

State Board of Education Work Session and Business Meeting.

Thursday-Friday June 1-2, 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, June 1, 2023, 3:00 p.m.

1. CALL TO ORDER

President Gubbels called the meeting to order at 3:00 p.m.

1.1 Roll Call

Roll Call showed the following attendance:

Lisa Fricke

Patti Gubbels

Jacquelyn Morrison (arrived at 3:25 p.m.)

Patsy Koch Johns

Elizabeth Tegtmeier

Deborah Neary

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. Legislative Session Summary and Discussion of Legislative Priorities for 2024

Board Members engaged in a work session with NDE Staff on the Legislative Session Summary and Legislative Priorities for 2024.

3. ADJOURNMENT

President Gubbels adjourned the meeting at 4:01 p.m.

The State Board of Education will reconvene Friday, June 2, 2023, at 9:00 a.m. at Nebraska Innovation Campus, Banquet Hall, 2021 Transformation Drive, Lincoln, NE 68508.

STATE BOARD OF EDUCATION MEETING, Friday, June 2, 2023, 9:00 a.m.

1. CALL TO ORDER – President Patti Gubbels called the meeting to order at 9:01 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 (arrived at 9:03 a.m.) |
| Jacquelyn Morrison (arrived at 9:19 a.m.) | 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.

Deborah Neary left at 9:10 a.m. Returned at 9:13 a.m.

2. SPECIAL PRESENTATIONS

(NONE)

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.

3.2. Provide an update on the annual review of Priority School Progress for Isanti Elementary, Middle and High School

NDE Staff provided an update on the annual review of Priority School Progress for Isanti Elementary, Middle and High School.

3.3. Discussion of the standard setting process for NSCAS assessments in English Language Arts and Mathematics and Science validation

NDE Staff provided information on the standards setting process for NSCAS assessments in English Language Arts and Mathematics and Science validation.

4. PRESIDENT’S REPORT

President Gubbels delivered the President’s Report.

President Gubbels called for a break at 10:38 a.m. The meeting resumed at 10:49 a.m.

Kirk Penner returned at 10:52 a.m.

5. CONSENT AGENDA

Motion by Lisa Fricke, 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. STANDING COMMITTEE REPORTS

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

6.1.A. Approve the Commissioner's Position Description, and the Essential Functions, Performance Indicators, and Evidence of Attainment Examples

Motion by, Lisa Fricke second by Patsy Koch Johns to approve the Commissioner's Position Description, and the Essential Functions, Performance Indicators, and Evidence of Attainment Examples.

| | |
|----------------------|-----|
| 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.

6.2. **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. Action Item: Authorize the Deputy Commissioner to approve awards for new and expansion Early Childhood Education program grants to the identified public-school districts

Motion by, Kirk Penner second by Lisa Fricke to approve awards for new and expansion Early Childhood Education program grants to the identified public-school districts.

| | |
|----------------------|-----|
| 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.

- 6.2.C. Action Item: Authorize the Deputy Commissioner to contract with LDP, Inc. d/b/a Leader Services to provide support in developing a web application for collecting, storing, tracking, monitoring, reporting, and verifying federally required state-level data, district level data, and complaint investigation data

Motion by Kirk Penner, second by Patsy Koch Johns to contract with LDP, Inc. d/b/a Leader Services.

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

The motion passed.

Deborah Neary left at 11:12 a.m. Returned 11:14 a.m.

- 6.2.D. Action Item: Authorize the Deputy Commissioner to approve the reVISION Action Grants for 2023-2024

Motion by Deborah Neary, second by Patsy Koch Johns to Authorize the Deputy Commissioner to approve the reVISION Action Grants for 2023-2024.

| | |
|----------------------|-----|
| 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.

- 6.2.E. Action Item: Authorize the Deputy Commissioner to approve a contract with Pearl Strategies for the costs of services delivered utilizing state set-side funds through American Rescue Plan/Homeless Children and Youth (ARP/HCY) I and II Grants

Motion by Sherry Jones, second by Deborah Neary to approve a contract with Pearl Strategies.

| | |
|----------------------|-----|
| 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.

6.2.F. Action Item: Authorize the Deputy Commissioner to distribute the Local Food for Schools Grant funds to School Food Authorities

Motion by Sherry Jones, second by Patsy Koch Johns distribute the Local Food for Schools Grant funds to School Food Authorities.

| | |
|---------------------|-----|
| Lisa Fricke: | Yes |
| Patsy Koch Johns: | Yes |
| Deborah Neary: | Yes |
| Sherry Jones: | Yes |
| Eliza: | Yes |
| Patti Gubbels: | Yes |
| Jacquelyn Morrison: | Yes |
| Kirk Penner | Yes |

The motion passed.

Kirk Penner left at 11:23 a.m.

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

6.3.A. Action Item: Approve the Rule 11 teacher waiver request from Creek Valley Public Schools

Motion by Sherry Jones, second by Patsy Koch Johns to approve the Rule 11 teacher waiver request from Creek Valley Public Schools.

| | |
|----------------------|--------|
| 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.

6.3.B. Action Item: Approve the Rule 11 teacher waiver request from Red Cloud Community Schools

Motion by Sherry Jones, second by Patsy Koch Johns to approve the Rule 11 teacher waiver request from Red Cloud Community Schools.

| | |
|----------------------|--------|
| 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.

- 6.3.C. Action Item: Authorize the Deputy Commissioner to approve the accreditation of school systems appearing on the accompanying list to operate for the 2023-2024 school year under Rule 10

Motion by Lisa Fricke, second by Patsy Koch Johns to approve the accreditation of school systems appearing on the accompanying list to operate for the 2023-2024 school year under Rule 10.

| | |
|----------------------|--------|
| 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.

- 6.3.D. Action Item: Authorize the Deputy Commissioner to approve the new approved schools and adding grades to approved schools appearing on the accompanying list to operate for the 2023-24 school year under Rule 14.

Motion by Deborah Neary, second by Sherry Jones to approve the accreditation of school systems appearing on the accompanying list to operate for the 2023-2024 school year under Rule 14.

| | |
|----------------------|--------|
| 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.

- 6.3.E. Action Item: Authorize the Deputy Commissioner to approve the new interim-program school appearing on the accompanying list to operate for the 2023-24 school year under Rule 18

Motion by Deborah Neary, second by Patsy Koch Johns to approve the new interim-program school appearing on the accompanying list to operate for the 2023-24 school year under Rule 18.

| | |
|----------------------|--------|
| 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.

- 6.3.F. Authorize the Deputy Commissioner to approve the educator preparation programs in Nebraska colleges and universities under Rule 20

Motion by Patsy Koch Johns, second by Sherry Jones to approve the educator preparation programs in Nebraska colleges and universities under Rule 20.

| | |
|----------------------|--------|
| 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.

- 6.3.G. Action Item: Approve the amendment for Section 4 of Nebraska's Every Student Succeeds Act (ESSA) Plan

Motion by Patsy Koch Johns, second by Lisa Fricke to approve the amendment for Section 4 of Nebraska's Every Student Succeeds Act (ESSA) Plan.

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

The motion passed.

President Gubbels called for a break at 12:00 p.m. The meeting resumed at 1:00 p.m.

8. PUBLIC COMMENT PERIOD

- 8.1. Lisa Schonhuff spoke with regard to training teachers for the demographics and diversity present in the classrooms.

Linda Vermuuten spoke with regard to appreciating uniqueness and why have critical race in schools. Value every individual student and every individual teacher.

- 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. Action Item: Authorize the Deputy Commissioner to approve proposed revisions to Rule 20 (92 NAC 20) Regulations for the Approval of Teacher Education Programs

Motion by Patsy Koch Johns, second by Elizabeth Tegtmeier to approve proposed revisions to Rule 20 (92 NAC 20) Regulations for the Approval of Teacher Education Programs

| | |
|----------------------|-----|
| 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.

- 6.4.C. Action Item: Authorize the Deputy Commissioner to approve proposed revisions to Rule 21 (92 NAC 21) Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools

Motion by Patsy Koch Johns, second by Kirk Penner to approve proposed revisions to Rule 21 (92 NAC 21) Regulations for the Issuance of Certificates and Permits to Teach, Provide Special Services, and Administer in Nebraska Schools.

| | |
|----------------------|-----|
| 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.

- 6.4.D. Action Item: Authorize the Deputy Commissioner to approve proposed revisions to Rule 24 (92 NAC 24) Regulations for Certification Endorsements

Motion by Jacquelyn Morrison, second by Patsy Koch Johns to approve proposed revisions to Rule 24 (92 NAC 21) Regulations for Certification Endorsements.

| | |
|----------------------|-----|
| 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.

- 6.4.E. Adopt the content test and passing score requirements for endorsements set forth in Rule 24 (92 NAC 24) Regulations for Certification Endorsements

Motion by Jacquelyn Morrison, second by Kirk Penner to adopt the content test and passing score requirements for endorsements set forth in Rule 24 (92 NAC 24) Regulations for Certification Endorsements.

| | |
|----------------------|-----|
| 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.

- 6.4.F. Action Item: Adopt proposed revisions to Title 93, Nebraska Administrative Code, Chapters 1-16 (93 NAC 1-16), Nebraska Department of Education Personnel Rules

Motion by Elizabeth Tegtmeier, second by Kirk Penner to adopt the proposed revisions to Title 93, Nebraska Administrative Code, Chapters 1-16 (93 NAC 1-16), Nebraska Department of Education Personnel Rules.

| | |
|----------------------|-----|
| 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. ADDITIONAL BUSINESS

- 7.1. Discuss SBOE Consultant Selection Process, History, Decision-Making Steps, & Related Conflict of Interest & Gift Policies

Board Member Neary discussed the need for more transparency and that the Board should have input on processes utilized when hiring consultants to work with the Board. NDE Staff provided additional information on contracts for consultants that worked with the Board.

8. PUBLIC COMMENT PERIOD, Cont.

- 8.2. Written Public Comment

(NONE)

9. INFORMATION ITEMS AND REPORTS

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

10. GOOD OF THE ORDER

President Gubbels mentioned the dates of the upcoming conferences:

Administrators Days is July 26-28, 2023. NDE Day is July 26; NSEA U Professional Development Conference is July 17-July 19, 2023. Four Board Members have volunteered to do two panels during the day; NASB School Leaders and Law Conference June 14-15, 2023; and the NASBE New Member Institute Virtual Meeting June 28, 2023.

11. ADJOURNMENT

President Gubbels adjourned the meeting at 2:49 p.m.

The next regularly scheduled business meeting of the State Board of Education will be held on Friday, August 4, 2023, at 9:00 a.m. in Lincoln, NE.