

State Board of Education Work Session and Business Meeting.

Thursday-Friday February 2-3, 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, February 2, 2023, 9:00 a.m.

1. CALL TO ORDER

President Gubbels called the meeting to order at 9:04 a.m.

1.1. Roll Call

Roll Call showed the following attendance:

Lisa Fricke

Patti Gubbels

Jacquelyn Morrison (arrived at 10:47 a.m.)

Patsy Koch Johns

Elizabeth Tegtmeier

Deborah Neary (arrived at 10:25 a.m.)

Sherry Jones

Kirk Penner

Deputy Commissioner Frison was also in attendance.

1.2. President Gubbels led the Pledge of Allegiance.

1.3. President Gubbels announced the placement of the Open Meetings Act.

2. BUSINESS

2.1. The State Board engaged in a work session on board working agreements and priorities, led by Linda Richards and Blane McCann, PRISM Advisors.

Elizabeth Tegtmeier left at 10:26 a.m. Returned at 10:29 a.m.

Kirk Penner left at 10:30 a.m. Returned at 10:36 a.m.

Lisa Fricke left at 10:40 a.m. Returned at 10:43 a.m.

3. ADJOURNMENT

President Gubbels adjourned the meeting at 10:56 a.m.

The State Board of Education will reconvene this afternoon, Thursday, February 2, 2023, at 2:30 p.m. at Nebraska Innovation Campus, Banquet Hall, 2021 Transformation Drive, Lincoln, NE 68508.

STATE BOARD WORK SESSION, Thursday, February 2, 2023, 2:30 p.m.

1. CALL TO ORDER

President Gubbels called the meeting to order at 2:35 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 Gubbels announced the placement of the Open Meetings Act.

2. BUSINESS

2.1. Review 2023 Proposed State Legislation and Take Action on Board Positions

The Executive Committee presented its recommendations on the legislative bills related to the work of the State Board and to the Commissioner of Education.

2.1.A. Discuss Constitutional Amendments and Legislative Bill on State Board

Board Members discussed the introduced legislation regarding the governance of the State Board of Education and the Commissioner of Education.

Elizabeth Tegtmeier left at 3:34 p.m. Returned at 3:38 p.m.

Jacquelyn Morrison left at 3:41 p.m. Returned at 3:51 p.m.

President Gubbels called for a break at 3:42 p.m. The meeting resumed at 3:51 p.m.

Patsy Koch Johns left at 4:54 p.m. Returned at 5:00 p.m.

2.1.B. Executive Committee Recommendation on Legislative Positions

Board Members discussed the Executive Committees recommendations on each of the Constitutional Amendments and Legislative Bills. Board members recommended changing the Committees recommendation on Bill 753 to add Neutral.

3. ADJOURNMENT

President Gubbels adjourned the meeting at 5:14 p.m.

The State Board of Education will reconvene Friday, February 3, 2023, at 9:00 a.m. at Nebraska Innovation Campus, Banquet Hall, 2021 Transformation Drive, Lincoln, NE 68508.

STATE BOARD OF EDUCATION MEETING, Friday, February 3, 2023, 9:00 a.m.

1. CALL TO ORDER – President Patti Gubbels called the meeting to order at 9:02 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 (arrived at 9:18 a.m.)		

Deputy Commissioner Frison was also in attendance.

Absent: Kirk Penner

1.2. President Gubbels led the Pledge of Allegiance.

1.3. President Gubbels announced the placement of the Open Meetings Act.

2. SPECIAL PRESENTATIONS

2.1. Career and Technical Student Organization Presentation

Katie Graham, Administrator of the Office of Career and Technical Education, recognized February as National CTE Month and introduced the following guests who made presentations on their Career and Technical Education experiences:

Educators Rising (CTSO State Officers)

Milan Aranda (President), Burke High School

Maddie Saub (Secretary), Millard Education Academy

Aliyah Aljaddou (VP of Communication), South High School (absent)

Eric Snyder, Educators Rising State Adviser, NDE

Raymond Central FFA (Rural District CTE)

Aleyna Cuttlers, Senior, AFNR/FFA Student

Tony Kobza, Assistant Principal/Activities Director, Raymond Central Public Schools

Grand Island (Middle School and Career Academy)

Bella Arrants, 8th grader at Westridge MS

Alex Johnson, Senior at Grand Island Senior High

Dan Phillips, Director of Innovation for College and Career Readiness, Grand Island Public Schools

3. DEPUTY COMMISSIONER'S REPORT

Deputy Commissioner Frison delivered the 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

No consent agenda items were requested for removal.

4. PRESIDENT'S REPORT

President Gubbels delivered the President's Report

5. CONSENT AGENDA

Motion by Sherry Jones, second by Patsy Koch Johns to approve the Consent Agenda.

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

The motion passed.

6. SPECIAL COMMITTEE REPORTS

6.1. **Executive Committee** – Patti Gubbels, Chair, reported on the meeting of the Committee.

6.1.A. Action Item: Review 2023 Proposed State Legislation and Take Action on Board Positions

Motion by Lisa Fricke, second by Deborah Neary to adopt the legislative positions as recommended by the Executive Committee with the exception of LB188.

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

The motion passed.

Motion by Jacquelyn Morrison, second by Deborah Neary to amend the NDE Recommendation on LB188 to strike the word “Neutral” and insert the word “Opponent”.

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

The motion is lost.

Motion by Sherry Jones, second by Lisa Fricke to adopt the recommended position of the Executive Committee on LB188

Lisa Fricke:	No
Patsy Koch Johns:	No
Deborah Neary:	No
Sherry Jones:	Yes

Elizabeth Tegtmeier: No
Patti Gubbels: Yes
Jacquelyn Morrison: No
Kirk Penner Absent

The motion is lost.

President Gubbels called for a break at 10:15 a.m. The meeting resumed at 10:30 a.m.

Motion by Elizabeth Tegtmeier, second by Patsy Koch Johns to reconsider the vote on the motion to amend the Executive Committee's recommendation on LB188 to strike "Neutral" and insert "Opponent".

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

The motion passed.

Elizabeth Tegtmeier called up the motion to reconsider the vote on the LB188 recommendation to strike "Neutral" and insert "Opponent".

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

The motion passed.

6.1.B. Action Item: Proposed Changes to April 2023 and December 2023 Meeting Dates

Motion by Deborah Neary, second by Patsy Koch Johns to adopt the proposed changes to the April 2023 and December 2023 meeting dates as recommended by the Executive Committee.

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

The motion passed.

6.2. **Budget and Finance Committee** – Patsy Koch Johns, 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 Deputy Commissioner to contract with ESU 10 to perform duties associated with UNK’s Mid-Nebraska Educator Pipeline Grant

Motion by Elizabeth Tegtmeier, second by Lisa Fricke to authorize the Deputy Commissioner to hire a Contractor to serve as a Farm to School and early Care Project Coordinator.

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

The motion passed.

6.2.D. Action Item: Authorize the Deputy Commissioner to contract with BIC Construction LLC for the remodel of leased office space at 500 S. 84th St., Lincoln, NE

Motion by Patsy Koch Johns, second by Sherry Jones to authorize the Deputy Commissioner to contract with BIC Construction LLC for the remodel of leased office space at 500 S. 84th St., Lincoln, NE

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

The motion passed.

6.2.E. Action Item: Approve the 2023-2025 NDE-NAPE/AFSCME Bargaining Agreement

Motion by Patsy Koch Johns, second by Deborah Neary to approve the 2023-2025 NDE-NAPE/AFSCME Bargaining Agreement.

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

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

The motion passed.

6.3. **Planning and Evaluation Committee Report** – Deborah Neary, Chair reported on the meeting of the Committee.

6.3.A. Action Item: Authorize the Deputy Commissioner to amend the current 2022-2023 NWEA contract for statewide assessment services to include the additional of MAP Growth for grades 3-8 for the 2023-2024 school year

Motion by Sherry Jones, second by Patsy Koch Johns to authorize the Deputy Commissioner to amend the current 2022-2023 NWEA Contract for statewide assessment services to include the addition of MAP Growth for grades 3-8 for the 2023-2024 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	Absent

The motion passed.

6.3.B. Discussion Item: Discuss necessary updates to Nebraska’s Every Student Succeeds Act (ESSA) plan

No additional discussion.

6.3.C. Discussion Item: Teach in Nebraska Today Action

Board Member Jones shared information on the Teach in Nebraska Today Act.

6.4. **Rules and Regulations Committee** – Elizabeth Tegtmeier, Chair reported on the meeting of the Committee.

6.4.A. Report on Rules

There is no action on rules.

6.4.B. Discussion Item: Approve proposed revisions to Rule 10 (92 NAC 10) *Regulations and Procedures for the Accreditation of Schools*

6.4.C. Discussion Item: Approve proposed revisions to Rule 14 (92 NAC 14) *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*

Brad Dirksen, NDE Representative, reviewed revisions to Rule 10 (92 NAC 10) *Regulations and Procedures for the Accreditation of Schools* and Rule 14 (92 NAC 14) *Regulations and Procedures for the Legal Operation of Approved Nonpublic Schools*.

6.4.D. Discussion Item: Approve proposed repeal of Rule 23 (92 NAC 23) *Regulations for the Basic Skills Competency Testing of Teachers and Administrators*

Brad Dirksen, NDE Representative, reviewed revisions to Rule 23 (92 NAC 23) *Regulations for the Basic Skills Competency Testing of Teachers and Administrators*.

7. SPECIAL COMMITTEE REPORTS

7.1. Report from the Ad Hoc Search Committee – Patti Gubbels, Chair, reported on the meeting of the Committee.

8. ADDITIONAL BUSINESS

NONE

9. PUBLIC COMMENT PERIOD

9.2. Written Public Comment

Submitted written public comments are linked through SPARQ in Board Agenda item number 9.2., SBOE Written Public Comment February 2023.

10. INFORMATION ITEMS AND REPORTS

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

11. GOOD OF THE ORDER

President Gubbels mentioned the National Association of State Board of Education (NASBE) Legislative Conference March 19-21, 2023, in Washington, DC.

President Gubbels called for a break at 11:41 a.m. The meeting resumed at 1:00 p.m.

PUBLIC COMMENT CON'T

Jacquelyn Morrison left at 1:00 p.m.

9.1. Public Comment

Marilyn Hoskins spoke regarding LB298 to require collection and reporting of information regarding dyslexia in schools.

Connie Schmidt spoke regarding LB298 to require collection and reporting of information regarding dyslexia in schools.

12. ADJOURNMENT

President Gubbels adjourned the meeting at 1:10 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, March 3, 2023, at 9:00 a.m. in Lincoln, NE.