

## State Board of Education Work Session and Business Meetings

Thursday-Friday, June 6-7, 2019

State Board Meeting Room, Lincoln, Nebraska

[Link to Agenda and Attachments](#)

[Link to Video of Meeting](#)

Publicized notice of the work session and business meeting was given by posting notice on the Department's website; emailed to news media requesting notification, and posting a copy of the agenda in the Office of the Commissioner of Education, which gave the date, time, and location of the meetings.

### STATE BOARD WORK SESSION, Thursday, June 6, 2019, 2:00 p.m.

#### 1. **CALL TO ORDER** - President John Witzel called the meeting to order at 2:00 p.m.

##### 1.1 Roll Call

Roll Call showed the following attendance:

John Witzel

Rachel Wise (left at 4:25 p.m.)

Patsy Koch Johns

Maureen Nickels

Deborah Neary

Lisa Fricke

Patricia Timm

Robin Stevens

Commissioner Blomstedt was also present.

##### 1.2 President Witzel announced the placement of the Open Meetings Act.

#### 2. **COMMISSIONER'S REPORT AND AGENDA OVERVIEW**

##### 2.1 Consent Agenda process

Commissioner Blomstedt reviewed the process for consent agenda items.

#### 3. **STANDING COMMITTEE REPORTS**

##### 3.7. Strategic Planning, Performance and Improvement Committee – Rachel Wise, Chair, reported on the Committee meeting.

##### 3.7.F. Discussion Item: Annual review of Priority School Progress Plan for Schuyler Central High School

Mr. Stephen Grammer, Principal, and Mr. Jim Kasik, Assistant Principal, representatives from Schuyler Central High School appeared before the Board. The school team provided an update to their Progress Plan. The team highlighted improvements in their school climate and are creating a newcomer program for English learners entering Schuyler Central High

School to provide social emotional and academic supports. The school is also increasing professional development for all teachers to increase academic achievement of students.

## **2. COMMISSIONER'S REPORT AND AGENDA OVERVIEW**

### **2.2 Report on Rules**

Commissioner Blomstedt reviewed the Rules Report with the Board.

### **2.3 Rule 10 Revision Input and Progress to Date**

Don Loeske, Department of Education representative, provided an overview of the proposed revisions for Rule 10. A review committee has been formed and meets regularly to continue the work on revisions.

### **2.4 Board Priorities and Policy Research**

Ryan Foor, Department of Education representative, introduced visitors from Girls State who have expressed interest in education. The Board took opportunity to interact with the representatives.

President Witzel called for a break at 3:15 p.m. The meeting resumed at 3:26 p.m.

## **3. STANDING COMMITTEE REPORTS**

### **3.1 Policy Committee – Patricia Timm, Chair, reported on the meeting of the Policy Committee. State Board Bylaw B13, Rule Development, was discussed for reaffirmation under the Consent Agenda at the business meeting on June 7, 2019.**

#### **3.1.A. Discussion Item: Four-year review of State Board Policy P3, Delegation to Commissioner**

The Committee discussed proposed revisions to State Board Policy P3, Delegation to Commissioner. Proposed language to clarify when an action is committed by law or regulation to the Board and when it is committed to the Department as-a-whole and may be delegated to the Commissioner's decision. This will come back as an action item at the August 2019 meeting.

#### **3.1.B. Discussion Item: Review proposed revisions to State Board Bylaw B16, Board Member Expenses**

State Board Bylaw B16, Board Member Expenses, has been monitored because of potential legislative action which did not end up being passed. The Policy Committee discussed the Bylaw and proposed revisions and will bring back to the full Board for Action at a later date, likely with the existing proposed revisions and possibly some additions.

3.1.C. Discussion Item: Legislative and Regulatory Priorities

At the request of Legislature Committee Chair, Maureen Nickels, the Policy Committee members discussed the Legislative and Regulatory Priorities that were adopted by the State Board in October 2018 and the Committee's input for same. The Committee's discussion was around the accountability of the Regulatory Priorities. The Policy Committee would recommend that procedures be put into place to monitor the progress of NDE meeting the adopted regulatory priorities.

3.2 Legislative Committee – Maureen Nickels, Chair, reported on the meeting of the Committee.

3.2.A. Discussion Item: Final 2019 Legislation Status Report

Board members were directed to the Final Legislation Status Report for 2019. Brian Halstead reviewed the document with the Board. The Legislature will return January 8, 2020.

3.2.B. Discussion Item: Revisions to State Board Legislative and Regulatory Priorities first draft - priorities for 2020

Board members were directed to the Draft Legislative and Regulatory Priorities for the State Board. The Committee is seeking input from all Board members for discussion in August. Discussion will include early childhood education among others brought by the Board.

The Legislative Committee will meet in July to plan their session at Administrators' Days in Kearney.

3.3. Commissioner's Appraisal Committee – Patricia Timm, Chair, reported on the meeting of the Committee.

3.3.A. Action Item: Approve the employment agreement between the State Board of Education and Matthew L. Blomstedt

The Committee will meet Friday morning prior to the start of the Business Meeting.

As discussed at the May meeting, the Appraisal Committee recommends that the Commissioner's contract of employment be renewed with changes to the term of the contract, extending it to June 30, 2022; and to increase the gross pay by 2.3% effective July 1, 2019, and an increase of 2.3% on July 1, 2020.

3.4 AQuESTT - Teaching and Learning Domain Committee – Lisa Fricke, Chair, reported on the meeting of the Committee.

3.4.A. Action Item: Adopt proposed revisions to Rule 20, Regulations for the Approval of Teacher Education Programs

3.4.B. Action Item: Adopt proposed revisions to Rule 23, Regulations for the Basic Skills Competency Testing of Teachers and Administrators

Commissioner Blomstedt recommended that Action Items 3.4.A. and 3.4.B. be removed from the agenda for action. The Commissioner met with the Governor and discussed the constraints around testing and the concern of lowering expectations for teacher certification. Removing the items from the agenda will give opportunity to explore the ideal processes for these Rules.

The Committee recommends these two items be removed from the Action items on the Business meeting's Agenda.

3.4.C. Discussion Item: Nebraska Social Studies Standards - Draft #2

Cory Epler, Department of Education representative, reviewed the status of the work on embedding elements of LB 399 (Americanism) into the social studies standards. Draft #3 will be reviewed in the fall with grade level clarity and review for bias.

3.5. AQuESTT - Student Success and Access Domain Committee – Patsy Koch Johns reported on the meeting of the Committee. The Committee reviewed two Consent Agenda items on the Business meeting agenda, 8.6.J. and 8.6.K., related to Career and Technical Education grants. The Committee recommends these items remain on the Consent Agenda.

3.5.A. Action Item: Grant conditional approval under Rule 18 for the Youth Care and Beyond Learning Center to operate in the 2019-20 school year

Don Loseke, Department of Education representative, shared information on the conditional approval for operation of the Youth Care and Beyond Learning Center. The Committee recommends approval.

3.5.B. Action Item: Adopt proposed revisions to Rule 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

Melody Hobson, Department of Education representative, reviewed proposed revisions to Rule 11 with the Board. The Committee recommends approval.

3.5.C. Discussion Item: Revisions to State Board Position Statement S1 (Nondiscrimination and Equal Education Opportunity in Schools), and Development of an Equity Lens

The Committee met to continue reviewing draft position statement on Nondiscrimination and Equal Education Opportunity in Schools as referred by the Policy Committee. The Committee is asking NDE staff to review the position statement and the equity lens for the Board to review in August.

- 3.6 Budget and Finance Committee – John Witzel, Chair, reported on the meeting of the Committee.

The Committee was briefed on Consent Agenda Item 8.6.I. by Dean Folkers, Department of Education representative. This item is based on the work the Board approved three years ago under the Innovation Grant Fund. This item would scale up the digital ecosystem project to allow schools to access data faster and more efficiently. The Committee is supportive of this Consent item.

- 3.7. Strategic Planning, Performance and Improvement Committee – Rachel Wise, Chair, reported on the Committee

- 3.7.A. Action Item: Approve accreditation for schools for the 2019-2020 school year in accordance with the provisions of Rule 10

Don Loeske, Department of Education representative, presented the list of schools for accreditation for 2019-2020 as provided in Rule 10. The Committee recommends approval.

- 3.7.B. Action Item: Approve the proposed modification request from Eustis-Farnam Public Schools to modify the requirements found in Rule 10

Don Loeske, Department of Education representative, provided information. Commissioner Blomstedt also provided information on the request. The Eustis-Farnam district is requesting that the Media Specialist requirements for certification be modified to meet the needs of the district.

The Committee recommends approval.

- 3.7.C. Action Item: Designate Santee Elementary and Santee High School as Priority Schools and require a significant revision to Santee Middle School's Priority School Progress Plan

Information was shared concerning the inclusion of Santee High School and Santee Elementary as Priority Schools. The Committee recommends approval.

- 3.7.D. Action Item: Remove Priority School Designation for Loup County Elementary School

Following discussion of the efforts and steps the Loup County Elementary School has made toward improving student achievement, the Committee recommended to remove the priority school designation.

3.7.E. Action Item: Adopt Proposed Revisions to the 2017-2026 Strategic Vision and Direction (Strategic Plan)

The Committee reviewed the Updated Strategic Plan document. The Committee recommends approval.

**4. BOARD REPORTS, DATES AND DISCUSSIONS ITEMS**

4.1.A. Meeting participation and joint meetings with policy partners. Board members were directed to the monthly reports of fellow Board members.

Rachel Wise left the meeting at 4:25 p.m.

4.1.B. Quarterly discussion on meeting participation

Board members shared details of meetings or visitations during the past three months.

4.2. Meetings that took place in the past and were not previously approved. Board members were reminded to include their requests for meeting participation.

4.3. Discussion of requests for future meeting attendance.

4.4. Monthly Board Travel Expense Report

**5. ADJOURNMENT**

President Witzel adjourned the meeting at 4:31 p.m. The regularly scheduled meeting of the State Board of Education will reconvene at 9:00 a.m. on June 7, 2019, State Board Meeting Room, State Office Building, Sixth Floor, 301 Centennial Mall South, Lincoln, Nebraska

**STATE BOARD MEETING, Friday, June 7, 2019, 9:00 a.m.**

**1. CALL TO ORDER** – President Witzel called the meeting to order at 9:00 a.m.

**1.1 Roll Call**

Roll Call showed the following attendance:

|                  |                 |               |
|------------------|-----------------|---------------|
| John Witzel      | Maureen Nickels | Patricia Timm |
| Rachel Wise      | Deborah Neary   | Robin Stevens |
| Patsy Koch Johns | Lisa Fricke     |               |

Commissioner Blomstedt was also present.

1.2 President Witzel led the Pledge of Allegiance.

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

## 2. APPROVAL OF THE MINUTES

2.1 Motion to approve the minutes of the May 2-3, 2019, State Board of Education meetings as published **passed** with a motion by Rachel Wise and a second by Patsy Koch Johns.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel  
Abstain: Timm

## 3. APPROVAL OF AGENDA

3.1 Commissioner Blomstedt recommended that Consent Agenda Item 8.6.M. be removed for separate discussion and vote; Action items 7.6.A and 7.6.B also be removed from the agenda.

Motion to approve the Agenda with the recommendations of the Commissioner passed with a motion from Fricke and a second by Koch Johns.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

## 4. PUBLIC COMMENT PERIOD

4.1 Request for 10-Minute Special Appearance

4.1.A Dr. Joseph O. Weixelman, Wayne State College, spoke to his experience on the social studies team for revising the standards noting the depth of review.

4.2 Public Comment

- Jack Casher, retired UNO professor, speaking to climate change noting standards only presenting one side and his request to offer balanced learning
- Rachel Pinkerton, speaking to Justice for Kids Initiative, Voice Advocacy Scholarship Luncheon, and social studies standards

## 5. HEARINGS

5.1 Hearing in NDE Case No. 19-03, Commissioner v. Maddison Brown

A hearing was held beginning at 10:01 a.m. in the above case. Kelly Muthersbaugh appeared on behalf of the Professional Practices Commission, recommending the Respondent's certificate be revoked for a period of one year. Sara Hulac, attorney for the Petitioner, recommended a more substantial recommendation of five years revocation.

The Respondent appeared on her own behalf. The hearing concluded at 10:11 a.m.

5.2 Hearing in NDE Case No. 19-04, Commissioner v. Mark Koch

A hearing was held beginning at 10:12 a.m. in the above case. Kelly Muthersbaugh appeared on behalf of the Professional Practices Commission, recommending the Respondent's certificate be revoked for a period of one year. Sara Hulac, attorney for the Petitioner, appeared in support of the recommendation.

The Respondent appeared on his own behalf. The hearing concluded at 10:18 a.m.

**6. EXECUTIVE SESSION**

Motion to move into Executive Session at 10:20 a.m. for purposes of deliberation and to receive legal advice from counsel passed with a motion by Maureen Nickels and a second by Robin Stevens.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

At 10:20 a.m., the Board moved into Executive Session for purposes of deliberation and to receive legal advice from counsel.

Motion to adjourn the Executive Session at 11:05 a.m. and return to the regular business meeting of the Board passed with a motion by Maureen Nickels and a second by Patricia Timm.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

At 11:05 a.m., the Board returned to the regular business meeting.

**7. ACTION ITEMS**

7.1 Consider the PPC's Recommended Decision in NDE Case No. 19-03, Commissioner v. Maddison Brown

Motion to adopt the Findings of Fact, Conclusions of Law of the Nebraska Professional Practices Commission. However, this Board has determined that a three-year revocation in light of the record is appropriate; and also move to adopt the Final Order proposed by Legal Counsel passed with a motion by Maureen Nickels and a second by Patsy Koch Johns.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Witzel, Timm

Voting No: Wise



- 7.2 Consider the PPC's Recommended Decision in NDE Case No. 19-04, Commissioner v. Mark Koch

Motion to adopt the Findings of Fact, Conclusions of Law and the Recommendation of the Nebraska Professional Practices Commission, revoking Respondent's administrative certificate for one year, and to adopt the Final Order proposed by Legal Counsel passed with a motion by Robin Stevens and a second by Patsy Koch Johns.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

- 7.3 There were no actions from the Policy Committee.

- 7.4 There were no actions from the Legislative Committee.

- 7.5 Commissioner's Appraisal Committee

- 7.5.A Motion to approve the employment agreement between the State Board of Education and Matthew L. Blomstedt passed with a motion by Patricia Timm and a second by Patsy Koch Johns.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

- 7.6.A and 7.6.B Action Items were removed from the agenda.

- 7.7 AQuESTT - Student Success and Access Domain Committee

- 7.7.A Motion to grant conditional approval under Rule 18, for the Youth Care and Beyond Learning Center to operate in the 2019-20 school year passed with a motion by Patsy Koch Johns and a second by Patricia Timm.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

- 7.7.B. Motion to adopt proposed revisions to NDE Rule 11, with the non-substantive change to sec. 006.03b noted in the hearing summary passed with a motion by Patsy Koch Johns and a second by Maureen Nickels.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

- 7.8 There were no actions from the Budget and Finance Committee

- 7.9 Strategic Planning, Performance, and Improvement Committee

- 7.9.A Motion to approve accreditation for schools appearing on the accompanying list for the 2019-2020 school year in accordance with the provisions of Rule 10 passed with a motion by Lisa Fricke and a second by Rachel Wise.

7.9.A. (continued)

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

7.9.B. Motion to approve the proposed modification request from Eustis-Farnam Public Schools to modify the requirements found in Rule 10, Section 007.04A in accordance with modification provisions in Rule 10, Section 013.05 Passed with a motion by Lisa Fricke and a second by Rachel Wise.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

7.9.C Motion to designate Santee Elementary and Santee High School as Priority Schools and require a significant revision to Santee Middle School's Priority School Progress Plan passed with a motion by Rachel Wise and a second by Patricia Timm.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

7.9.D Motion to remove the Priority School designation for Loup County Elementary School passed with a motion by Rachel Wise and a second by Patricia Timm.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

7.9.E. Motion to adopt the proposed revisions to the 2017-2026 Strategic Vision and Direction passed with a motion by Rachel Wise and a second by Patricia Timm.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

**8. APPROVAL OF CONSENT AGENDA**

8.1 Consent Agenda Item 8.6.M was identified for separate vote and discussion.

Motion to approve the remainder of the Consent Agenda passed with a motion by Patsy Koch Johns and a second by Rachel Wise.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

8.6.M. Motion to grant the Commissioner authority to contract with one or more contractor(s) to be determined for continued services and continuing support for Nebraska's Priority Schools for the period of July 1, 2019 through June 30, 2020, passed with a motion by John Witzel and a second by Rachel Wise.

Voting Yes: Fricke, Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm

## 9. SPECIAL PRESENTATIONS AND DISCUSSIONS

- 9.1 Inform the State Board of the activities within the Nebraska Leadership and Learning Network (NLLN) and the upcoming summit June 12-13 in Kearney

Shirley Vargas, Department of Education representative, noted that this report does not include the June 12-13 summit in Kearney. Information was shared regarding the work with the Wallace Foundation on ESSA funding for principal support across the state, NLLN, which is a statewide support to principals and superintendents in leadership skills and continuous CSI network

- 9.2 Information on Perkins V Plan and Process

Katie Graham, Department of Education representative, provided information on the Perkins V. Plan and the process.

## 10. BOARD REPORTS, DATES AND DISCUSSION ITEMS

- 10.1 Meetings that took place in the past and were not previously approved

- 10.1.A Motion to approve meetings that took place in the past and were not previously approved for Lisa Fricke passed with a motion by Patricia Timm and a second by Maureen Nickels.

Voting Yes: Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm  
Abstain: Fricke

- 10.1.B Motion to approve meetings that took place in the past and were not previously approved for Patsy Koch Johns passed with a motion by Patricia Timm and a second by Maureen Nickels.

Voting Yes: Fricke, Neary, Nickels, Stevens, Wise, Witzel, Timm  
Abstain: Koch Johns

- 10.1.C Neary (NONE)

- 10.1.D. Nickels (NONE)

- 10.1.E Stevens (NONE)

- 10.1.F Timm (NONE)

- 0.1.G Motion to approve meetings that took place in the past and were not previously approved for Rachel Wise to attend the May 29, 2019, NASBE meeting passed with a motion by Lisa Fricke and a second by Patricia Timm.

Voting Yes: Koch Johns, Neary, Nickels, Stevens, Witzel, Timm  
Abstain: Wise

- 10.1.H Motion to approve meetings that took place in the past and were not previously approved for John Witzel passed with a motion by Maureen Nickels and a second by Lisa Fricke.

Voting Yes: Koch Johns, Neary, Nickels, Stevens, Witzel, Timm  
Abstain: Wise

- 10.2 Future Meeting participation

Motion to approve future meeting participation passed with a motion by Patricia Timm and a second by Maureen Nickels.

Voting Yes: Koch Johns, Neary, Nickels, Stevens, Wise, Witzel, Timm, Fricke

## 12. **ADJOURNMENT**

President Witzel adjourned the meeting at 11:43 a.m.

The next regularly scheduled meeting of the State Board of Education will be held on Friday, August 9, 2019, at 9:00 a.m. at the Nebraska State Office Building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509. A work session will be held on Thursday, August 8, 2019 at 2:00 p.m. at the Nebraska State Office building, Nebraska Department of Education, Sixth Floor, 301 Centennial Mall South, Lincoln, NE 68509.