:51 p.m.

- 7.3. Action Item: Authorize the Commissioner to accept the Telehealth Mental Health Equipment Nebraska Department of Health and Human Services/School-Based Health Support funding and enter into Cooperative Agreement with the Nebraska Department of Health and Human Services

Motion by Patsy Koch Johns, second by Lisa Fricke to accept the Telehealth Mental Health Equipment Nebraska Department of Health and Human Services/School-Based Health Support funding and enter into Cooperative Agreement with the Nebraska Department of Health and Human Services.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

- 7.4. Action Item: Authorize the Commissioner to fund the Nebraska State Personnel Developmental Grant (NSPDG) State Coordinator Position through a grant award to Educational Service Unit #6

Motion by Lisa Fricke, second by Patsy Koch Johns to fund the Nebraska State Personnel Developmental Grant (NSPDG) State Coordinator Position through a grant award to Educational Service Unit #6.

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes
Patti Gubbels:	Yes
Jacquelyn Morrison:	Yes
Kirk Penner	Yes

The motion passed.

- 7.5. Action Item: Authorize the Commissioner to fund the Nebraska State Personnel Developmental Grant (NSPDG) State Coordinator Position through a grant award to Educational Service Unit #6

Motion by Elizabeth Tegtmeier, second by Kirk Penner to fund the Nebraska State Personnel Developmental Grant (NSPDG, UNL – Implementation Support Project: Communications, Research and Social-Emotional and Behavioral Learning Support Project).

Lisa Fricke:	Yes
Patsy Koch Johns:	Yes
Deborah Neary:	Yes
Sherry Jones:	Yes
Elizabeth Tegtmeier:	Yes

Patti Gubbels: Yes
Jacquelyn Morrison: Abstain
Kirk Penner Yes

The motion passed.

- 7.6. Authorize the Commissioner to approve the contract with Telos Educational Services DBA to update the Reality Check videos with current data and offer the videos in both English and Spanish

Motion by Sherry Jones, second by Kirk Penner to approve the contract with Telos Educational Services DBA to update the Reality Check videos with current data and offer the videos in both English and Spanish.

Lisa Fricke: Yes
Patsy Koch Johns: Yes
Deborah Neary: Yes
Sherry Jones: Yes
Elizabeth Tegtmeier: Yes
Patti Gubbels: Yes
Jacquelyn Morrison: No
Kirk Penner Yes

The motion passed.

- 5.3.A. Authorize the Commissioner to continue to contract Board of Regents dba University of Nebraska Medical Center, Munroe-Meyer Institute

Motion by Patsy Koch Johns, second by Lisa Fricke to continue to contract with Board of Regents dba University of Nebraska Medical Center, Munroe-Meyer Institute

Lisa Fricke: Yes
Patsy Koch Johns: Yes
Deborah Neary: Yes
Sherry Jones: Yes
Elizabeth Tegtmeier: Yes
Patti Gubbels: Yes
Jacquelyn Morrison: Yes
Kirk Penner Yes

The motion passed.

- 5.3.B. Authorize the Commissioner to continue to contract with Heather Robbins dba Heather's Behavior Support Services

Motion by Kirk Penner, second by Patsy Koch Johns to continue to contract with Heather Robbins dba Heather's Behavior Support Services.

Lisa Fricke: Yes
Patsy Koch Johns: Yes
Deborah Neary: Yes
Sherry Jones: Yes
Elizabeth Tegtmeier: Yes

Patti Gubbels: Yes
Jacquelyn Morrison: Yes
Kirk Penner Yes

The motion passed.

- 5.3.C. Authorize the Commissioner to amend the contract with ESU 7 for the instructional coach services for Schuyler Central High School

Motion by Patsy Koch Johns, second by Lisa Fricke to amend the contract with ESU 7 for the instructional coach services for Schuyler Central High School

Lisa Fricke: Yes
Patsy Koch Johns: Yes
Deborah Neary: Yes
Sherry Jones: Yes
Elizabeth Tegtmeier: Yes
Patti Gubbels: Yes
Jacquelyn Morrison: Yes
Kirk Penner Yes

The motion passed.

- 5.4.A. Authorize the Commissioner to fund NDE Journey to Inclusion Project in partnership with SPED Strategies, LLC

Motion by Patsy Koch Johns, second by Lisa Fricke to fund NDE Journey to Inclusion Project in partnership with SPED Strategies, LLC

Lisa Fricke: Yes
Patsy Koch Johns: Yes
Deborah Neary: Yes
Sherry Jones: Yes
Elizabeth Tegtmeier: Yes
Patti Gubbels: Yes
Jacquelyn Morrison: Yes
Kirk Penner Yes

The motion passed.

- 7.7. Review In-State Travel Authorizations

There was no further discussion on this item.

- 7.8. Review monthly Board travel expense reports.

There was no further discussion on this item.

- 7.9. Report on Rules

A Public Hearing will be held on January 31, 2023, for Title 92, Nebraska Administrative Code, Rule 10, *Accreditation*, Rule 14, *Approved Nonpublic Schools*, and to repeal Rule 23, *Regulations for the Basic Skills Competency Testing*.

8. INFORMATION ITEMS AND REPORTS

President Gubbels referred Board Members to review information items and reports.

9. GOOD OF THE ORDER

There was nothing to report.

10. ADJOURNMENT

President Gubbels adjourned the meeting at 5:16 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, February 3, 2023, at 9:00 a.m. at a location to be determined.